

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

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July 29, 2009
Start: 11:46 am
Recess: 12:00 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
DIANA REYNA
Chairperson

COUNCIL MEMBERS:

- Diana Reyna
- Maria Baez
- Leroy G. Comrie, Jr.
- Erik Martin Dilan
- Lewis A. Fidler
- Robert Jackson
- Melinda R. Katz
- Larry B. Seabrook
- David I. Weprin
- Vincent J. Gentile
- Inez E. Dickens
- Daniel R. Garodnick
- James S. Oddo
- Christine C. Quinn
- Vincent Ignizio

A P P E A R A N C E S

Michael J. Regan
Candidate
Board of Corrections

2 CHAIRPERSON REYNA: Good morning.

3 This is Committee on Rules, Privileges and
4 Elections. Welcome. My name is Diana Reyna and I
5 am chair of this committee. I'd like to introduce
6 colleagues of the City Council. I am joined by
7 Council Member Melinda Katz, Council Member Daniel
8 Garodnick, Council Member Vincent Gentile, Council
9 Member Larry Seabrook, and Council Member Inez
10 Dickens. I know that we are joined by our chair
11 of Finance who is waiting for a quorum, Council
12 Member David Weprin, who is part of this
13 committee. We are here this morning to consider
14 the appointment of Michael J. Regan, a candidate
15 for the reappointment to the New York City Board
16 of Correction. The New York City Department of
17 Correction provides for the care, custody and
18 control of persons accused or convicted of crimes
19 and sentenced to one year or less time. The
20 Department of Correction manages 15 inmate
21 facilities, 10 of which are on Rikers Island,
22 handles more than 100,000 admissions each year,
23 and manages an average daily inmate population of
24 approximately 14,000 individuals. The New York
25 City Board of Correction oversees operations and

2 evaluates agency performance, pursuant to New York
3 City Charter, Section 626(c), 626(e), 626(f),
4 Board of Corrections or by written designation of
5 the Board of Corrections, any member of it, the
6 executive director or other employee shall have
7 the power and duty to inspect and visit all
8 institutions and facilities under the jurisdiction
9 of the Department of Correction at any time;
10 inspect all records of the Department of
11 Correction; prepare and submit to the mayor and to
12 the Council and the Department of Corrections
13 commissioner proposals for capital planning and
14 improvements; studies and reports concerned with
15 the development of the Department of Corrections
16 correctional program planning; and studies and
17 reports in regard to the methods of promoting
18 closer cooperation of custodial, probation and
19 parole agencies of government and the courts;
20 evaluate Department of Correction performance;
21 establish minimum standards for the care, custody,
22 correction, treatment, supervision, and discipline
23 of all persons held or confined under the
24 jurisdiction of the Department of Corrections; and
25 to establish procedures for the hearing of

2 grievances and complaints or requests for
3 assistance by or on behalf of any person held or
4 confined by the Department of Corrections or by
5 any employees of the Department of Corrections.
6 The Board of Corrections is composed of nine
7 members. Three members are appointed by the
8 mayor, three by the Council and three by the mayor
9 on the nomination jointly by the presiding
10 justices of the Appellate Division of the Supreme
11 Court for the 1st and 2nd Judicial Departments.
12 Appointments are made by the three respective
13 appointing authorities on a rotating basis to fill
14 any vacancy. Members are appointed to a term of
15 six years and vacancies are filled for the
16 remainder of the unexpired term. The mayor
17 designates the chair of Board of Corrections from
18 among its members from time to time. The mayor
19 may remove members for cause after a hearing at
20 which they shall be entitled to representation by
21 counsel. I'd like to request a statement at this
22 time. I'd like to welcome Mr. Regan to please
23 raise his right hand and be sworn in by counsel.

24 COUNSEL: Do you swear or affirm to
25 tell the truth, the whole truth and nothing but

2 the truth?

3 CHAIRPERSON REYNA: Mr. Regan,
4 check to see if your mike is on.

5 MICHAEL REGAN: I do. Thank you.

6 CHAIRPERSON REYNA: Thank you so
7 much. Mr. Regan, I just wanted to request your
8 indulgence. I have Council Member Garodnick who
9 is due downstairs. So if we can just have a call
10 for vote for Council Member Garodnick. Thank you.

11 COUNCIL MEMBER GARODNICK: Thank
12 you very much, Madame Chair. With congratulations
13 I vote aye and my apologies that I have to be
14 downstairs. Thank you.

15 CHAIRPERSON REYNA: Thank you so
16 much. Mr. Regan now is the time, if you have a
17 statement to share with us. Thank you.

18 MICHAEL REGAN: Good morning. I
19 don't have a written statement, but I wanted to
20 say thank you to the committee for considering re-
21 nominating me for this important position. I
22 spent 23 years in government. I spent time at the
23 New York City Board of Education. I spent time at
24 the Port Authority of New York and New Jersey. I
25 spent time here as Peter Vallone's communications

2 director and as the communications director at the
3 City Council. I then spent six or seven years at
4 the New York City Fire Department where I returned
5 from here to become first deputy commissioner
6 after 9/11. The ability that the Council has
7 given me and the Speaker has given me to serve on
8 the Board of Correction as enabled me to return to
9 the private sector and really enjoy practicing
10 public policy and ensuring the safety of everybody
11 on Rikers Island, the folks who are there and the
12 people that work there. It is a priority of the
13 Council and the Administration and certainly of
14 the standards which are the basis for the Board of
15 Correction. My only statement is to thank you so
16 much for giving me the opportunity to serve. I
17 enjoy this tremendously. It is something that's
18 engaging and something that's very rewarding.

19 CHAIRPERSON REYNA: Thank you so
20 much, Mr. Regan. I wanted to commend your years
21 of service to government and your continued
22 service. Just for the record, I wanted to express
23 that this particular reappointment is due to
24 expire on October 12, 2014. We have been joined
25 by Council Member Vincent Ignizio, Council Member

2 Leroy Comrie, Council Member Lewis Fidler, Council
3 Member Jimmy Oddo and a very large audience.

4 Welcome. We have a delegation of Council Members
5 from Johannesburg, South Africa. I'd like to
6 welcome all of you. This is quite a privilege to
7 have you here with us. We are reappointing a very
8 distinguished individual, who has, as you've
9 heard, served our government for 23 years in
10 different capacities and enthusiastically chooses
11 to remain. God bless him for it. We are thrilled
12 to participate in being able to have such a
13 distinguished member of the board. We value what
14 is human life, whether it's in a jail system or
15 living and assimilated into society. I wanted to
16 just take an opportunity Mr. Regan to ask you, as
17 far as the Board is concerned and as a member of a
18 board you've served, is there discussion amongst
19 the commission to be able to account for any
20 reporting of gang members that enter the system
21 and how many are reformed and how many exit
22 reformed from the system.

23 MICHAEL REGAN: That's a great
24 question, Madame Chairperson. The Corrections
25 Department has an unbelievably successful program

2 in interdicting gangs at Rikers Island. I really
3 congratulate the department and the commissioner.
4 They worked very closely with Commission Kelly. I
5 think Commissioner Kelly and Commissioner Horn
6 have been here to testify about this. I'm not an
7 expert on this. If you just look at the gang
8 violence that takes place in other states in the
9 United States, one could look towards California
10 for example, and the fact that that's not
11 prevalent in our community, that is singularly a
12 testament to the gang violence unit, to the
13 intelligence, to what the people do in Rikers
14 Island, together with the New York City Police
15 Department and the prosecutors in New York on a
16 daily basis.

17 CHAIRPERSON REYNA: I appreciate
18 your knowledge and the encouragement that this is
19 something that the Board is very aware of.
20 Hopefully there are some innovative measures that
21 are being proactively acted upon because in
22 communities such as the 34th District in Brooklyn
23 and Queens we have seen a resurgence of an
24 increase in gang activity, gang initiation, gang
25 membership, a reentry from the prisons to our

2 communities where we are risking our youth at an
3 early age of 10. So we're concerned and we want
4 to be able to work with our juvenile justice
5 system, but not only the juvenile justice system,
6 making sure that the Department of Correction is
7 making certain that they're taking every
8 precautionary measure to identify and I'm not
9 referring to red lining anyone, but I would see a
10 need to understand who is in the system and what
11 affiliations they may have. Are there any
12 questions or concerns? Council Member Dickens has
13 a question.

14 COUNCIL MEMBER DICKENS: Thank you
15 so much, Madame Chair. Thank you for coming in
16 this morning. I was reviewing your attendance
17 record and I see that for 2009 there have been
18 three meetings held and you've attended all three.
19 However, prior to 2009, your attendance record
20 averaged 50%. Can you explain to me why and if
21 there is a sufficient reason will continuing
22 forward would your attendance be increased and do
23 better?

24 MICHAEL REGAN: Councilwoman
25 Dickens, I think that's a very valid question. We

2 recently moved the meetings to start earlier in
3 the morning. I do have a day job. We also went
4 from 12 times a year, which I favored, I actually
5 voted against decreasing the amount of meetings to
6 6 times a year. I thought 12 times a year was a
7 better approach. But we are six times a year and
8 we've agreed to start them in the morning, I
9 believe at 8:00, and I believe that I'll come back
10 to you a hear from now and be proud to say I have
11 a much better attendance record. Thank you for
12 bringing that to my attention.

13 COUNCIL MEMBER DICKENS: Thank you
14 so much. Can you tell me what the diversity of
15 the board, the make up of the board, percentage-
16 wise?

17 MICHAEL REGAN: I don't have those
18 statistics. In terms of the board membership, I
19 don't want to misspeak, so can I get back to you
20 on that? It is a very diverse board.

21 COUNCIL MEMBER DICKENS: Would you
22 provide that information please?

23 MICHAEL REGAN: Absolutely.

24 COUNCIL MEMBER DICKENS: Thank you
25 so much and thank you for coming in.

2 CHAIRPERSON REYNA: Thank you,
3 Council Member Dickens. I have Council Member
4 Vincent Gentile who would like to share a few
5 words. I do want to note that Mr. Regan lives in
6 your district, is that correct?

7 COUNCIL MEMBER GENTILE: That's
8 correct. Mr. Regan is a native Brooklynite and
9 also a constituent of mine. Although we haven't
10 met until today, I just wanted to mention that we
11 had a very good conversation and I got a real
12 understanding of the working knowledge that Mr.
13 Regan has about the board. I think that is
14 important at that level. He has that working
15 knowledge and he's well respected by board members
16 as well as members of the Corrections union. So I
17 think we need that type of person who has that
18 knowledge and that respect on the board. I highly
19 commend him and congratulate him for what I hope
20 will be a unanimous vote.

21 MICHAEL REGAN: Thank you, sir.

22 CHAIRPERSON REYNA: Thank you so
23 much, Council Member Gentile. I wanted to note
24 that we've been joined by Council Member Maria
25 Baez. I had mentioned you, Council Member David

2 Weprin. Thank you for joining us. I know that
3 we're delayed at Finance, but I wanted to just
4 find out if there were any last comments or
5 remarks for this reappointment. We have been
6 joined by Council Member Robert Jackson. Seeing
7 not further questions, I'd like to call for a
8 vote.

9 ERIC STEVENSON: Eric Stevenson,
10 Committee Clerk. Reyna?

11 CHAIRPERSON REYNA: I vote aye.

12 ERIC STEVENSON: Baez?

13 COUNCIL MEMBER BAEZ: Aye and
14 congratulations.

15 MICHAEL REGAN: Thank you.

16 ERIC STEVENSON: Comrie?

17 COUNCIL MEMBER COMRIE: Aye.

18 Congratulations, I hope to see you continue your
19 good work.

20 MICHAEL REGAN: Thank you. Good to
21 see you, sir.

22 COUNCIL MEMBER COMRIE: Good to see
23 you.

24 ERIC STEVENSON: Fidler?

25 COUNCIL MEMBER FIDLER: Yes.

2 ERIC STEVENSON: Jackson?

3 COUNCIL MEMBER JACKSON: I vote
4 aye. Congratulations.

5 MICHAEL REGAN: Thank you, sir.

6 ERIC STEVENSON: Katz?

7 COUNCIL MEMBER KATZ: I vote aye.

8 ERIC STEVENSON: Seabrook?

9 COUNCIL MEMBER SEABROOK: I vote
10 aye. Congratulations to you.

11 MICHAEL REGAN: Thank you, sir.

12 ERIC STEVENSON: Weprin?

13 COUNCIL MEMBER WEPRIN: Aye.

14 ERIC STEVENSON: Gentile?

15 COUNCIL MEMBER GENTILE: With
16 hearty congratulations and real pride in your
17 accomplishments, I vote aye.

18 MICHAEL REGAN: Thank you, sir.

19 ERIC STEVENSON: Dickens?

20 COUNCIL MEMBER DICKENS: I vote aye
21 and congratulations, Mr. Regan.

22 MICHAEL REGAN: Thank you, ma'am.

23 ERIC STEVENSON: Oddo?

24 COUNCIL MEMBER ODDO: Yes.

25 ERIC STEVENSON: The vote stands at

2 12 in the affirmative, no negatives and zero
3 abstentions. The motion carries.

4 CHAIRPERSON REYNA: We'd like to
5 leave the vote open. We've been joined by Council
6 Member Erik Dilan and Council Member Speaker
7 Christine Quinn.

8 ERIC STEVENSON: Speaker Quinn?

9 SPEAKER QUINN: I vote aye.

10 CHAIRPERSON REYNA: Thank you very
11 much.

12 ERIC STEVENSON: Councilman Dilan?

13 COUNCIL MEMBER DILAN: I vote aye.

14 ERIC STEVENSON: The vote now
15 stands at 14 in the affirmative, no negatives,
16 zero abstentions, the motion carries.

17 SPEAKER QUINN: I voted aye over
18 knowing that Mike is a friend of Chuck's.
19 Sometimes you just have to rise above the facts,
20 colleagues.

21 CHAIRPERSON REYNA: I'm glad you
22 mentioned it. I forgot. It's duly noted. I
23 wanted to just congratulate you, Mr. Regan.
24 Continue the good work.

25 MICHAEL REGAN: Thank you very

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2 much.

3 CHAIRPERSON REYNA: This meeting is
4 adjourned.

5 COUNCIL MEMBER WEPRIN: Finance in
6 the Committee Room right now please.

7 ERIC STEVENSON: Committee members
8 sign the report please.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Donna Hintze*

Date August 16, 2009