

Justice Center Oversight Committee

John H. Mulroy Civic Center
11th Floor East
421 Montgomery Street
Syracuse, NY 13202
(315) 435-3565

2018 Justice Center Oversight Committee Meeting Dates

Meeting #	Date	Location	Notes
1	January 3rd	518 James (Gifford Rm)	
2	February 7th	518 James (Gifford Rm)	meeting cancelled due to adverse weather
3	March 7th	518 James (Gifford Rm)	
4	April 4th	518 James (Gifford Rm)	
5	May 2nd	518 James (Gifford Rm)	
6	June 6th	518 James (Gifford Rm)	
7	July 18th	518 James (Gifford Rm)	
8	August 1st	518 James (Gifford Rm)	
9	September 5th	518 James (Gifford Rm)	MEETING CANCELLED
10	October 3rd	518 James (Gifford Rm)	MEETING CANCELLED
11	November 7th	518 James (Gifford Rm)	
12	December 5th	518 James (Gifford Rm)	



Onondaga County / Syracuse
Human Rights Commission

Joanne M. Mahoney
County Executive

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Barrie Gewanter
Executive Director

**APPROVED Minutes of the April 4, 2018 Meeting of the
Justice Center Oversight Committee Meeting (JCOC)**

Committee Members Present: Marissa Joy Mims (Chair) Carlton Strail
Dr. Dennis Nave Jeffrey Marier
Allan LaFlore

Committee Members Absent: Dr. Najah Salaam Jennings Bey

County Staff Present: Barrie Gewanter (Director). Juliette Rawda & Kelsey Leeper (Interns)

2 Sign Language Interpreters Present: Joanne Jackowski & Trisha Schwartz

Members of the Public Present: Francis M. Parks (HRC) Ken Bush & Peggy Chase (County
Legislators)

Media Present: N/A

The Meeting was convened at 5:35 p.m. with the above persons present.

**Agenda Item 1 - Welcome and Identification of JCOC Members, Administrator
& Other Persons Present**

Marissa asked each person present to introduce themselves.

Agenda Item 2 – No Draft Meeting Minutes yet Available (Aug-Dec. 2017/Jan-March 2018)

There were no draft minutes to present at that time.

Agenda Item 3 - Recognition of Visitors for Public Comment

No visitors chose to comment at that time.

Agenda Item 4 - Report from the Committee Chair (Marissa Mims)

Marissa acknowledged the resignation from Robert Slivinski, as per the letter of resignation included in Board Member packets. Carlton motioned to accept the resignation of Robert Slivinski. The motion was seconded by Allan. The vote was unanimous in favor of the motion to accept his resignation.

Marissa stated that the legislature Public Safety Committee has included consideration of the following on its April 11 meeting agenda: Reappointment of Carlton Strail, appointment



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of Cassandra Jones Ingram and Nicholas Paro. If these nominations are approved by the Committee, they would be confirmed by the full vote of the legislature on May 1st. She noted that Cassandra Jones Ingram is a former SCSD police officer. Her resume was included in Board member packets, along with some information from two internet sites about Mr. Paro. Marissa pointed out that Mr. Paro is a declared candidate for an Assembly seat, and should he win the seat, he may need to resign from the JCOC in December 2018 due to time constraints. Marissa also stated that, as Slivinski was appointed by the County Executive, an appointment to fill out his term would have to come from the County Executive's office. Barrie stated that she had provided the Depty County Exec. with two resumes to consider at the request of the JCOC Board. She added that these 2 resumes had been provided to board members for a second time in the packets from the last Board meeting. Barrie informed the board that she had an extra packet from March. Dr. Nave requested this packet and Barrie provided it to him.

Marissa stated that without a quorum of 5 Board members with current appointments present, again the Board cannot vote to issue the first 3 sets of recommendation documents. She suggested holding a special meeting for this purpose the next Wednesday, but neither Carlton nor Dr. Nave were available on that day. Allan indicated that he was not sure about his availability. So Marissa will attempt to call for this vote again at the May 2nd meeting. Marissa also informed Board that she planned to ensure that this evening's meeting was concluded by 7:30pm. Allan asked if there was a mechanism to expedite the expected appointments. Marissa responded that this would not be possible.

Marissa pointed to a set of 17 draft JCOC Board policies in Board member packets. Barrie clarified that these policies were discussed in previous JCOC meetings, but had not been codified beyond meeting minutes. Marissa asked that everyone review these draft policies before the next meeting, when they could be discussed as needed and considered for approval. She asked board members to email her or Barrie with any edits, concerns or changes.

Barrie asked if Board members wanted to create a new policy related to external relations. She pointed to the draft policy designating the JCOC Chair as media spokesperson, but that an issue came up at the last meeting in relation to another type of external communications. Jeffrey Marier suggested changing policy 1 to apply to all external relations, not just media relations. There was consensus on this change among those present.

Barrie clarified that the resignation of Bob also vacates an officer slot on the Board in addition to an appointment. Allan LaFlore nominated Jeffrey Marier citing his previous board experience. Marissa stated that this would have to be table until the next meeting because a quorum is needed.

Marissa asked if Board Members had any new topics that they wished to discuss at the April 11th bimonthly meeting with Custody command staff at the jail. Barrie noted the following topics mentioned by Carlton at the last meeting: Update on communication with Sorenson re: installing videophones on one or more pod(s), Provision of staff training for Deaf awareness, Application of SHR



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Directive 10 in Jail, Update on draft new accommodations directive for jail, Potential to utilize Sprint Captel for people who are Hard of Hearing (HOH). Barrie also suggested that they ask for an update on the ACA Accreditation Process as well as improvements in tracking of medical grievances. There was consensus on these items. Barrie asked if they wanted to ask for information about the professional background of the new CCS Medical Director based in the jail, and about the role of the doctor who serves as the CCS Regional Director. There was consensus on these items as well. Barrie then described the document in board member packets that resulted from a follow up discussion she had with former board member Bob Slivinski about enhancing the information available to inmates who faced internal discipline hearings. She indicated that board member packets also includes a related excerpt from the inmate handbook and two relevant sections from the Minimum Standards in the NY State Code of Rules and Regulations. She asked if Board members wanted to discuss this topic in the April 11 meeting as well. Allan stated that it is quite a bit of material to go through, and requested more time to review it thoroughly. Jeffery agreed. Marissa suggested that the Board discuss this topic in the May JCOC meeting instead of putting it on the agenda for the April 11th meeting. .

Marissa stated that in Executive Session she will provide an update on communications with the Legislature Chair related to medical recommendations and oversight.

Agenda Item 5 - Report from Administrator (Barrie Gewanter)

Barrie stated that new board member Jeff Marier will be going on a tour of the jail on 4/6. Lt. Woods will do a mini orientation before the tour so that Jeff will be ready to schedule his sit-alongs. Barrie asked if anyone besides Marissa is interested in a tour of the old public safety building over the summer after expected new board members join the board. Jeff expressed interest. Barrie also stated that she would schedule meetings with Dr. Nave to go over his review of medical records.

Barrie stated that overall case statistics had not yet changed from the last meeting because the documentation related to the new cases described at the last meeting has not been completed so these cases have not yet been added to the database. She did describe two new cases that have been added to this queue:

1) An observant Muslim wearing a hijab was brought into the jail. She reported that a deputy pulled off her hijab in the Booking vestibule. This was done without warning or discussion and when male staff members present. The hijab was put in the woman's property bag. When the woman was put on the pod she was not provided with any information that she was allowed to wear a hijab in her cell and in religious congregate worship. Barrie pointed to documents in board member packets from the Inmate Handbook related to allowable items in general and segregated housing, inmate dress code, transport to and from a housing pod, items that can be carried to a congregate religious service, religious headgear, and excerpts from a Custody Directive related to "Religious Services." She suggested that although a yarmulke and kufi are mentioned in these documents, there is no mention of religious headgear for women in these documents. She also pointed out that while an inmate is explicitly allowed to bring rosary beads



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to congregate worship there is no mention of carrying religious headgear for men or women. The directive also has a statement acknowledging inmates right to exercise their religious belief as long as this does not pose a threat, and a statement asserting equal status and protection for all religious services.

2) A male inmate alleged that he was provided medication in reception that impaired his mental state, and made him unable to comply with instructions. A SERT team was deployed, but he was unable to comply with their instructions as well. He claims that his foot was broken during SERT officers' attempts to get him to comply.

Barrie stated that she had also received a new medical complaint but was unclear if it should be a JCOC case and asked board members to make that decision. She reported that a man was brought to the jail from the hospital ER after a car accident in which he suffered a head injury. The man subsequently developed neurological symptoms for which he was evaluated and treated, including being sent out for outside evaluation. Dr. Nave asked if he had filed a complaint about his care. Barrie responded that he sent a green complaint form and that she had interviewed him. Dr. Nave suggested that without reviewing his medical records, it would be difficult to decide if the man's case fell within JCOC criteria. Barrie said that she could seek a HIPAA authorization from the man to obtain his medical records for review by Dr. Nave.

Barrie stated that there were no new non-medical incidents and no new hospital transport charts for February or March. However, she asked if any Board members had questions from the hospital transport charts provided to Board Members at the last meeting for November and December 2017 and January 2018. Barrie provided a redacted copy of these charts to the 3 visitors to the meeting. Carlton asked why an inmate had been hospitalized for 28 days starting on Nov. 8th. He suggested that this was an unusually long period of time compared to the usual average of less than 5 days. Barrie said that she will ask Custody Command for a response.

Barrie reported back in relation to board member questions about last month's notification that a male inmate had attempted suicide during the designated time for shaving. She pointed to documents included in board member packets including pages from Custody Directive 25 related to "Inmate Hygiene" and from the Inmate Handbook in regard to procedures for shaving. In response to a follow up question from a Board member, Barrie stated that the purpose of these procedures regarding razors and shaving is to avoid injury to staff or other inmates. She also said that the observation of inmates shaving may vary based on the type of housing and inmate segregation or observation status.

Barrie also mentioned a local Coalition event coming up with a criminal justice reform focus, and that a related flyer is in board member packets. She stated that bail reform is one of the issues that will be discussed at this event, and that she included a fact sheet about this issue in the packets as well. Barrie stated that some people are held in the jail because they cannot make bail.

Allan asked about the new JCOC Brochure. Barrie stated that it will be printed later in April. 4
Marissa recalled that the board discussed some edits from the Deputy County Executive, and that



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the board decided to accept them because they were minimal changes. Marissa asked Barrie if everyone on the board was given business cards. Barrie stated that these were only printed for Board Chairs.

Agenda Item 6 - Status of Recommendations:

Marissa reiterated that without a quorum the Board cannot vote to issue the first 3 sets of recommendation documents. She will call for this vote again at the May 2nd meeting.

Barrie reported that she is almost finished analyzing the last set of CCS docs in order to complete a first full draft of the new medical recommendations document. She stated that she will arrange a meeting with Dr. Nave to go over this analysis of the CCS medical policy documents and forms and proposed related additions to the document

Barrie indicated that there has not been any progress on the new recommendation document related to 2 cases involving language assistance since Bob Slivinski resigned. There is a rough draft document with eight of 9 recommendations written out so far. Marissa stated that she would like to work with Carlton on this document, and said she would call Carlton the next day to resume work on drafting that recommendation document. Carlton stated that it was fine. Barrie stated that she has a conflict that afternoon and will not be able to participate tomorrow. Marissa stated that she will have a first initial conversation with Carlton and will update Barrie afterwards. Carlton clarified that it will be a video phone number so there will be no barriers.

Barrie stated that Carlton's email is listed incorrectly on the Board Member Contact Sheet. His current email is "@gmail.com" instead of "@aol.com".

Agenda Item 7 - Old Business: Considering a FOIL to NYS Commission on Correction

Marissa pointed out the draft FOIL to the NYS Commission on Correction (COC) in board member packets. The FOIL requests documents the COC used in producing a Feb. 2018 report that included Onondaga County along with Rikers and 3 other county jails. Barrie pointed out that this FOIL was originally drafted by Bob Slivinski. Marissa reported that she had called and left a message at the COC office, but has not gotten a response yet. She stated that if she does not get a response by Monday 4/9 she will send the FOIL. A Board member asked if there were any other documents that the JCOC may ask the COC about. Barrie stated that she has not yet received a report of the COC investigation into the death of Christopher Duxbury from Custody Command, and asked if board members wanted to inquire about that. Marissa suggested that the JCOC Board could also request that report. Carlton questioned the delay in getting COC reports like this and raised an issue about transparency. Barrie stated that it can take more than a year or two for the COC to produce a report on a death investigation, and so a delay like this is not unusual. Barrie stated that Mr. Duxbury died in 2016.

Agenda Item 8 – New Business and Items for Next Meeting



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Marissa stated that the board needs a new meeting date for the July meeting. The first Wednesday of that month falls on July 4th. Barrie stated that the Gifford room is available July 18 but not July 11. Marissa suggested that this meeting would need to be rescheduled at a later meeting when there were more members present. She asked Barrie to mark July 18 as a tentative date.

Barrie noted the following items to be included in the agenda for the May 2 meeting:

- Nominations & Vote for Vice Chairperson
- Discussion of Information Available to Inmates Facing Internal Discipline Hearings
- Setting a final date for the July board meeting
- Update on Dr. Nave's assessment, based on medical records, of whether the new medical case discussed today should be considered a JCOC case.

Agenda Item 9 – Motion to Move into Executive Session

Before the board entertained a motion to move into Executive Session, Marissa asked the 3 visitors if they would like to offer any comment. Legislators Ken Bush said that he wanted to ask a question about the hospital transport logs. Marissa recognized Mr. Bush. He asked how many repeat transports were indicated on the unredacted copies of the hospital transport charts for November and December 2017 and January 2018. Barrie responded that there were 5 repeat transports in November, 1 in December, and 2 in January. This represented when an inmate was transported to the Hospital more than once in a given month. Mr. Bush then asked what age groups are transported to the hospital and what percentage of the overall jail population. Marissa responded that the JCOC has never been given that sort of breakdown. Jeff Marier asked Barrie & Marissa about the total population in the jail. Barrie stated that there were approximately 600 people housed at the Justice Center on any given day. Mr. Bush then commented that the reported number of hospital transports did then not appear to be a large portion of the overall Justice Center population. Barrie stated that the transports listed were only medical transports done on an emergency basis, i.e. those transports which were not predictable. She added that this was based on the criteria for incidents in the enabling legislation. Mr. Bush then inquired about the type of car used to transport inmates in these situations. Barrie responded that it would be akin to a sheriff patrol vehicle. Legislator Peggy Chase asked if these instances were related to disease or injuries. Barrie stated that could be both. She clarified that a hospital transport could be related to symptoms of a chronic disease or an injury that could not be dealt with within the jail or it could be an emergency situation.

Marissa then asked for a motion to move to Executive Session. This motion was made by Jeffrey Marier and seconded by Allan LaFlore. The motion passed.

The board moved into Executive Session after the visitors were asked to exit the room.

The board moved out of Executive Session and concluded its meeting at &7:26 pm.



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**Minutes of the Nov. 7, 2018 Meeting of the
Justice Center Oversight Committee Meeting (JCOC)
Approved at the May 1, 2019 JCOC Meeting**

Committee Members Present: Marissa Joy Mims (Chair) Carlton Strail (via phone)
Dr. Dennis Nave Dr. Najah Salaam Jennings Bey
Cassandra Jones Ingram

Committee Members Absent or Excused: Nick Paro, Jeff Marier, Allan LaFlore

County Staff Present: Montanette Murphy (Human Rights Staff)

Members of the Public Present: None Media Present: None

The Meeting was convened at 5:45 p.m. with the above persons present.

Marissa Mims went delivered her Chair's report. She urged the board members to push for reappointments for County Legislature's December meeting.

Mims reviewed the last bimonthly discussion with Custody Command. She and Barrie participated. Mims provided highlights from that discussion and a written report by Barrie Gewanter. Among the items discussed were:

- Decisions on Housing and Discipline after a suicide attempt – Custody Command reported that inmates are not disciplined after suicide attempts.
- SERT procedures were discussed. Mims reviewed the procedures with members during the Nov. meeting.

Mims stated that the next custody command meeting is the third Wednesday in December (Dec. 19th). Dr. Salaam stated she would try to make this meeting.

It was stated that Nick Paro needs to be rescheduled for a sit along. Cassandra Jones Ingram needs to schedule sit along.

In reference to the July Hospital Transport Log, committee members present would like more information on why some inmates were transported multiple times to hospital.

The JCOC will receive an update from Barrie on her attendance at the NACOLE conference in Florida. Barrie was not available for the meeting due to medical leave following a car accident.



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Mims reported that she has continued to send emails to now County Executive Ryan McMahon seeking a face to face meeting. She is still waiting to hear back from County Executive. Board members discussed their concern with the pace of progress as it relates to the Board's recommendations to county legislators and et al. Dr. Salaam stated that for three years none of the recommendations have been presented or shared with the public to date. Marissa Joy Mims stated that recommendations were passed in June and made available to the county legislative body but that no word has come forth yet from county lawmakers about the recommendations. Marissa Joy Mims stated that she has reached out to numerous members of the county legislature but has not heard back from those individuals that she reached out to. Marissa stated that the JCOC should release the recommendations. It was agreed that Marissa would email the new Chair Dave Knapp and inform him and legislators that the Committee has done its work but is waiting for the County Legal Department to offer its input. It was further decided that the JCOC body will send the recommendations to the Legislature. Copies of the recommendation will go to the County Legislature Chair; Major/Minority leaders of the Legislature; Chairs of the Legislature Public Safety & Health Committees; Syracuse Mayor Ben Walsh; County Executive Ryan McMahon; and the Sheriff's Office.

Dr. Nave made a motion to that the JCOC Board email Dave Knapp that the JCOC is ready to issue the medical recommendations; Cassandra Ingram seconded the motion. The JCOC Board agreed to look over the medical recommendations at the December meeting. Dr Nave added that he spoke with the County Sheriff and stated his opinion that there would not be any pushback from the Sheriff's Office. Dr. Nave stated that CCS might not like or agree with the medical recommendations brought forth by the JCOC. Dr. Nave stated that the policies, if put in place, will make things (matters) better. Dr. Nave confirmed that he and Barrie Gewanter have yet to meet regarding the review of a few sets of medical records.

Board members agreed to release the medical recommendations to the Sheriff's Office and County Legislature. Marissa then stated that the JCOC could release the first three recommendations of the 40 medical recommendations. Marissa then asked the JCOC Board to approve the medical recommendations created up to that point (including all 40 medical recommendations) so that the medical recommendations can be released. The board agreed and voted to approve this step.

Barrie and Marissa were not able to meet to continue work on the new recommendation document involving LEP and inmate communication and discipline hearing concerns. Marissa will schedule a meeting with Barrie in the coming future.



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Dr. Salaam and Barrie met to work on the new recommendation document regarding religious accommodations at the Justice Center. Dr. Salaam is working on this independently and intends info to follow up with Barrie by Friday, Dec. 7.

The JCOC Board discussed new meeting locations. Among the potential sites named were: Onondaga Free Library; Onondaga Community College; LeMoyne College; Marley Education Center at Crouse Hospital; Henninger High School; Nottingham High School; South Side Innovation Center. The JCOC board wants Barrie to check out these locations to make sure the sites are sufficient. Board members want a location that has WiFi; ample parking spaces; is handicap accessible, etc.

Marissa then asked for a motion to adjourn the meeting. This motion was made by Dr. Nave and seconded by Ms. Jones Ingram. The motion passed and the meeting ended at 6:55pm. No Executive Session was held

Submitted by Barrie Gewanter & Montanette Murphy