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**Restrictive Housing Oversight Committee
Meeting Minutes**

Date: April 8, 2019
Time: 11:00AM-1:00PM
Place: McCormack Building
1 Ashburton Place
Charles River Conference Room
Boston, MA 02133

At 12:06pm, John Melander called meeting to order.

1. Introductions

John Melander asked members and guests around the table to introduce themselves.

Not present: Sean Medeiros, Geraldine Hines, and Chris Fallon.

The oath of office was administered by Deputy General Counsel John Melander at 12:09pm.

2. At 12:12pm, David Giannotti presented on legal obligations as special state employees by virtue of their position on the Committee and the conflict of interest law. David covered filing disclosures, gift restriction rules, nepotism, duty-of-loyalty restrictions, and relevant contract restrictions. Committee members are required to complete an acknowledgement of the summary of the conflict of interest law and an online training program.

3. John discussed the open meeting law and let Committee members know that we will be distributing materials relating to OML prior to the next meeting. John discussed quorum and what constitutes a formal public meeting and posting meetings online publicly 48 hours prior to the next meeting. John described the rules surrounding communications between members without a quorum and not in a public meeting setting. He requested that members of the Committee forward any materials they would like to discuss at a meeting to either John Melander or Michaela Martini to circulate to the other Committee members. John touched on executive session and the process to convene an Executive Session. John discussed how Committee members may visit correctional facilities in their capacity as a member of the Committee.

4. John read the statutory mandate of the Committee including the reporting requirements (cite specific reporting requirements). John mentioned the CMR that was distributed.

6. Members Comments

Bonnie T. proposed that the Committee have subcommittees going forward to address the specific reporting requirements. John agreed to add that to the next agenda. She also recommended that Committee members have the opportunity to self-select what they would be particularly interested in working on. Bob Fleischner mentioned the possibility of having speakers from various background including correctional officers and former inmates that have experienced restrictive housing to attend future meetings and present on various topics. John proposed the next meeting be held sometime in May. Bonnie commented that we should provide a greater space for the next meeting to accommodate the public members in attendance. John requested that we add a remote call-in vote to be added to the agenda for the next meeting. Bob Fleischner recommended that we keep the afternoon time frame for future meetings. It was acknowledged that distributed materials become public exhibits once distributed. Bonnie T. mentioned the possibility of providing a website with all the materials in one centralized location.

7. Public Comments

Cassandra Bensahi (Sp.) from the spoke about the Committee's responsibility to implement the criminal justice legislation establishing this Committee. She asked that the Committee look deeply at the issues it is charged with dealing with and that the Committee take into consideration the comments and experiences of former inmates. She asked that the work of the Committee focus on the cost, conditions, and safety of inmates assigned to restrictive housing. The Commonwealth look at other alternatives

Leslie Walker asked about individual members going to correctional facilities. John responded that case law from the OML and the intent of the statute would be to keep the Committee members together and accomplish the work of the Committee as one body and not having individual members

Encouraged the Committee members to do surprise visits and not notify the facility ahead of time to get a complete look at the restrictive housing units.

Watertown town councilor mentioned that it would not be a violation of open meeting law to individually visit a facility. She asked if the Committee is allowed to look strictly at the facilities or other materials and documents from these facilities or any other access. John responded that the Committee members have complete access to the facilities and the information they need in order to do this work so long as they are following regulations of the respective facilities.

A public member asked about the possibility of adding a formerly incarcerated restrictive housing inmate on the Committee. John responded that the Committee is bound by the legal authority establishing the Committee which does not call for that seat.

A public member asked if the Committee members can do surprise visits to which John responded that Committee members should keep in mind safety concerns.

A former inmate who was formerly in solitary confinement and had concerns about not being accurately reflected on the commission. John invited the public member to

Quinn Joseph works at College Bound Dorchester and mentioned that he also experienced long-term solitary confinement. He suggested that the Committee members look into the culture at these facilities and the treatment the inmates in solitary confinement received. John mentioned having these public members come back to speak to the Committee about their specific concerns.

Mary Vellerio asked prior to the legislation, there was language in the budget to produce a report highlighting certain aspects of solitary confinement and would like to know where the latest report of this data is. John promised to report back

DOC's first quarterly report is due and Bonnie T. would like to know if we will have them prior to the next meeting (as part of the CJ legislation). John said he would provide it as soon as it is ready.

Public member commented that the Committee members should be doing surprise visits since that is not unreasonable and that the Cmte members have the authority to conduct these surprise visits. She also asked when the regs will be promulgated and asked if the public could comment on these regs especially if it prevents the Committee/subcommittees to conduct surprise visits. She asked that someone who previously experienced solitary confinement be included and if possible add that member to the Committee and have broad authority with the same freedoms as other members of the Committee (attending facilities, etc.). John responded in saying that we should not be going in the middle of the night and the public member responded that Cmte members should be able to and should do that. John remarked that public members should not be concerned that Cmte members will not be able to access what they would like to see. He assured her that Cmte members are going to attempt to view these units in their most natural state. John responded also that public comment will occur after the emergency promulgation on the regs that are currently being worked on. As far as adding a seat, John said that unfortunately we do not have the authority to add members. The Cmte is confined to the legislation and the explicitly stated seats. John mentioned that however we can have the missing voices present to speak in future meetings going forward.

The public member recommended that the Cmte visit on the 11pm-7am shift to see what the restrictive housing unit looks like at that time.

A public member asked how the Cmte members are going to get around inmates who feel that they cannot be safe to answer questions. John acknowledged that is an issue and that the Cmte will do its best. Another public member mentioned the possibility of having a formerly incarcerated person join the meeting and not vote and do work on a meeting/site visits/and public meetings. John responded that the legislature may have contemplated that but unfortunately we are bound by the expressed law and intent of the legislature. The legislature intended that the group look like this and we have to follow that.

The public member commented that her particular story in Suffolk County was covered in the news and wants to know how she can hold us accountable and ensure that

We will

1:24pm John made a motion to adjourn the meeting and Peck seconded the motion.