

# CA Bulletin

A Force for Progressive Change in the Criminal Justice System Since 1844

Spring/Summer 2008

## CA Campaign Helps Close Juvenile Prisons

### EMPTY BEDS WASTED DOLLARS

Should we throw away State money on unused facilities or invest in programs that help our most troubled children lead productive lives?

New York State in January announced the closing of six residential facilities in its juvenile justice system because they are sitting virtually empty — or, in some cases, have been empty for over a year. Yet the New York State Senate wants to keep three facilities open at taxpayer expense.

Auburn Residential Center  
24 beds  
0 children

Brace Residential Center  
25 beds  
3 children

Great Valley Residential Center  
25 beds  
11 children

**THE ANNUAL COST TO TAXPAYERS IS  
\$140,000 TO \$200,000 PER EMPTY BED**

**ENOUGH IS ENOUGH**

THE CORRECTIONAL ASSOCIATION OF NEW YORK A Force for Progressive Change in the Criminal Justice System Since 1844  
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▲ With this ad in Albany's *Legislative Gazette*—"The Weekly Newspaper of the New York State Government"—JJP's campaign reached legislators from across the state.

In February, shortly after New York's Office of Children and Family Services (OCFS) announced its plan to close six juvenile facilities, the CA's Juvenile Justice Project (JJP) launched a strategic campaign to educate the public about the closures and urge policymakers to support the agency's plan. Correctly predicting backlash from upstate legislators who wanted to keep the facilities open for the jobs they provided in their districts, the CA sought to prevent the Legislature from restoring funding for the prisons in the state budget.

JJP's "Empty Beds, Wasted Dollars" campaign, funded by the JEHT Foundation, focused on the plan's good fiscal sense: the facilities are either mostly or completely empty, and each empty bed costs the state \$140,000 to \$200,000 per year. OCFS forecasted \$16 million in annual savings to taxpayers. With state revenue shortfalls looming, the financial argument for closing the prisons was persuasive. JJP was successful in garnering media attention statewide, including editorials in the *New York Times* and *Albany Times Union* questioning the logic of keeping underutilized facilities open at the expense of taxpayers when more effective—and less costly—alternatives are available.

But it was never just about the money the State would save. The closures are part of a broader paradigm shift in the agency's outlook on juvenile justice. OCFS Commissioner Gladys Carrión explained: "Instead of continuing to pour money into this broken system and confining these children to facilities hundreds of miles from their homes, OCFS has aggressively been moving toward more community-based alternatives to incarceration where these children can maintain and strengthen connections with their families and the significant adults in their lives."

The analysis that the juvenile justice system is in need of overhauling, and that investing in community alternatives is the first step, echoes reforms for which the Correctional Association and others have long advocated. A year and a half ago, before new leadership at the agency, few would have expected OFCS to take such a stance. Despite soaring recidivism rates and its disproportionate confinement of

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## Looking to Paterson to Come Through on Drug Law Reform

When Eliot Spitzer became Governor of New York, advocates for repealing the Rockefeller Drug Laws had high hopes for advancing their cause. The modest drug law reforms under Governor Pataki in 2004 and 2005 helped remove the issue from the public spotlight, yet did very little to remedy the excessive incarceration of low-income people of color. Judges still do not have the discretion to determine sentences on a case-by-case basis and thousands of low-level, non-violent offenders are still being sent to prison each year instead of to drug treatment.

During his 2006 campaign, Spitzer promised to support drug law reform and real change seemed possible. But a year after his inauguration, the CA and other advocates were still waiting for the governor to fulfill his promise. His 2008 State of the State Address, for example, made no mention of sentencing reform.

Spitzer's silence on the issue notwithstanding, the CA's *Drop the Rock* campaign to repeal the Rockefeller Drug Laws gained new life. In September, the CA hired a full-time organizer to coordinate the reinvigorated effort. Since then, *Drop the Rock* has been steadily convening coalition meetings, holding public forums, publishing fact sheets, and organizing advocacy days. This year being the 35th anniversary of the laws' passage, the campaign launched the 35th Year Petition drive in January, aiming to collect 35,000 signatures urging policymakers to support drug

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## Letter from the Director

# Calling on Candidates to Address Race and Incarceration

by Robert Gangi, Executive Director

While race is a major subtext in this year’s presidential campaign, the candidates rarely mention the issue area where racial bias in America takes its most virulent form, namely criminal justice policies and practices.

The CA observes this racism when we inspect conditions inside New York City’s court pens that confine recently arrested persons. On some days, we will see not one white face, but cell after cell filled with black and brown people. The term “disproportionate confinement of minorities” fails to capture the reality. It is more accurate to say “exclusive” confinement. Given our experience, it is not surprising that the incarceration rate for African Americans in New York today is higher than for blacks in South Africa at the height of Apartheid.

Statistics show that the brunt of the so-called war on drugs falls on poor communities of color. About three-fourths of the nation’s prisoners locked up for drug offenses are minorities—this, despite research demonstrating that the majority of drug users and sellers are white. In New York, the figures are even more stark: 90% of the drug offenders in state prison for the sale or possession of narcotics are African American or Latino. If current trends continue, one of every three black males born in the United States today can expect to serve time in prison.

Studies have found that drug treatment programs, while much less costly, are more successful than imprisonment in reducing drug abuse and crime and in increasing drug offenders’ ability to find and hold jobs. If our nation’s leaders are wary of the political liabilities they would incur by advocating for sentencing reform and treatment alternatives, they can take courage from polls demonstrating widespread public support for these kinds of measures. In addition, this past June, the United States Conference of Mayors, representing the mayors of America’s large cities, unanimously approved a resolution declaring the failure of the war on drugs, condemning mandatory minimum sentences, and calling for more treatment programs. Newark, New Jersey Mayor Cory Booker said: “The drug war is causing crime. It’s chewing up young black men. And it’s killing Newark.”

The nation’s, and New York’s, criminal justice policy is not aimed at problem-solving, but designed, at best, to achieve a pernicious kind of containment. It is inflicted on mainly low-income inner city people of color who are politically powerless and without the capacity to protect themselves from government abuse or neglect. Prisons have become the blunt instrument of a regressive social policy and it is long past due that our country’s leaders, those in high office and those who aspire to it, stand up on these issues and put a stop to the political folly and moral shame of our time.

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### CA Bulletin

Sam Streed, Editor

# CA VICTORY: OCFS Enacts Landmark Policy for Gay and Transgender Youth

In March, the New York State Office of Children and Family Services (OCFS) enacted an agency-wide anti-discrimination policy designed to support and protect lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth in state juvenile facilities. It is estimated that ten percent of the thousands of young people in New York's youth prisons are LGBTQ. Incarcerated LGBTQ young people report being slapped, hit, punched, kicked, threatened, and called names by other residents, with staff members not only failing to protect them, but at times even joining in the abuse.

To address these issues, Mishi Faruqee, Director of the CA's Juvenile Justice Project, helped OCFS form the "Working Group on LGBT Youth in State Custody," which she co-chaired alongside OCFS Commissioner Gladys Carrión. Working with OCFS and members from other juvenile justice organizations—Sylvia Rivera Law Project, Peter Cicchino Youth Project of the Urban Justice Center, Legal Aid Society, and Lambda Legal Defense and Education Fund—the working group helped draft the new policy, which includes comprehensive childcare guidelines for working with LGBTQ youth. Among its provisions, the policy:

- Prohibits anti-LGBTQ threats of violence, actual violence, discrimination or harassment by OCFS personnel or other youth;
- Mandates prompt and thorough reporting, investigation and remediation regarding cases of discrimination or harassment;
- Requires all OCFS staff to attend training on LGBTQ issues;
- Provides transfer options for youth based on sexual orientation, gender identification, or gender expression;
- Establishes procedures for beginning or continuing hormone therapy in accordance with accepted standards of care;
- Requires that facilities make relevant literature and resources available to LGBTQ youth;
- Requires staff to refer to youth by their preferred name and gender pronoun; and
- Permits youth to choose their preferred undergarments and select hair and grooming styles outside of gender norms.

Especially in its sensitivity towards gender identity issues, OCFS' new policy is among the most progressive of its kind in the country. The CA's Juvenile Justice Coalition and other members of the working group will continue to collaborate with OCFS to monitor the policy's implementation, and ensure that it fulfills its potential to create a safe and supportive environment for LGBTQ youth. ■

## John S. Prescott, Jr. 1927-2008

The board and staff of the Correctional Association of New York deeply mourn the loss of long-time and well-respected board member John Prescott, whose belief in the inherent dignity of all people drove his life-long commitment to social justice. He played an especially important role as an active participant in our prison monitoring visits and meetings with prison officials. We will miss his wise counsel and gentle presence. We extend our heartfelt condolences to his wife, Robin, and the rest of his family. ■

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## THE "SHU" HAS FINALLY DROPPED

The Fall/Winter 2007 issue of *CA Bulletin* featured an update on proposed New York State legislation designed to protect inmates with mental illness. After years of public reporting and advocacy work on the part of the CA and others, the bill was signed into law on January 29.

The CA's in-depth reporting on the issue—*Lockdown New York* (2003) and *Mental Health in the House of Corrections* (2004)—drew wide attention from policymakers, media, and the public, especially in exposing the large numbers of prisoners with mental illness inhumanely placed in harsh disciplinary confinement cell blocks known as Special Housing Units (SHU). Working with the Mental Health Alternatives to Solitary Confinement—a coalition of advocates and family members of prisoners—and key legislative allies, the CA led a multi-year effort to secure protection and appropriate treatment for inmates with mental illness.

The new law includes numerous important advances that will govern how the Department of Correctional Services (DOCS) and the Office of Mental Health (OMH) treat inmates with serious mental illness who would otherwise face disciplinary confinement. Among its provisions, the law diverts most prisoners with mental illness from SHU, restricts prisons from placing them on restricted diets, and establishes minimum standards for mental health assessment and treatment.

The CA's work, however, is far from over. The Prison Visiting Project has launched a monitoring initiative to make certain that DOCS and OMH implement new policies with all due expediency, that guidelines preserve the therapeutic nature of new mental health services, and that both agencies limit any and all exceptions to new requirements. The CA is also working closely with the New York State Commission on Quality of Care and Advocacy for Persons with Disabilities, which under the new law will assume a critical quality assurance role. As the only organization with unrestricted access to New York's prisons, the CA will be crucial to ensuring that these new policies fulfill their potential to have a positive, far-reaching impact on inmates with mental illness. ■

## AN ADVOCATE'S PERSPECTIVE: The Coalition for Women Prisoners' 2008 Advocacy Day

**O**n March 4, the Women in Prison Project (WIPP) coordinated the Coalition for Women Prisoners' 14th Annual Advocacy Day. In all, 275 formerly incarcerated women and other advocates educated over 180 legislators about pressing criminal justice issues facing women and their families (see *Legislative Priorities*, facing page).



Nicole Cook, a graduate of ReConnect—WIPP's advocacy and leadership training program for formerly incarcerated women—spoke with CA staff about working as Community Outreach Educator intern and her first Advocacy Day.

< Nicole Cook

### How have your experiences as a ReConnect graduate and intern with WIPP affected you as an advocate?

When I started with ReConnect, I had no idea that it was going to be as gratifying as it was. When it was over I just wanted to keep doing more and more, so I got involved as an intern doing work preparing for the March 4 Advocacy Day. I am a formerly incarcerated woman, and just to think that someone, strangers, were out there advocating for me is amazing. I wanted to give back, and do what you guys were doing at the CA, for someone else in prison.

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law repeal. The media, too, sensed that the campaign was again gathering momentum. In early March, *Drop the Rock* held lively public forums in Hempstead and at Ethical Culture Society in New York City, which received write-ups in *Newsday* and the *Village Voice*, respectively.

Two days after the Hempstead forum, the Spitzer scandal broke. By the following Monday, Lieutenant Governor David Paterson was sworn in as New York's 55th governor. While no one can be pleased with the strange turn of events that led to the downfall of a mainly progressive political figure, Paterson's ascent remains a potentially positive development regarding drug law reform.

A former State Senator from Harlem, Paterson has been one of New York's most outspoken critics of mandatory minimum sentencing. He was arrested—alongside Meile Rockefeller, granddaughter of Governor Nelson Rockefeller and CA Board Member—in an act of civil disobedience during a 2002 *Drop the Rock* demonstration in front of Governor Pataki's New York City office. In 2004, when the Senate

**If there is one thing that you hope legislators have taken away from your meetings with them, what would it be?**

The number one thing I hope is that they were able to put a face to the number. I hope they saw that there are *people* that are formerly incarcerated, that we're human beings, and that we have a voice and we want to be heard. What our experiences were like—the good and the bad, what we need to change, what we need help with, how we can help them help us—that was basically what I hope they were able to visualize.

**What made the women in your community outreach workshops want to get involved in Advocacy Day?**

I think my passion for the work and my passion for advocating, period, was contagious. People saw it wasn't just like a typical workshop. We explained about leadership, advocating, bills—but we broke it all down to layman's terms. People were able to understand that just because you were incarcerated, it doesn't mean you can't participate and help someone else. It doesn't matter where you come from—your background, your ethnicity, your religion—we all come together, on one accord, for the same cause.

**Why do you think it is important for formerly incarcerated people to take a leading role in the criminal justice reform movement?**

When you come from prison, you want to be rehabilitated, and you want to show people that “I may have made this mistake in the past, but I moved on with my life, and I am a changed person.” I think it is really important for people to see formerly incarcerated individuals, like myself, [and understand] that everyone doesn't go right back to jail. Even though we were incarcerated, we learned, and now is our time to speak out.

and Assembly agreed on a watered-down reform bill, Paterson told the *Albany Times Union*, “What we're going to fight for is that the issue stays alive. [...] It is my belief that our capacity to influence the situation is greater than before.”

Now Paterson has the opportunity to profoundly “influence the situation” by making the issue a top priority, and *Drop the Rock* is moving quickly to hold him to his long-standing commitment to drug law overhaul. Like the CA and many others, Paterson knows the devastating effects these kinds of laws have had on communities—mothers and fathers needlessly torn from families, young people confined in debilitating conditions, and people in desperate need of treatment to address their addictions instead locked up hundreds of miles from their homes. After three and a half decades of costly, ineffective, and racially biased mandatory sentencing policy, the CA looks to New York's new governor, historically an ally, to exercise leadership and promote repeal of the Rockefeller Drug Laws now. ■



▲ The Coalition for Women Prisoners' 2008 Advocacy Day (Photo: Takahiro Imamura)

## Why is it important for formerly incarcerated women in particular to be involved?

A woman knows how another woman feels about being a mother, being a sister, being a daughter—we take on a lot of responsibilities; we wear a lot of hats. So, a woman who is formerly incarcerated can basically say to another woman, “I’ve been through all of this, and look at me now. I have changed for the better; and now I am here to help any other woman I can who looks around and sees total darkness, and no way out, to uplift them and tell them, *it will be fine.*”

## In what ways do you think advocacy skills are particularly important in the everyday lives of formerly incarcerated women?

One thing I recognize as an advocate: people respect you more when they see you are not afraid to stand up for what you believe in. It is very important for women to understand: you can be heard now. The silent treatment is over. Now you have a chance to prove to yourself and to everyone else, that “I made it—I was incarcerated, I felt worthless, hopeless, and all the other negative emotions you go through when in prison.” To transform into a person who speaks out and advocates for other women, that’s awesome. It is hard for people to come out of that, but during ReConnect, watching other advocates, it helped [me] to be able to say “Oh, well, she can do it!” ■

**The CA welcomes** Maggie Williams, the Women in Prison Project’s new Associate Director. Maggie comes to the CA from MoveOn.org Political Action, where she worked to increase voter turnout. Before this, she founded and ran the Voter Enfranchisement Project at the Bronx Defenders, which aimed to increase the civic participation of people involved in the criminal justice system. A dedicated and skilled social justice advocate, Maggie will be a valuable addition to the Women in Prison Project team.

**The CA wishes the best for** Asadullah Muhammad, Youth Training Coordinator for *Each One, Teach One*, who moved with his family to New Orleans, where he is now Managing Director of a new charter school. Asadullah devoted his good ideas, energy, and his heart and soul to develop *Each One, Teach One*, and his contributions to the Juvenile Justice Project and the CA were invaluable. Please also see our tribute to Mishi Faruquee (see *Farewell*, page 6), who after ten years at the CA is moving on from her current role as Juvenile Justice Project Director. ■

## Coalition for Women Prisoners’ 2008 Legislative Priorities

Allocate at least \$1.5 million for family visiting programs in prison, and give foster care agencies discretion to make appropriate and fair determinations about termination of parental rights when a parent is incarcerated.

**FACT:** New York’s largest women’s prison is eight hours from New York City, making it difficult for incarcerated mothers and children to maintain contact. In addition, the median sentence for women in New York is 36 months, but the State’s Adoption and Safe Families Act almost always requires a foster care agency to file for termination of parental rights if a child has been in foster care for 15 of the last 22 months.

Require New York to file and process Medicaid applications for incarcerated people who entered prison without Medicaid coverage already in place.

**FACT:** A disproportionate number of incarcerated women suffer from serious and chronic illnesses, yet individuals who did not have Medicaid prior to incarceration have to wait 45-90 days to become eligible for health insurance after their release.

Require the State Department of Health (DOH) to oversee and monitor HIV and Hepatitis C care in prison.

**FACT:** About 12% of women in New York’s prisons are HIV positive and more than 22% have Hepatitis C. Prison health services are the only public health services in the state that are exempt from DOH oversight.

Allow domestic violence survivors who are incarcerated for committing violent crimes as a result of abuse to be eligible to earn merit time.

**FACT:** Eight in ten incarcerated women were physically and/or sexually abused as children and 75% suffered serious physical violence by an intimate partner during adulthood. Survivors of domestic violence whose crimes stem from repeated abuse pose virtually no threat to public safety, yet often receive long sentences with little chance for early release.

Repeal New York’s Rockefeller Drug Laws and increase funding for gender-specific, community-based drug treatment and other alternative to incarceration programs for women.

**FACT:** About one-third of women in prison are serving time for drug offenses—about 60% for the three lowest categories of drug crimes—and more than 88% report having a substance abuse or alcohol problem before their arrest. Only 17 women were resentenced and released as a result of the minor reforms to New York’s mandatory drug sentencing laws in 2004-2005.

The full version of WIPP’s *2008 Proposals for Reform* is available for download at: [www.correctionalassociation.org/WIPP](http://www.correctionalassociation.org/WIPP)

# Farewell, Mishi Faruqee



After ten years with the CA, Mishi Faruqee, head of the Juvenile Justice Project, is moving on to a new position at the New York City office of the Children's Defense Fund.

It would be difficult to overstate what Mishi brought to the CA. She was instrumental in raising the profile and effectiveness of the Juvenile Justice Coalition and its working groups, through which she mobilized the voices and talents of child welfare and juvenile justice advocates from organizations across the city. As a tireless advocate for youth involved in the juvenile justice system, she helped secure substantial advances at the city and state levels. In 2002,

as part of the No More Youth Jails! Campaign, Mishi wrote a pivotal report, *Rethinking Juvenile Detention in New York City*, and helped organize a series of youth-led protests that halted the city's plans to expand youth detention facilities.

More recently, she made unprecedented progress in collaborating with the Office of Children and Family Services, the state agency that operates New York's youth prisons. Working with Commissioner Gladys Carrión, Mishi helped bring about a number of important reforms, including the agency's adoption of best practices guidelines for working with LGBT youth (see *CA Victory*, page 3), the reactivation of its ombudsman's office, and the formation of an Independent Review Board designed to monitor policies and practices.

Mishi was—and is—committed to creating a forum for youth, especially low-income youth of color, to speak out on juvenile justice issues. She developed and launched *Each One, Teach One*, the CA's advocacy training program for youth, and based on its model, created a training program for lesbian, gay, bisexual, and transgender youth, *Safe Passages*—the first of its kind in the county. Both programs have flourished during her tenure, bringing the often-disregarded voices of youth to the public debate on these issues.

In 1999, Mishi penned a values statement, reprinted here, that eloquently captures the spirit and substance of the CA's work. Mishi embodies these values and has infused them in all her efforts with the Juvenile Justice Project. To the staff at the CA, Mishi has been a wonderful colleague: thoughtful, intelligent, collegial, good-natured and generous. For many reasons, she will be sorely missed. ■

## Correctional Association Statement of Values

### *Mishi Faruqee, 1999*

The driving force of our work is a belief in the inherent dignity of all human beings. The most brutal aspect of our criminal justice system is the way it attempts to strip individuals of their humanity and spirit. The Correctional Association exists to counter this brutality, to affirm the value of all people, and to promote policies that transform individuals and society for the better.

We possess a deep faith in the human capacity for change. We advocate for a justice system that holds a person accountable for a crime yet does not condemn an entire life based on a person's worst act. We support policies and programs that give people a second chance – or, as in some cases, the first opportunity in their life – to meet their potential and positively integrate into society.

We believe in a definition of justice that goes beyond a process of law and accountability to an ideal that encompasses social and racial equality on all levels. We work not just to protect individual rights but to effect a common good. In order to achieve true justice, our society must not only sanction and rehabilitate offenders but also build up impoverished communities and address the root causes of crime.

Finally, we recognize that we are all connected in spirit if not experience – a criminal justice system that degrades and demeans certain members of our society, in effect, degrades and demeans all of us.

## COMING SOON: CA Report on Healthcare in Prisons

The CA's Prison Visiting Project (PVP) is in the final stages of preparing its in-depth assessment of medical services in New York State prisons. Entitled *Healthcare in New York State Prisons – 2004-2007*, the report was requested by the New York State Assembly Correction and Health Committees, and is expected for publication by summer 2008. Prior to *Healthcare*, no comprehensive analysis of prison healthcare has been made available to the public. Especially with the high incidence of chronic, infectious diseases among individuals in prison—most of whom will one day return home—proper diagnosis and treatment benefit inmates, their families, and the community at large.

Check [www.correctionalassociation.org](http://www.correctionalassociation.org) for publication updates. To be informed by email when the report is released, subscribe to the CA eNewsletter at [www.correctionalassociation.org/enews](http://www.correctionalassociation.org/enews). ■

THE CORRECTIONAL  
ASSOCIATION OF NEW YORK  
1844 MEDAL DINNER

Wednesday, June 11, 2008  
The University Club

HON. MORRIS E. LASKER  
1844 Medal

HON. FELICE K. SHEA  
Award for Achievement in Public Service

## The 1844 Medal Dinner

Please join us on Wednesday, June 11, as the Correctional Association holds its 18th annual 1844 Medal Dinner. The evening provides an opportunity to celebrate the CA's programs and recognize the particular contributions of individuals who have made a significant difference in criminal justice reform and the advancement of social justice.

This year the CA will present to the Honorable Morris E. Lasker its 1844 Medal, named for the year in which the Association was founded. Appointed a federal district judge by President Lyndon Johnson in 1968 after a distinguished career as an attorney in private practice, Judge Lasker has for 40 years steadily and resolutely demonstrated the power of the law to advance justice and fairness in our

society. Judge Lasker's rulings have consistently contributed to securing the rights of all citizens. In particular, his name will be forever associated, in the words of a *New York Times* editorial, with "courage, compassion and patience in directing litigation over conditions in New York City jails."

We will also recognize the Honorable Felice K. Shea with our Award for Achievement in Public Service. A former attorney at the Harlem Branch of the Legal Aid Society and retired Justice of the New York State Supreme Court, Justice Shea also served on the Civil Court of the City of New York and on the Family Court. Justice Shea has dedicated countless hours of service to the public through government commissions and volunteer work on behalf of a wide range of organizations, including the Correctional Association, and has become an emblem of energetic devotion to making New York a better, fairer and more caring place.

For more information about this event or to purchase tickets, please contact Director of Development Marci McLendon at 212-254-5700 ext. 314 or [mmclendon@correctionalassociation.org](mailto:mmclendon@correctionalassociation.org). ■

## DOCS' Prison Closure Plan Falls Victim to Albany Politics

As a longtime advocate for reducing New York's prison population and capacity, the CA welcomed a Department of Correctional Services (DOCS) announcement in January stating its intent to close four state prisons. Unfortunately, the governor and state legislative leaders restored funding for the facilities in the State's final approved budget.

Like the Office of Children and Family Services—which the same day announced its own plans to close six juvenile facilities (see *CA Campaign*, page 1)—DOCS cited underutilization as a driving force behind its plan. New York's prison population has declined by about 13% since 1999, and the closures promised to save the state over \$70 million over the next two years, while maintaining positions for current DOCS employees. The CA also approved of DOCS' pledge to divert cost-savings to services that prepare people in prison for a healthy and crime-free return to society, such as mental health services, re-entry initiatives, and programs that help inmates maintain family ties.

Concerned about job losses in upstate communities—in spite of DOCS' promise not to cut personnel—local politicians, the correction officers union, and the State Senate's leadership insisted on keeping the institutions open. Determined to pass an on-time budget—a goal they ultimately failed to achieve—the governor and Assembly leadership acceded to this pressure. Considering New York's budget difficulties, forcing DOCS to continue operating its underutilized facilities makes little fiscal sense and raises serious moral concerns.

"In restoring funding for the facilities, New York, in effect, openly supports a jobs program based on the warehousing of human beings," said CA Executive Director Bob Gangi. "Governor Paterson missed an opportunity—he permitted political considerations to trump his conscience. Next time we expect him to reverse that principle." ■

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Because it is our mission to hold the criminal justice system accountable for its policies and practices, we receive little government or corporate funding. The Correctional Association extends our gratitude to the generous foundations and individuals without whom our work would not be possible.

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youth of color, the old OCFS was loath to acknowledge the need for change. Its administrators certainly had little interest in hearing from reform-minded groups like the CA.

But by January, OCFS' announcement came as no surprise to the CA, which over the past year has been working closely with agency officials on a range of important juvenile justice reform issues. As the CA's legislative mandate to monitor and report on state prisons does not extend to juvenile prisons, this degree of cooperation provides access to what has essentially been a closed system. Shutting down underutilized facilities was an important step in the agency's ambitious redesign, and the CA fully supported the plan.

A few days before the state budget deadline, the CA brought over 50 young people and other advocates to Albany to speak directly with policymakers about the issue. During the subsequent budget negotiations, the closures became a bargaining chip between the Assembly and Senate, and after much wrangling, Governor Paterson and the Legislature restored funding for two of the facilities. While the CA strongly supported closing all six facilities, the closure of four is nevertheless an advance for advocates, for youth involved in the juvenile justice system, and for an agency attempting to remake itself.

The budget battle now over, the CA will turn to supporting the agency's pledge to reinvest funds in community-based alternative to incarceration programs. With Carrión and OCFS still committed to improving outcomes for troubled youth and willing to collaborate with advocates, there is good reason to remain optimistic. ■

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