



**Mayor's Office of Criminal Justice
New York City Council
Committee on Land Use
Subcommittee on Landmarks, Public Siting, and Maritime Uses
September 5, 2019**

Good morning, Chair Adams and members of the Subcommittee on Landmarks, Public Siting, and Maritime Uses. My name is Elizabeth Glazer and I am the Director of the Mayor's Office of Criminal Justice ("MOCJ"). Thank you for the opportunity to testify today. I am joined by Department of Correction Commissioner Brann and others from the administration to assist with answering questions.

The Mayor's Office of Criminal Justice advises the Mayor on public safety strategy and, together with partners inside and outside of government, develops and implements policies that promote safety and fairness, reduce unnecessary incarceration, and build strong and safe neighborhoods.

Today we begin the final phase of the Uniform Land Use Review Procedure for the Administration's plan to close the jails on Rikers Island and create modern and humane borough-based jails. It has truly taken a city to reach this point and it will continue to take the commitment and work of many as we build justice. The leadership of the former and present City Council Speaker, the local Council Members and elected officials; and the voices and driving energy of those with lived experience in the justice system and the grassroots organizations around Close Rikers, as well as the former Chief Judge of the State of New York Jonathan Lippman have all been crucial components of the journey that got us here. The City is grateful for their partnership and for their fierce advocacy.

Our city is at a key moment. Over the past five years, uniquely in the nation, we have experienced steep reductions in the number of people in our jails, even as crime has continued to decline and the touch of enforcement has lightened. The work that produced these results is the foundation of the smaller, safer and fairer justice system that we have achieved so far and that we continue to build upon. Today we have the lowest incarceration rate of any big city in the nation while fewer than half the number of people enters Rikers today than did when the Mayor took office. Over the past six years, the number of people in custody on any given day has fallen from approximately 11,700 to 7,000, a long distance from the 22,300 held in our jails at its height.

For us, closing the jails on Rikers is not simply about changing locations or constructing new buildings. Our goal is to create buildings that stand as new models for justice. They must be equally in ambition in their design and function to the transformational changes that have taken place and must continue to unfold in the City. And, critically, they must provide the environment to promote culture change within. Together with our partners, we are working with urgency and making concrete progress on this every day to meet our goal of a new borough-based system by 2026.

Creating a smaller, safer and fairer jail system is a matter of justice. No one should be detained who could safely remain in the community. But it is also a practical matter. The smaller the number of people in detention, the easier it will be to create a justice system that reimagines and refashions the culture and purpose of the jails.

Based on the successful work we have already done together, we believe that by 2026 we will reach our goal of not more than 4,000 people in custody. Our projections are based on the 25+ year trend of reductions in the jail population, the effects of continued reductions in crime, shortened case lengths and continued expansions of safe alternatives to detention.

Under the NYC Borough-Based Jail System, the proposed new facilities would be:

- **Fairer:** designed to improve the health, educational, and social outcomes of those incarcerated; promote the dignity of all who are incarcerated, work or enter the buildings; located in communities to increase access to families, attorneys and social service providers in buildings designed to integrate into neighborhoods and serve as civic assets
- **Safer:** designed to reduce violence with improved lines of sight due to modern layouts, smaller housing units and better monitoring practices; and
- **More efficient:** better connected to the rest of the justice system by improving access to courts, attorneys and service providers and thus reducing associated transportation costs and unnecessary delays.

Our jails hold up a mirror to the fair functioning of our justice system. We see these buildings as reflecting the best of our city and of a smaller, safer and fairer system, rooted in respect for the dignity of all who are incarcerated and work within them. Our proposed jails reflect a future that we have begun to sketch with many partners — New Yorkers, non-profits, community leaders, justice system agencies and others. The ULURP process is a vital step forward on a path towards creating the safest and most humane justice system possible.

We will now hear testimony from Commissioner Brann, followed by a presentation on the City's proposal being reviewed and considered for approval by the City Council under ULURP. We will be happy to take any questions you may have following the presentation.



**Mayor's Office of Criminal Justice
New York City Council
Committee on Land Use
Subcommittee on Landmarks, Public Siting, and Maritime Uses
September 18, 2019**

Thank you for the opportunity to submit testimony on the pending ULURP application for the borough-based jail system.

The Mayor's Office of Criminal Justice advises the Mayor on public safety strategy and, together with partners inside and outside of government, develops and implements policies that promote safety and fairness, reduce unnecessary incarceration, and build strong and safe neighborhoods.

On September 5th we began the final phase of the Uniform Land Use Review Procedure for the Administration's plan to close the jails on Rikers Island and create modern and humane borough-based jails. It has truly taken a city to reach this point and it will continue to take the commitment and work of many as we build justice. The leadership of the former and present City Council Speaker, the local Council Members and elected officials; and the voices and driving energy of those with lived experience in the justice system and the grassroots organizations around Close Rikers, as well as the former Chief Judge of the State of New York Jonathan Lippman have all been crucial components of the journey that got us here. The City is grateful for their partnership and for their fierce advocacy.

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In order to facilitate the proposed borough-based jail system project, we, the Applicants, are requesting the following citywide and borough-specific land use actions to be approved through the ULURP Process:

City-wide

C 190333 PSY for the Site selection for four new borough-based jail facilities

N 190334 ZRY Text amendment to create a new Special Permit in Zoning Resolution (ZR) Section 74-832 to allow for modifications to ground floor uses, bulk, floor area ratio, parking and loading for a borough-based jail system

Bronx

C 190335 ZSX Special Permit pursuant to ZR Section 74-832

C 190336 ZMX Zoning Map Amendment to rezone the western portion of Block 2574 from M1-3 to M1-4/R7-X and establishing a Special Mixed Use District (MX-18)

N 190337 ZRX Text amendment designating the mixed-use development site a Mandatory Inclusionary Housing (MIH) are and establishing a Special Mixed Use District

C 190338 HAX Designation of the mixed-use development site as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP) Approval for the mixed-use development and the disposition of the mixed-use development site to facilitate a new mixed-use development

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C 190116 MMK City map amendment to establish upper and lower limiting planes to State Street between Boerum Place and Smith Street

Manhattan

C 190340 ZSM Special Permit pursuant to ZR Section 74-832

C 190341 PQM Acquisition of a leasehold interest of retail space in Manhattan Detention Center (MDC) North held by Walker Street-Chung Pak Local Development Corporation (LDC), an area of approximately 6,300 square feet

C 190252 MMM City map amendment to demap White Street between Centre Street and Baxter Street and reestablish White Street with upper and lower limiting planes as well as narrow and realign the right-of-way

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C 190117 MMQ City map amendment to demap 82nd Avenue between 126th Street and 132nd Street

Thank you again for the opportunity to submit testimony.



**Testimony of the Department of Correction
New York City Council
Subcommittee on Landmarks, Public Siting, and Maritime Uses**

September 18, 2019

Thank you for the opportunity to submit testimony on the pending ULURP application for the borough-based jail system.

The Department of Correction is committed to closing Rikers Island and building a smaller network of modern, community-based jails that are rooted in an understanding that all New Yorkers deserve a criminal justice system that is smaller, safer and fairer. That includes not only those who are detained, but also their family members and loved ones, the attorneys who represent them, and the dedicated staff who work in city jails, all of whom are entitled to facilities that reflect the Department's modern values. In New York City, we are building an overall justice system in which crime continues to decline, fewer people are incarcerated, and more resources are dedicated to supporting those who become involved with the justice system. At the Department of Correction, we believe that the new borough based system will deepen this commitment while further ensuring that all New Yorkers are treated with dignity and respect. For these reasons and more, I am pleased to join you this morning to express the Department's commitment to closing Rikers and discuss the positive impact a borough based system would have on everyone living and working in the Department's facilities.

As you all know, DOC is a vast, complex organization. We currently operate eleven separate jail facilities, on and off Rikers Island, as well as two hospital prison wards and court facilities in each borough. In addition, we operate support service divisions including our transportation division and facility maintenance division. Our staff are responsible for the care, custody, and control of approximately 7,000 individuals every day and process more than 39,000 admissions annually. The Department itself is comprised of approximately 12,000 members of staff, a total which does not include the employees of Correctional Health Services, the Department of Education, the Board of Correction, and the Bronx District Attorney's Office who also work in our facilities in addition to the program providers and volunteers who provide services to the individuals in our care. Simply put, this Department is tasked with providing safe and appropriate living and working spaces for thousands of individuals on a daily basis.

Our staff should be able to conduct their important and challenging work in buildings designed to enhance security and safety, just as the individuals in our care should be housed in facilities

that support their wellbeing and rehabilitation. Unfortunately, this is not the case on Rikers Island or in our current borough facilities, all of which are woefully out of date. Our buildings are decades old, have experienced significant wear and tear, and, in many cases, have unfixable structural elements that contribute to the negative impacts of incarceration. These buildings have outlived their usefulness. Some of our facilities, such as the case of temporary mods installed in the 1980s, have remained operational more than 30 years beyond their intended use. Keeping our facilities in a state of good repair requires ongoing attention and significant capital commitment, both of which take time and resources away from the true purpose of the Department. This agency is committed to being part of a 21st century approach to criminal justice, but in order to do that, we need 21st century facilities.

For the Department, closing Rikers is an opportunity to build new, modern jails that align with and enhance correctional best practices. Though conversations about design are only just beginning, we are working with all stakeholders to ensure that new jails will be designed with enhanced safety and security in mind. In addition to better lines of sight for our officers, these facilities will localize activities like recreation and programming to reduce movement, which in turn reduces opportunities for violence. Localized program delivery also ensures that any alarms or emergency events will disrupt services for as few individuals as possible. Further, we intend for our new jails to be climate controlled, ensuring more humane living and working conditions for everyone who steps foot into the Department's facilities. Additionally, the Department has experience operating high rise jail facilities and remains confident that safety and security can be achieved in the proposed new buildings.

The Department recognizes the fundamental importance of keeping individuals in custody connected to their families and communities. Community connection is linked to positive post-incarceration outcomes and remains critical to an individual's success both in and outside of the Department's custody. Due to the remote location of Rikers Island and the cramped and narrow spaces in our borough facilities, visiting a loved one in the Department's care is a challenging experience. New borough based facilities will not only ease the burden on families and loved ones, but also enable the Department to create visitor spaces that welcome the community and ensure environmental design isn't a barrier to much needed connection.

Over the past year, the Department has been proud to partner with city agencies like MOCJ to listen to the concerns of community members. We are committed to being a good neighbor and I am proud that these conversations have led to some positive immediate changes, including a community beautification effort outside of the Manhattan Detention Center. Since the inception of this borough based jail plan, my staff and I have attended countless community meetings and public hearings to discuss a number of important questions and concerns related to the borough-based facilities and the work of the Department of Correction. I remain consistently impressed by the passion of New Yorkers and their strong commitment to their communities. Our goal is to fit seamlessly into and support the communities of Chinatown, Boerum Hill, Mott Haven, and Kew Gardens. Should this plan move forward, we will continue to work with all stakeholders to ensure this important dialogue remains open.

As I have previously testified before this Council, the Department of Correction takes its culture change efforts seriously and we are not waiting for a move to new facilities to begin this important work. I am aware there are voices in the community that have suggested that the Department is incapable of the kind of culture change these new facilities demand and I believe its entirely appropriate for New Yorkers to question the way their jails are managed. I would like to assure those who hold these concerns that this not the same Department as it was five years ago. We have not only reformed many of our practices, but we have become national leaders in forward thinking correctional practice. Since 2014, we have engaged in historic reforms to create a safer and more humane jail system:

- Providing engaging programming is a key component in the Department's 14-Point Anti-Violence Agenda as program engagement reduces idle time and supports detainees in focusing on their future. Prior to this Administration, the Department provided on average less than one hour a day of non-school programming. Today the Department offers a wide variety of programming that promotes wellness and assists with successful reentry. The Department is also continuing its roll out of tablet based programming.
- In May of this year, the Department entered into a two-year partnership with the CUNY Institute for State and Local Governance to solidify the Department's vision for organizational culture and identify the explicit goals and actions necessary to achieve it. The partnership will further result in the creation of robust performance metrics and a performance management system, which will be used to evaluate the Department's success in achieving our important culture change goals.
- Helping individuals maintain connections to family and support networks is critical. In order to combat the barriers that impede visitation, we implemented a free visitor bus that provides hourly transportation to and from the island on visit days from Harlem and Central Brooklyn. In the first year of operation, the buses provided over 75,000 free rides to and from the island. Further, we partnered with the Children's Museum of Manhattan to offer mothers in our custody an opportunity to visit with their children at an off-site location. This program has gained national attention and we have been contacted by other jurisdictions across the country looking to replicate our model.
- Significant reforms have been made in the use of punitive segregation, both by eliminating its use for adolescents, young adults, and those with serious mental illness, and by creating program and therapeutic based housing units that offer targeted support for individuals following an infraction. Since 2014, the Department has reduced the number of individuals in punitive segregation by approximately 80% and we continue to be a national leader in punitive segregation reform.
- In order to ensure that everyone in our custody is safely and appropriately housed, we have implemented a policy of housing by gender identity. We have also recently hired a Director of LGBTQI Initiatives to support the Department in providing responsive programs and housing options to all individuals. Further, the Department has begun meeting bimonthly with advocates and experts on transgender policy issues in order to better inform our policies and practices.

We are proud of these achievements over the past several years and look forward to creating a new system that is safer, more humane, and promotes better outcomes for individuals, families and communities.

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Thank you again for the opportunity to submit testimony.

Dear Honorable Council Speaker, Council members, and Manhattan Borough President:

Following is my "Testimony against Closing Rikers Island - Remodeling Rikers Island is the real Justice Reform".

City Hall Practice Justice Reform Is Politically Motivated with many Contradiction and Inconsistency:

1. Justice reform should be first to establish a Rikers Island Branch Office of Manhattan District Attorney Office. This could save a lot of money by not shipping prisoners to the current offices of the courts and DA Office. Instead, judges should be transported to Rikers Island with less expenses. It was about 40 years ago, one of my neighbour, an Assistant DA was assigned as Harlem Branch Office Manager of DA by Morgenthau. Why this cannot be done Now?

2. As a Clinical Psychotherapist, I consider remodeling Rikers Island is the ideal therapeutic environment, safe, secure, tranquil surrounding with water. Living in an environment with nature, meadow and spacious land, prisoners would be well integrated holistically with the

surroundings to develop their reflection, awareness and self-healing. And prisoners would be cultivated for a healthy body and mind. If they move to a new high rise building in Chinatown. There would be too many attraction, diversion and first thing in their mind everyday is thinking about how to escape.

3. Remodeling Rikers Island is less than half of the budget of \$11 Billion in building a new high rise building in Chinatown. The other half budget could be used for mental heal, children and senior services. According to City Hall evaluation, over the years, prisoners population would be decreased. It is wondering what are the rationals to over build 45 stories high rise building. It is puzzling what is the purpose and the hidden agenda for the collaboration between the developers and the politicians. More interestingly, closing the Rikers Island jail has been a hot issue for years. Where is the Commissioner Cynthis Brann, Department of Correction as she seems to remain to be silent all the time. Why she is hiding or hiding the truth?

4. According to Professor Marc Bullaro of John Jay College, a former Correction Officer of 29 years at Rikers Island, a justice reform should be depended on how the prisoners are managed, instead of the reduction of the numbers of prisoners. He says that a new jail is not a panacea, as present prison violence would be getting worse, unsafe for community and residents when moving to a new jail. **Professor Bullard says that prison violence has been out of control in**

the past 5 years. Prison violence started with the Mayor's abolishment of the isolation penalty by locking the most violent prisoners in the dark room. Traditional penalty policy were unfortunately reversed. Most violent prisoners were rewarded with more TV time, more phone calls and special dinning tables privilege. Furthermore, they are delegated to supervise those lesser violent prisoners. As a result, prison guards are often being attacked by them with urine and feces. (This information is based on The Epoch Times , March 11, 2019, B3, translated originally from the City Hall newspaper: The Chief).

5. Chinatown is well known for its narrow street, traffic congestion, air pollution and pedestrian safety, etc. Building a 45 stories tall building is totally not harmonious with the environment, even endangering the environment, community and residents. This is totally against the wishes of Chinatown community people. In another words, building a 45 story high rise building is literally superbly imposed onto the Chinatown residents. Where is justice, equality and democracy? This is tantamount to a new

edition of 1822 Chinese Exclusion Act. In fact, the new jail project is literally a done deal without prior consultation with community. Is this project legal or not?

6. The city Hall seems to practice a self contradictory policy by building the tallest jail 45 stories in Chinatown : Retooling prison system is part of Mayor's larger plan to shrink the city's jail population from 7,000 to 4,000 by 2026. Apparently, it is a very confusing that if he predicts the lesser prison population, why he insists on building the larger prison not needed in Chinatown. Moreover, this tall vertical jail could be very unsafe and disastrous in case of fire, flood, and emergency, etc.

Thank you,

Respectfully,

Edward Ma, Member, Community Board 2,
Manhattan

Former Human Rights
Commissioner (1990-
1995)

THE ASSEMBLY
STATE OF NEW YORK
ALBANY



Jo Anne Simon
Assemblymember 52nd District

COMMITTEES
Consumer Affairs
Education
Higher Education
Labor
Transportation

CHAIR
Subcommittee on Workplace Safety

**Testimony from Assemblymember Jo Anne Simon
on the Final Environmental Impact Statement for
Closing Rikers and Re-Building the Brooklyn House of Detention
190333 PSY (Citywide Site Selection), N190334 ZRY (Citywide Zoning Text), 190339 ZSK
(Brooklyn Special Permit), 190116 MMK (Brooklyn City Map Change)**

September 6, 2019

First and foremost, I want to be very clear that I endorse wholeheartedly the vision of closing Rikers Island and moving to a system of smaller, safer community-based jails. In that, I am united with my community, who overwhelmingly support the closure of Rikers and who accept the premise that the BHOD needs to be reconstructed to further the goal envisioned by the Lippman Commission. We are all committed to working towards justice for all New Yorkers and there is a moral imperative to close the jails on Rikers Island and decarcerate people in New York City.

In the Executive Summary of the Final Environmental Impact Statement, it is noted that the goal is to reduce the average daily jail population to approximately 4000 people by 2026¹, down from 5000 people cited in the Draft Environmental Impact Statement. The city has succeeded seeing the jail population fall to approximately 7200 people as of July 2019, ahead of schedule to reach the stated goals². **With that success and in light of the recent historic state criminal justice reforms, including bail reform in the state budget, I urge the city to set a more ambitious goal of reducing the average daily jail population to 3500.**

So far, the city has responded to neighborhood concerns about the size of the population by moving women who are incarcerated to one centrally located facility in Queens, which also allows for a lower inefficiency rate of 15% instead of 20%. Along with the adoption of bail reform measures by the State Legislature in spring 2019, these changes have dramatically decreased the expected population of the borough-based jail facilities. However, removing 1400 beds from this entire project, from 6000 beds to 4600, is not enough to address the concerns about height and density that have arisen, nor does it go far enough to achieve our goal of

¹ Page S-1

² Page S-2

reducing incarceration. That is why, along with my colleague Sen. Velmanette Montgomery, I am requesting the city to engage in a serious effort to reduce the number of people who are incarcerated to 3500.

In meetings with the Brooklyn Neighborhood Action Committee (NAC), the city revealed that they would be engaging in a feasibility study to determine the effects of moving those with mental and physical health concerns to alternative facilities more suited to their needs, but there was no guarantee that the study would be completed and available to the public before the end of the ULURP process. **This study is referenced in the Final Environmental Impact Statement³ as a potential opportunity to provide therapeutic housing outside of the current proposed plan, but I am disappointed that the city has not completed the study and made it public before votes have occurred.** This could provide relief to the communities that have objected to the height of these facilities and reduced the number of people who are incarcerated, but without making this information public, the FEIS may be approved without full knowledge of supporting and alternative sites.

Throughout the process, my community, my colleagues, and I have raised concerns about the process of engaging with the community and the unnecessary limitations that the city has given itself as they move forward. Where the Lippman Report recommended small facilities in every borough, the city decided to only focus on only four boroughs. When the community suggested seeking alternative locations within Brooklyn for certain subpopulations and Council Member Stephen Levin offered to look for a location, the City ignored those requests and continued on with facilities that do not fit into the character of the neighborhood. **By disregarding the input of the community, the City has missed an opportunity to work towards smaller community jails.**

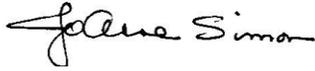
The city also imposed limits on itself by focusing on a far too small study boundary of a quarter of a mile around the perimeter of the project site, which does not allow for a legitimate and contextual understanding of the effects of such a massive project in a very dense and heavily trafficked area. The study area is too small to take into consideration multiple other large-scale changes to development and transportation that will be happening, including several skyscrapers along Flatbush Avenue and the reconstruction of the triple cantilevered portion of the Brooklyn-Queens Expressway. The limitations the City has placed on itself show that they are doing little more than paying lip service to the Lippman Report, and heeding only some of its recommendations. Unfortunately, the approach to closing Rikers has been a cookie cutter response reflecting a mathematical calculation of 4600 beds divided equally among four of New York City's five boroughs, highlighting the City's lack of earnest engagement in the goal of smaller, safer, fairer jails.

The Lippman Report states that "Conversations with local communities concerning potential locations for the jails *must begin early* and the *City must ensure* that the process is as *fair, transparent, and responsive to community concerns as possible*. The new jails should be

³ Page S-15

integrated into their surrounding neighborhoods, both in terms of design and uses.”⁴ So far the City has not lived up to those goals.

Very truly yours,

A handwritten signature in black ink that reads "Jo Anne Simon". The signature is written in a cursive, flowing style.

Jo Anne Simon

⁴ Independent Commission on New York City Criminal Justice and Incarceration Reform, *A More Just New York*, 2017, Page 17.

**TESTIMONY OF JUDGE MATTHEW D'EMIC TO THE
NEW YORK CITY COUNCIL ON SEPTEMBER 5, 2019**

Good afternoon. My name is Matthew D'Emic and I am the administrative judge for criminal matters in Kings County Supreme Court. I am also a member of the Independent Commission on New York City Justice and Incarceration Reform, commonly known as the Lippman Commission.

Thank you for this opportunity to testify in favor of the city's application for a borough-based jail system.

When former Chief Judge Lippman asked me to join his commission, I was highly skeptical of the idea that Rikers Island could or should be closed.

However, after a year of meetings and listening to the experiences of former Rikers detainees, their families, correctional, mental health and other experts, and most importantly, visits to Rikers, I am now firmly convinced that we as a community have no other choice.

I am also the presiding judge in the Brooklyn mental health court and, in that capacity, have experienced the decompensation of accused individuals on Rikers Island and its deeply dehumanizing effect on people living with serious mental illness.

Smaller, local facilities will certainly be a better option for them. In fact, for all incarcerated defendants, jails that are close to the courts, their families and their attorneys, as opposed to the isolated outpost that is Rikers, serve justice and alleviate inequalities unworthy of our city.

I contend that now is the time to choose progress over retreat before this opportunity evaporates for generations.

There are many practical reasons to close Rikers. Having witnessed the decrepit, dank conditions in which we house detainees and the spirit-crushing travel to and from the island both for them and their families, there is one overriding reason for closing it: its abasement of human dignity.

No person, no matter the accusation, should lose his or her personal dignity. Whatever insults human dignity, dishonors us.

Rikers Island dishonors us.

Thank you for your courtesy.



Assemblymember Yuh-Line Niou on the Borough Based Jail Plans and Closure of Rikers Island

Assemblymember Niou represents the 65th Assembly District which includes the current intended site of the Manhattan Detention Center in addition to Battery Park City, Chinatown, the Financial District, the Lower East Side, and the South Street Seaport.

I. Introduction and Site Change

The horrific deaths of Kalief Browder and Layleen Polanco exemplify the disturbing treatment of pre-trial detainees and blatant failures of our City in maintaining our criminal justice system. Rikers Island is unequivocally an inhumane and decaying institution that must be shut down. We believe that this can be achieved in a different manner than the current process. Even for simply choosing a site, the community feels that the Mayor and his administration have disrespected and ignored our community. During the initial Rikers Island Closure Task Force meetings, the Mayor's administration planned to expand and refit 125 White Street, the current detention complex in our community, to build it into the Manhattan Borough Based Detention Center. Based on the 125 White Street site, major stakeholders, elected officials, and community boards held planning sessions and engaged our community on what they wanted to see in regards to the center such as senior housing, affordable housing, community centers, or healthcare facilities. We held multiple conversations with our community and conveyed their thoughts to the Mayor's office throughout this process and received little information besides a soft date for the release of the draft scoping documents.

The administration changed the site from 125 White Street to 80 Centre Street with no notice or transparency, not even ten days before dropping the draft scoping documents. My office received notice of the meeting where they announced the site change in the late evening before. Elected officials were denied meetings with all of the stakeholders present throughout the entire process. 80 Centre Street was not even discussed during the task force meetings. Our preparations for the draft scoping and discussions with our community on what was feasible and appropriate to meet our needs for the draft scoping focused on the White Street site. Yet, we were given no time to reassess and reevaluate our priorities with the new site in mind. In fact, our community boards happened to be on their only month off, further depriving our community board of what should be a transparent and community-focused process.

Many community members fought against this site change and stated that this location would not work as a site for this project. The Mayor and the City responded by beginning the ULURP process and producing draft scope of work documents for 80 Centre. The City then claimed that the 80 Centre Street location could not be the site for the plan, citing unexpected costs and complications. The City then again changed the site location to 125 White Street overnight. Our community members fought again, but the plans proceeded without change. Even with two site changes, the Mayor and his administration did not restart the ULURP process, produce a draft scope of work for 80 Centre Street, or give our community the opportunity to have a public scoping meeting after the second site change. This is not standard protocol; other applications would not have been permitted to proceed with significant changes such as a site change.

II. Transparency and Engagement

Some history, during anti-Chinese riots and the Chinese Exclusion Act, New York's Chinatown became a safe space for individuals under odious discrimination. Discriminatory policies and decision making is a mistake, but our community pays the price. Even the first Manhattan Detention Center was forced upon on our community after then-Mayor Ed Koch said to our community, "you don't vote, you don't count". We were able to build and improve Chinatown to make it what it is today: full of history and rich culture. But, major changes like the detention center leave a huge imprint on our community. We should aim for a path that respects the culture and history in our streets.

Understanding this, community engagement and transparency in the process are obviously both important and necessary. Neither has happened. A transparent process cannot occur without engaging our community adequately first. Our community feels that the Mayor and the City have failed to engage us in a productive, transparent manner time and time again. They have historically erased our community from the conversation and have shown a blatant disregard for community-based decision making and transparency. The City and Mayor's disregard for our

community is further apparent in their decisions to lift two historic deed restrictions at Rivington House and in their decisions regarding Elizabeth Street Garden, the Extell Towers, the Two Bridges developments, and now the borough based jails. The double site changes left our community scrambling to understand draft scoping materials because they were not language accessible. Providing information regarding the Mayor's plans is his administration's responsibility. Throughout this entire process, he has failed to inform our community of critical information, much less with language accessibility in a timely matter. We requested extra time so we can address this problem and provide our community the respect and transparency we deserve, but again, the Mayor's office refused to even give our community that.

Keeping our community out of the conversation has also raised questions about the results of the environmental studies and how thorough the studies even were. Because our community was not involved in a substantial capacity and information was not given forthright, there is little confidence from our community that the findings are accurate or detailed.

The Mayor and the City keep citing how four boroughs are having the same conversations. This is partially true as every community board in each of the boroughs has voted against the proposed plans. However, we are the only borough to have the site completely changed, not once, but twice. So far, we have little factual information of substance on any of their proposals and can only see their obvious preference for the voices of big developers over the voices of our community. Estimates for this plan range from \$8 billion to \$30 billion dollars, an enormous amount of money that could be used in other vital areas such as public housing or mental health assistance. We again ask that the City reconsider their decision and work with us to make sure our community has the fair and transparent engagement process that we deserve. Any future process for whatever decision this body makes today should include being transparent on all aspects of the future plans for the borough based detention center system.

When I last testified, I said the same thing and emphasized the importance of community input and feedback. The City and the Mayor has maintained that they would do better to listen to our community voice. The majority of advisory recommendations have been to deny the application. Since the administration has held that community engagement is an important part of the development process, these advisory decisions should hold major weight during further considerations on this project. Community engagement cannot be considered as community engagement if the City does not listen to anything that our community has to say.

III. Areas of Study, Deficiencies, and Future Plans

The Mayor's administration (Mayor and the City) must examine the increase in traffic congestion in a much wider area around the potential site of the detention center and address why

the study area was limited to such a small scope. The City has stated they hope the Borough Based Detention Center system will be more accessible to visitors. However, this may not be realistic with our severe traffic congestion. Traffic congestion is an ongoing problem in lower Manhattan that severely affects our quality of life. An increase in traffic can come from all directions as the detention center will have detainees from all over the borough. Visitors of detainees may not live in Manhattan either, adding further congestion from other borough traffic. In addition, the outgoing traffic from the facility will add to the current congestion problems in lower Manhattan. The Mayor and the City's administration must create a multi-agency plan to mitigate the increased traffic lower Manhattan will experience.

Car traffic patterns are not the only concern — foot traffic, from people visiting detainees or going to work in the jail is going to make an already very busy community all the busier. This also includes the use of the subway system. Residents have noted that the Spring Street and Canal Street subway stations are already overcrowded and very inaccessible as it is. More foot traffic to the area will only serve to exacerbate the problem.

Many important community resources are also located near the current site. Locations like senior centers, daycares, and schools are utilized by some of our most vulnerable community members such as seniors and children. During the construction of the detention center, our community members will be at risk of exposure to particulates and dangerous materials like asbestos or lead, often present in older building materials. The Draft Environmental Impact Statement (DEIS) acknowledged that hazardous materials were found at the current site, but the Mayor and the City has not done further testing or provided a mitigation plan to address how they intend on protecting our community. The administration must consider the higher potential risk of exposure for our community members who frequent the area's resources like senior centers or schools. The administration must be transparent with the risk of exposure throughout the entire process, including plans for potential closure of important resources and containment plans during possible failure and neglect. Furthermore, the plans fail to consider the full impact of quality of life in our community such as noise, sanitation, or air quality. Construction generates constant noise and sanitation issues like trash and particulates which heavily damages the quality of life for residents. The Mayor and the City failed to address these concerns in the Final Environmental Impact Statement (FEIS). The administration must create a plan to minimize the harm to the quality of life of our community, ensure our safety, engage our community and implement our input to address any lacking elements of their plan. We have not seen or heard any such plans or thoughts from the administration.

Small business owners and residents have cited concerns about the potential economic damage that the detention center could bring. Chinatown — located close to the financial district — dealt with barricaded streets, closed sidewalks, and construction that impacted the health and safety of

residents following 9/11. The closure of Park Row has for many years damaged our community's economic opportunities. But the community understand safety concerns waited patiently. Business owners are concerned that the construction area will make it difficult to attract and retain customers in addition to the potential harm that the presence of the detention center can have on business. There are also concerns about increases in operating problems. Heavier street congestion and increased security make it difficult for trucks with essential food or supplies to park and unload. The administration must seriously consider the concerns of the local small business and property owners and truthfully determine the potential economic damage done to our community. Many of the businesses in Chinatown are multi-generational, long-standing family owned businesses. These businesses do not only serve as centers of commerce, but contain decades of culture and history. As a result, the Mayor and the City benefit tremendously from tourism due to Chinatown. Travel brochures, sightseeing tours, taxi commercials, and tourism websites feature important historical landmarks and highly-acclaimed restaurants in Chinatown. Tourists make it a priority to visit Chinatown and see all that our community has to offer. Yet, the administration fails to support our local businesses or respect our culture and history. In fact, the administration often targets our community and repeatedly shuts us out or leaves us out from discussions on major decisions in regards to issues that affect us. The administration should provide these businesses and their owners with the respect and engagement they deserve. A plan to ease operating problems and potential economic damage as a result of the detention center with a focus on engaging small business in a language accessible process should be a top priority for the administration.

The North Tower of the current Manhattan Detention Complex is slated to close. To this date, no plans have been made for the North Tower of the Manhattan Detention Complex for the future. Plans for Rikers Island following its closure are also missing. As our community has experienced during this process, the Mayor's administration has done poorly in adequately engaging our communities on both local neighborhood and city-wide issues. The Mayor's administration should engage our community in a sincere process and include us to create plans that benefit our community for the closed Rikers Island and North Tower.

IV. Policy and Reform

There is no doubt that New York needs real criminal justice reform. Recognizing that need, I worked with my colleagues in the State legislature to create comprehensive reforms to our criminal justice system. This year, our legislature eliminated cash bail for most misdemeanors, ensured the right to a speedy trial, and passed additional criminal justice reform legislation that is crucial to reducing our detainee population and creating a fairer justice system for all. The previous year, we also raised the age of criminal responsibility. These reforms are expected to significantly reduce the population of pretrial detainees. The Mayor and the City originally

claimed that the Borough Based system requires halving the detainee population at Rikers Island from 10,000 to 5,000 with 5,748 beds on site without state-level criminal justice reforms. However, the Mayor and his administration still hold that these state level reforms were insufficient as the size and scale of the proposed borough based jails remain largely unchanged. The Mayor and the City seek a floor area ratio (FAR) 31% over current zoning restrictions and an additional 466,000 square feet. The height of this building will make it the tallest facility of its kind in the world. The Mayor and the City continue to utilize broad keywords and focus on singular items that, alone, cannot achieve the goal of proper criminal justice reform. The administration has the authority to make major policy decisions and should be held accountable for presenting a transparent plan in achieving their goals of criminal justice reform to our community and show a good faith effort to reduce the size and scale of these institutions in response to community concerns.

Our community continues to have serious concerns about whether the Mayor and his administration will achieve reducing the number of detainees and what their plans are if they fail to meet this goal. Adding more beds in jails does nothing to benefit our community — it only works to give privatized jails more money. Benefitting private jail owners should never be the priority over the needs and wellbeing of New Yorkers. The priority should be reducing the overall jail population in New York City and that is not accomplished by building four new mini Rikers. Our community also voiced concerns about the treatment of detainees in these facilities. Yet, there are no sure plans for an overhaul of the guard education system and security policy reformation. Moving the site only goes so far in promoting reform, and the horrible conditions of Rikers Island are largely because of inhumane treatment of pre-trial detainees by guards. Real reform requires change within the prisons and to create policies that push to treat others with the respect and humanity they deserve. The administration's current plans do not fully detail vital rehabilitation programs like job placement or links to educational opportunities within their justice reform plans. The plans also lack important details on crucial supportive services for detainees such as mental health and wellness services or improved legal aid resources. If the Mayor and his administration intends to spend billions of dollars to create real criminal justice reform, there should be special attention to funding a holistic approach which is not apparent in the plans to date. Without a clear, detailed, and transparent plan for criminal justice reform, how can the administration possibly assure our community that the same result will not happen again and create four smaller Rikers, all equally as inhumane as the original?

Parking placard abuse by city employees is a longstanding, very common practice in lower Manhattan. Parking placard abuse is especially common in Chinatown and the Civic Center. Misuse of placard parking has taken away valuable parking spaces from our community and impacted our community in various ways. Small businesses are unable to receive their deliveries efficiently, negatively impacting their operations. The quality of life for residents has been

impacted because of higher traffic congestion and overloaded public transportation. The administration has proposed a 125 car accessory garage beneath the detention complex and stated that there would be a doubling of staff for operation of the detention center. There is no transparency in how the administration found that the 125 space garage would be sufficient to resolve parking placard abuse which continues to plague our community. In addition, the administration has not answered how many parking spaces will be given back to our community after construction of the garage. The administration has not thoroughly responded to our community on this issue and has also not provided any policy changes that would change the current placard system.

Multiple concerns about the treatment of neighboring businesses and residents by the current detention complex have been raised. Residents have complained for years about the huge piles of trash collected around the facility daily. Water from hoses at the facility freeze over the street roads and sidewalks in the winter. Small businesses are responsible for shoveling and breaking the ice down on their storefronts because they are liable for any injuries on their property. In essence, the Manhattan Detention Center is a larger operation of the current White Street detention complex. Our community has voiced frustration with the current operating policies, yet no changes have been made. Without comprehensive engagement and policy changes, poor treatment of our community will only increase. The Mayor should engage our community to understand the many ways the current complex continues to have a negative presence in our community and create a plan to address both the current operations and future operations.

V. Community Benefits

With the multiple site changes, our community must reassess many of the proposals we initially worked on. Our community has not had the time necessary to make our considerations. The Mayor and his administration continues to emphasize the benefits our community can receive. However, this process does not allow for us to plan out and formulate community-based benefits that meet our needs. Our local non-profits have been truly committed to our community and provided much support in areas where the Mayor's administration has failed such as language accessible, culturally sensitive services. Our community believes that our voice, along with the our non-profits, have been generally ignored and that is unacceptable.

Our local community boards have also been largely shunned in offering ideas for community benefits due to the lack of a transparent and engaged process. The current engagement process does not allow our community boards to explore possibilities and provide ample consideration for community needs. With the unprecedented bundled ULURP process, neighboring community boards like Community Board 3 were unable to formally go on record with recommendations. The bundled ULURP process is an arbitrary, unilateral process that the administration has used

to rush our community engagement process, the most important part of any land use decision. The City and the Mayor must unbundle the process to engage our community and other communities in the Bronx, Brooklyn, and Queens in a meaningful way instead of the empty, brute force process we have experienced so far.

The current plan proposes the detention center to be as tall as forty stories. Yet, the administration has set only 20,000 gross square feet of community facility space. The administration has not yet provided the explanation on how this size of this space was calculated, why this space could not be larger in addition to the fact that many important uses like senior housing or affordable housing were not included. If the Mayor intends to push possible community benefits as positive change for our community, it should reconsider its decisions regarding the engagement process and partake in actual impactful engagement to fully understand what our community needs.

VI. Conclusion

The Mayor and the City must reconsider their actions and turn back the clock by starting this process from the very beginning and engaging our community from jump. The Mayor and his administration should not only care about their agenda and forcefully push a plan through, but focus on our neighborhoods and the lives of the New Yorkers in our community that deserve a voice. We ask again for a more transparent and fair process to reach a better outcome for all of us involved and to respect our community. Many community members were unable to enter the first public hearing because of poor planning by the Mayor's administration. Our voice has been neglected and our needs have not been met. Our community made it clear since day one we want a meaningful engagement process, but the Mayor and the City continues to push onwards with little regard and no respect to our community. When more viewpoints are at the table, better decisions are made. The process we have had thus far largely lacks what true community-based decision making should look like and it is shameful. Rikers must close and close on time, but this current plan is neither thoughtful abolishment nor community based. It pits communities against one another and does not focus on the needs of our detainees or our community members. I know we can do better and we have a responsibility to do better.

We urge the Council to vote in opposition to these plans. As we have already noted, this process was flawed from the start and we must restart to work on a holistic approach that places true community engagement as a priority and provides humane and effective reforms to our criminal justice system.



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Gale A. Brewer, Borough President

September 5, 2019

**Testimony of Manhattan Borough President Gale A. Brewer to the NYC Council
Subcommittee on Landmarks, Public Siting and Maritime Uses - Borough Based Jails
Hearing**

Good Morning Chair Adams and members of the Subcommittee on Landmarks, Public Siting and Maritime Uses.

Thank you for this opportunity to testify on the Borough Based Jail ULURP applications. Despite opposition to the siting and scale of the proposed Manhattan Borough jail, there is widespread agreement that the Rikers Island jail complex must close. As the Lippman Commission stated, it is a "stain" on our City. I support a borough-based jail system; it's an important step, **ALTHOUGH NOT THE ONLY STEP**, in moving toward a fair justice system.

At the same time the imperative to close Rikers and build a borough-based jail cannot justify our failure to fully mitigate the effects of this development on the vulnerable surrounding community. The Chinatown community, which for decades has endured a lack of investment, the construction of additional jail facilities, and the effects of 9/11 is now being asked to accept more years of disruption due to the construction of this facility. We must plan carefully and implement mechanisms to protect the people who live and work in Chinatown.

In my recommendation, I outlined my concerns (and there are many) as well as ways to make this plan better. Today, I am highlighting my main concerns.

The City is asking for 30% more floor area ratio (FAR) than what is allowed under current zoning, and they have provided no justification or explanation for it. When compared to jail facilities using the most progressive design standards like Las Colinas in San Diego, the Manhattan facility is twice the size. As of today, there is no proposed design, and no rationale for why such a large building is needed. That approach is unfair to the community, which is owed more than a concept before the project is approved.

My next major concern involves the effect of this project on the Chung Pak Complex adjacent to the proposed development. This complex not only contains several small businesses, but also a day care center and a senior residence that houses over 100 elderly people, many of whom have limited mobility. This is a highly vulnerable population. The effects of demolition and construction on Chung Pak residents may well be devastating. The risk of poor air quality, dust, and excessive noise is high. We must do whatever is necessary to protect the residents of the senior building. But everyone in the immediate vicinity of the proposed development must also be protected from the project's harmful effects.

Chung Pak LDC, the leaseholder for the complex, will also face an economic hardship. 6,300 square feet of their revenue-generating retail space will be annexed by the City for the new facility. That will result in a loss of income that supports their work within the community. The

City needs to commit to a program that helps mitigate the effects of those losses and ensures Chung Pak's stability going forward. To achieve this, I propose:

1. Chung Pak LDC should be given the option to purchase the land beneath the complex for well below market rate, with a deed restriction to guarantee current uses remain in perpetuity.
2. Chung Pak LDC, as well as the businesses and employees that will be displaced as a result of the City recapturing this leasehold, should be financially compensated. The businesses being displaced should be offered temporary spaces within the area to relocate to and offered right of return in the new retail spaces of the proposed development.
3. Chung Pak Complex and its proximity to the proposed development should be protected during demolition and construction by:
 - Installing real-time air quality and dust monitoring;
 - Mitigating noise and vibration impacts;
 - Protecting the complex from any compromise of its structural integrity;
 - Creating safe sidewalks and passageways.

The greater Chinatown community is also at risk due to the proposed development. The horrific effects of 9/11 on the Chinatown community created long-term challenges, many of which they are still working through. Businesses closed and never reopened. Most of the federal funding for 9/11 recovery was not made available to the residents and business owners in Chinatown. Streets were closed off, and some remain closed nearly 20 years later. Besides Chung Pak, small businesses are perhaps the group most vulnerable to the problems related to demolition and construction, including noise, dust, and street and sidewalk closures. Many of these businesses are already surviving month to month, and this development could force them to close. Overall, this project as proposed threatens another devastating blow to the Chinatown economy through reduced access, business closings and job loss; to date we have seen nothing to indicate that the City recognizes this threat or has a plan to mitigate it.

My staff identified **303 small businesses** operating with approximately **950 employees**. **On Baxter Street alone, which fronts the proposed site, they observed 11 businesses with approximately 50 employees** that are perhaps the most vulnerable to the effects of demolition and construction.

I recommend that the City protect the small businesses in Chinatown by:

- Installing real-time air quality and dust monitoring, and noise and vibration mitigation;
- Providing assistance in way-finding and advertising for small businesses surrounding the proposed development site;
- Making grant funding available to help businesses manage adverse impacts during construction;
- Creating safe sidewalks and passageways, and providing notification of street closures or major events related to demolition and construction at least one week in advance ;
- Re-opening Park Row to vehicular traffic;
- Offering new retail space within the proposed development to local small businesses at stabilized below-market rents.

In addition, these measures should also apply as needed to the Chinatown community outside the DEIS study area.

One extremely vital asset to the Chinatown community is barely mentioned in the DEIS. Columbus Park, located just over 50 feet from the proposed development, is a major social hub for Chinatown residents, including those who live in Chung Pak, and children who utilize the play fields. If you were to visit the park at this moment, you would find hundreds of residents congregating and socializing. The park also serves as an important symbolic setting for the veneration of Cantonese history and culture in both China and America.

Yet despite the park's proximity to the noise and dust of the proposed development there has been very little attention to their impact on the park and its role in sustaining the neighborhood's communal life and identity.

We need a plan to prevent this. And as part of the mitigation for impacts to the community, upgrades to Columbus Park should be made in consultation with residents.

Unfortunately, the City, especially when it comes to Chinatown, has a poor track record of keeping its word. That is one of the reasons for so much opposition to this plan. What happened with White Street is just one of many examples of broken promises. Instead of the public open space that had been promised to the community nearly 40 years ago, it is a parking lot for the Department of Correction.

We are embarking on a massive overhaul of our justice system. It will not only impact those who have been incarcerated. Substantial commitments will be owed to communities affected by the creation of borough-based jails. We must be committed to avoid new injustices in our effort to overcome older ones.

The promised closure of Rikers marks an important moment in our city's recognition that it has been a poor steward of its responsibility to those held on Rikers Island.

But we cannot lose site of the imperative to create a new and better facility through improved design and zoning. If and when 125 White Street is built, the following conditions must be met:

1. The building should be contextual;
2. Its design must provide a humane, safe, and rehabilitative environment for detainees, their families and correction officers; and community space designed in consultation with the neighborhood;
3. Small businesses must not be harmed;
4. Chung Pak and the seniors must be protected;
5. A working group to monitor the project during demolition and construction, and get solutions to problems in real time must be created;
6. The development of the borough-based jails must include a legally binding agreement to close Rikers Island permanently.

Thank you.

Testimony of Dr. Homer Venters for New York City Council Committee on Criminal Justice
Hearing September 5, 2019 on the Closure of Rikers Island jails.

I would like to thank the New York City Council and Committee Chairs Powers and Adams for the opportunity to submit this testimony. I am the former Chief Medical Officer of the NYC jail system. I worked for 9 years providing and leading health services for people in the jail system while also trying to identify and report the health risks of the jail system. For decades, people held in Rikers Island have been subjected to high rates of physical and sexual abuse resulting in jail-attributable deaths, injuries and trauma. The effects of these abuses on individual survivors, their families and communities likely endure long after incarceration.¹ Abuse and neglect in the NYC jail system have thrived in large measure because of the physical isolation of Rikers Island from the rest of NYC, as well as because of the ongoing disregard of voices of directly-impacted people. Closing Rikers Island will not eliminate the culture of brutality and neglect of the NYC jail system, but it is absolutely required to address this still-unmet obligation.

As one of the few remaining penal colonies in operation, Rikers Island operates in a manner to thwart efforts of transparency and accountability. One of the starkest human rights violations to occur in Rikers Island, the mass rioting of corrections officers in 1990, occurred precisely because the bridge to Rikers Island could be closed to outside ambulances and other parties.² A central feature of this incident was the ability of correctional staff conduct mass beatings of detained people who posed no security threat away from any outside view. The link between the physical isolation of Rikers Island and injuries of detained people has continued, with several analyses by the Correctional Health Service revealing extremely high rates of physical injury and exposure to solitary confinement, some of which were documented to occur with alarming racial disparities.³ Some of these problems have been mitigated by the development of alternatives to solitary confinement and investment in new, more therapeutic units known as the CAPs and PACE units. However violence in Rikers Island remains very high and the rate of injury, the

underreporting of those injuries by the NYC DOC and a reliance on blows to the head by correctional staff remain central threats to the health of anyone detained on Rikers Island.⁴

Aside from the physical isolation of Rikers Island, the deteriorated physical plant of the jails and the lack of modern information technology systems also drive violence, abuse and neglect. Correctional officers routinely report that detained people are armed in virtually every housing area, often because of the universal access to broken or breakable fixtures, masonry and equipment. Because the Rikers Island jails still lack a modern, fully implemented information technology system, the exact location and needs of people who are detained remains unclear, which allows for intentional and unintentional neglect as well as abuse that involves transfer of someone away from the incomplete camera coverage. This lack of basic monitoring of the movement of detained people into cells and unauthorized or unmonitored spaces has been a core element in horrific accounts of sexual abuse by correctional staff as well as numerous jail-attributable deaths.⁵

The toxic effects of Rikers Island are also felt by staff who work in this setting. In addition to the physical threat posed to correctional and civilian staff by proliferation of weapons, the antiquated design of the jails on Rikers Island makes delivery of evidence-based health services and meaningful programs almost impossible. A central impediment to expansion of the new PACE model of mental health programs has been the lack of safe, appropriate housing areas. The infirmary of Rikers Island, where the people with the greatest health needs in the jails are held, was previously the DOC bus depot. The newest facility, the Rose M. Singer Center, is being considered as a men's facility because it has the only reasonable program and health space. The need for a dedicated, stand-alone women's facility is absolute, and contemplation of RMSC as a part male facility only underscores the desperate condition of other jails on Rikers Island.

One of the most alarming and unaddressed harms of Rikers Island occurs to visitors. As families and loved ones spend entire days hoping for a short visit with a detained person, they endure uncertainty, humiliation, verbal and sometimes physical and sexual abuse.⁶ The penal colony model is designed to

block meaningful interaction between detained people and their loved ones and every day of operation of Rikers Island continues that clear philosophy.

There is no doubt that Rikers Island must be closed. The scope of jail-attributable deaths, injuries, sexual abuse and other human rights violations that have occurred in the crumbling facilities of Rikers Island is indefensible. By closing Rikers Island and implementing a smaller system of borough facilities with leadership by directly impacted people, NYC can finally meet basic standards of health, safety and security for its jails while also pursuing other aspects of criminal justice reform.

Thank you for consideration of these comments in your critically important work to close Rikers Island.

Homer Venter, MD, MS

9/4/19



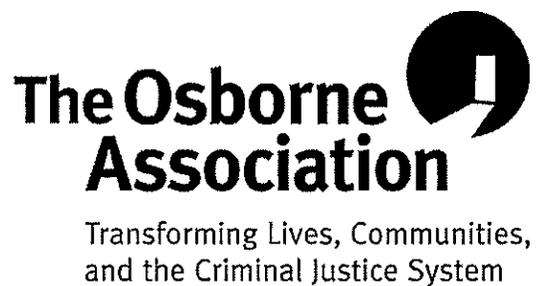
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**Testimony of the Osborne Association
to the
New York City Council
Regarding Borough Based Jails**

September, 2019

**Presented by
Elizabeth Gaynes
President & CEO**



Good afternoon, I am Elizabeth Gaynes, President and CEO at the Osborne Association.

A core part of Osborne's mission for the last 85+ years is to transform jails and prisons for the people who live there, work there, and visit there. My predecessor at Osborne, Austin MacCormick, had previously served as commissioner of the NYC Department of Correction under Mayor LaGuardia, starting a year or two after Rikers opened. My first visit to Rikers Island was in 1978, and over the last 40 years, I visited as a lawyer, a service provider, and a family member. Over the last 25 years, Osborne has provided discharge planning and vocational programs at Rikers. We have probably served more than 75,000 incarcerated people, at 8 NYC jails, during that time. We have seen the population go up and down; the words change but the music stays the same. And it will continue to play the same sad tune until the City Council votes once and for all to Close Rikers.

Over the last year, I have had the privilege of being part of the team of architects and planners that produced the design before you. Osborne's focus was community engagement and, based on our experience working in the jails, advising on design needs. It is unfortunate that the largest municipal jail union in the country decided to sit this one out, when current jails are inherently unsafe for the people who live and work in them, and better design would allow for better jail management at every level. We do not need to spend millions of dollars for people at McKinsey with no experience in corrections coming up with algorithms about jail management. We need an environment that respects the humanity of everyone who lives, works and visits there, and that allows for local control by wardens who are trained and supported in running their jails.

It's clear that the proposed jails are probably too tall; no one wants police stations, courts and jails to be the most prominent part of any community. But as long as New Yorkers expect the police to make arrests and courts to judge and jails to detain, the community should expect to site them. And while it's debatable about exactly how many beds will be needed, it's not an uncontrollable factor. If the

population were to expand beyond current projections, maybe Staten Island would have to be like every other county in the entire United States, having a county jail. And adding a separate facility for women would also make sense.

It will be important, if you vote to Close Rikers but add restrictions on the size of new jails, to make sure that any reduction in square footage does not lead to reduced living space for those incarcerated. We know that some would argue that the size is too big because of too many “amenities,” others would point out, correctly, that a vertical jail has management challenges. But we are a large city without a lot of land available for more traditional jail structures, and we’ve gotten pretty good at building tall buildings. And the people who are most directly affected -- the people who live and work and visit DOC jails -- are, after all, your constituents too.

If the choice is between the plan before you and maintaining the country's last remaining penal colony, it's not much of a choice. The fact is that family-friendly visiting areas, program space for educational and recreational activity, and single rooms/cells are the only safe way to manage the jails – for those who live there, work there, and visit there.

According to Nelson Mandela, who knew a thing or two about jail:

“It always seems impossible --- UNTIL IT'S DONE”

Please do it.

Respectfully submitted,
Elizabeth Gaynes
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September 5, 2019

MAS Comments to City Council on NYC Borough-Based Jail Proposal, CEQR No. 18DOC001Y

The long-needed closing of the Rikers Island Correction Facility will end an ignominious chapter in New York City history, and the commitment to build new state-of-the-art jail facilities closer to associated courts easing the burden for detainees, their families, and visitors is most certainly commendable. However, the sensitive nature of the siting of jail facilities, the physical magnitude of the buildings, and the potential impacts on four individual communities warrant a far more transparent and effective community outreach effort than what has been put forth thus far.

The City's decision to address the proposal through a single ULURP application has the potential to set a problematic precedent. It is the first time it has conducted a single, citywide review for a non-transportation land action involving a multi-borough project with individual site selection. Given the size of the proposed facilities, the unique conditions each affected neighborhood poses, and the multiple publics involved, the Municipal Art Society (MAS) believes more attention should have been paid to each individual site and community.

In its zeal to meet the 2026 construction timeline, MAS believes the City has overlooked the complexity and nuances of placing four massive correctional facilities in established neighborhoods. In retrospect, separating the proposal into distinct land use applications may have been the better approach.

The Final Environmental Impact Statement (FEIS), released one week before the City Planning Commission vote and Labor Day weekend, left the public with very little time to review and respond to it.

Background

The DOC's borough-based jail system involves the construction of four new state-of-the-art detention facilities in the Bronx, Brooklyn, Manhattan, and Queens. The stated goal is to create modern facilities in proximity to other justice-related facilities and to cap the city's jail population to a maximum of 5,000 people. To facilitate this, DOC is seeking the approval of a series of land use actions including special permits, zoning map and text amendments, and an expedited, jointly reviewed design-build process.

In terms of density, the four facilities will range from 1,190,000 gross square feet (Brooklyn facility) to 1,270,000 gross square feet (Bronx and Manhattan facilities). All four facilities will contain 1,150 beds (project materials initially estimated 1,437 beds), support services, and community or retail space. The Bronx and Manhattan sites will include court-related facilities, and the Queens site, which is located next to the former Queens Detention Complex, would also provide centralized care services for detained women. The City also seeks to rezone a portion of the Bronx site to establish a Special Mixed-Use M1-4/R7-X district with 235 affordable housing units. The Bronx, Brooklyn, Manhattan, and Queens facilities would be built at a maximum height of 245, 395, 450, and 270 feet, respectively.

Comments on the Draft Environmental Impact Statement

Site Selection

The first criterion listed for site selection is the proximity to courthouses “to reduce delays in cases and the time people stay in jail.” However, the Bronx Criminal Court is 1.5 miles from the proposed Bronx facility site and therefore fails to meet the stated purpose of the project. We previously requested the DEIS be revised to include the identification and evaluation of alternative Bronx sites closer to the courts. Despite continued contention around the selection procedure, no such revisions have been made. To increase transparency and public oversight at this pivotal stage, MAS recommends the City Council request that the City make public its alternative site analyses for the Bronx facility prior to any committee vote.

Urban Design - Height, Bulk, Special Districts

The FEIS Urban Design and Visual Resources section for the Manhattan site describes the need for approval of a Special Permit to waive or modify certain zoning requirements including FAR, height and setback, and loading requirements. The permit would allow a maximum commercial FAR of 10.0 and maximum overall FAR of 10.0 (excluding bonuses). The requested zoning modifications would allow a building volume with a maximum base and building height that exceeds the limit of sky-exposure-plane regulations. According to the FEIS, the modification is necessary to accommodate the proposed jail program, provide ample support spaces, retain space for existing court and court-related space in the Manhattan Criminal Court Building, provide pedestrian-oriented ground floor retail and/or community facility uses, and achieve the objectives of providing a modern, humane, and safe detention facility.

We agree with the Manhattan Borough President Gale Brewer that there must be an accurate estimate of the future number of detainees at the facility before the proposed height and bulk are approved. Further review is critical to ensure that the facilities reflect a reformed vision of incarceration and protect the surrounding community. Therefore, the land use application must be revised to further reduce the 450-foot height and the 1,145,000 square-foot bulk. As Borough President Brewer points out, other cities that have taken on the redesign of their jails have managed to create facilities that meet the same goals but use half the space planned for the borough-based jails.

The FEIS does not provide a thorough rationale for establishing a Special Mixed-Use District on a portion of the Bronx jail site within the Port Morris Industrial Business Zone. The new Special District, which would cover the western portion of the existing NYPD Bronx Tow Pound, would have a higher residential FAR than the neighboring R6 and R7-1 districts and introduce 235 dwelling units to a predominantly industrial neighborhood. While we acknowledge the affordable housing associated with the proposal is a concession to the local community, the jail facility at this location would prevent the site from being used for a mixed-income housing development envisioned as part of comprehensive community-based development plan proposed by the Diego Beekman Mutual Housing Corporation. The plan, which reflects years of input from the local community, seeks to redevelop three underutilized, publicly-owned sites, including the proposed jail site, for affordable housing, youth and senior community space, and to provide economic opportunities. As such, the proposal does not go nearly far enough to meet the housing and community resources goals of the community’s plan. Therefore, we urge the City to explore alternative sites and release a significantly more robust evaluation of this and other sites.

Neighborhood Character

According to the FEIS, the proposed facilities are intended to fit into local context and conform with the neighborhood character. However, there is no way to overstate the magnitude of the proposed facilities. For example, at 245 feet high, the Bronx facility will be the largest building in the Bronx after Yankee Stadium; and the Queens building (270 feet) will be comparable in height to Citi Field.

The proposed facilities in all boroughs are both massive and domineering. Therefore, every effort must be made to reduce the size and bulk of the facilities, and must conform to reduced estimates of future jail population. The FEIS lacks clarity

in explaining why each facility needs to be constructed at such a height and bulk. The City needs to look at other municipalities that have redesigned their jail facilities to accurately determine what is appropriate.

Construction and Interim Housing for Detainees

CEQR guidelines limit analysis to the review of potential effects of proposed land use actions on the neighborhood and community *surrounding* a project. The proposal has the potential to profoundly impact people who are detained *within* New York City jail facilities. In the absence of a dedicated framework for the evaluation of impacts on people in detention, DOC must go above and beyond to ensure that the well-being of this population is central to the public review process and is a primary consideration throughout the construction timeline.

According to DOC Commissioner Cynthia Brann, who also spoke at the July 10, 2019 CPC Public Hearing, detainees from existing borough jail sites will be housed at Rikers Island during the project construction period. However, DOC has not released a detailed construction timeline, nor does the plan include a binding commitment to closing Rikers Island. We find this problematic because the interim housing solution would increase the number of people in detention at Rikers Island for an undetermined period of time. This strategy could expose the entire New York jail population to its inhumane conditions and culture of violence without an agreed upon date of return to borough-based sites.

Given the severity of issues on Rikers Island, the DOC must release a fully developed interim housing plan, an evaluation of potential impacts on people in detention, and viable mitigation measures. This plan must closely follow a detailed timeline for the decommissioning and demolition of existing jail structures and the construction of new facilities, in the boroughs as well as on Rikers Island. The information should include target dates for moving and housing people in detention and specifics about how the impacts would be mitigated.

Recommendations

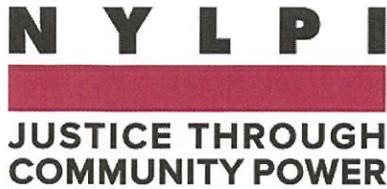
MAS agrees that the effort to create a series of smaller, safer, and more equitably located criminal justice facilities is a vital component to overhauling the New York City's criminal justice system. The challenge is integrating these new facilities and the populations they serve into four distinctly different neighborhoods. As such, several complex and systemic planning challenges overlap at both a citywide and neighborhood scale.

Before a final decision can be made on the proposal, we have the following additional recommendations:

MAS requests further clarification regarding the concentration of programmatic elements, such as facilities for parole and bail operations, to ensure that there is equitable access for all detainees, their families, and service workers across all sites. The City must make available the site selection evaluations, together with a list of all sites considered for the four locations and the criteria, including speed of project delivery and feasibility, used to eliminate sites from consideration. The DOC must release a plan for the combined 3,000 plus beds at the Brooklyn and Manhattan sites that will be temporarily displaced during the seven-year construction process. This includes details on where inmates will be housed in the interim, how they will be transported between borough courts, and how capacity will be managed. For improved transparency, the Neighborhood Advisory Committee's (NAC) recommendations must be made publicly available. Finally, the DOC must establish a structure for continued communication post-ULURP that reflects meaningful, ongoing community engagement.

Conclusion

The siting of borough-based jail facilities is a complex part of the City's effort to overhaul its criminal justice system. While we commend the effort to close the shameful Rikers facility, we implore the City to take a step back and truly engage with the affected communities on the planning and the design specifics of the proposed jail facilities. The extra time spent will go a long way towards ensuring that this project achieves its goals and reflects the vision of the neighborhoods in which they will be situated. We urge City Council to heed the conditions put forth by Borough Presidents and Community Boards and implement our recommendations.



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**Testimony of Melissa Iachan to the
New York City Council
ULURP Hearing on Borough-Based Jails,
September 5, 2019**

Good morning, my name is Melissa Iachan, and I am a Senior Staff Attorney in the Environmental Justice Program at New York Lawyers for the Public Interest. NYLPI works with communities across the New York City area to combat inequality, injustice, and infringements of civil rights. Our Environmental Justice program has advocated to end the inequitable distribution of environmental burdens in our City for over two decades.

NYLPI is a partner in the Close Rikers coalition due to our strong belief that the decrepit facilities built on a deteriorating landfill pose serious health hazards to all detainees and employees on Rikers Island. Our environmental justice work has led us to join the ever-growing chorus of voices demanding the City shutter the corrections facility, and explore the possibilities to use the space on Rikers Island for renewable energy.

NYLPI spent more than two years collecting documents from various City agencies regarding the environmental conditions at Rikers and detainee health conditions. Our survey showed that the environmental conditions at Rikers Island correctional facilities pose a direct threat to human health and well-being. In particular, the plumbing is so dysfunctional that facilities systematically fail to provide clean running water and properly working sewage systems, contributing to conditions that exacerbate a number of illnesses and health challenges for detainees. The picture that these documents paint illustrates the urgency to close the Island as a correctional facility as soon as possible. For this reason, NYLPI supports this consolidated ULURP process and urges the Council to vote yes in moving forward with the borough-based jail and community facilities, while also ensuring that the new buildings are sound, designed with physical and mental wellness in mind, and sited equitably.

Those very literally toxic facilities need to be shuttered and demolished as soon as practicable. Building community-based facilities that serve the needs of the neighborhoods they are located in beyond simply being correctional structures is the goal behind this land use proposal. In order to shutter the current horror show

of Rikers, we urge the Council to accept the proposal before it today, but in so doing, improve it, by:

- Ensuring that these new facilities do not simply become mini-Rikers. The structures must be designed, built, and operated differently. In addition to the other recommendations our partners in the Close Rikers coalition are making to this end, ensuring that there is ample natural light, sound and modern plumbing systems, and clean and safe running water for drinking and cleansing are basic human rights that should not be overlooked.
- Ensuring that there is an entirely separate facility for women. The Council should ensure that the City should explore options to repurpose buildings, in areas well-served by public transit, that could house the 100 or so women who might need to remain in a secure facility after the Rikers is finally closed. This could reduce the capacity in the four proposed facilities by 100 overall, and therefore correspondingly reduce the size of each facility.
- Ensuring that any and all money the City saves by shrinking the population of incarcerated people be directly invested into the communities most impacted by Rikers and our city's justice system.
- Ensuring that any and all empty structures on Rikers Island get demolished as soon as possible, while focusing on the best possible and care and conditions for those detainees that remain and require transfer. The sooner these buildings are gone, the sooner this stain on our City can begin to be a part of our collective history rather than our present, and the sooner this land can become a key piece of our future and moving the City to utilize more renewable sources of energy while shifting polluting infrastructure from low income communities to the Island.

We look forward to continuing our work with the Close Rikers coalition, City Council, the Renewable Rikers coalition, and the administration to ensure that Rikers is closed as quickly and as soon as possible, and that the detainee population continues to decrease, while investments are made not only in communities, but in transforming the blight of Rikers Island into for a source of renewable energy for our future...truly the only thing that the toxic island should be used for at all.

Thank you.



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Greg Berman. Director

New York City Council
Subcommittee on Landmarks, Public Siting, and Maritime Uses
Creation of Special Permit for Borough-based Jail System
Testimony of the Center for Court Innovation
September 5, 2019

Dear Chair Adams and esteemed members of this subcommittee. My name is Dipal Shah and I am director of strategic partnerships at the Center for Court Innovation (“Center”). I testify today on behalf of the Center in support of the City’s efforts to close the Rikers Island jail complex and build humane jails in each of the four large boroughs.

The City’s plan represents the culmination of a serious research and development process that should serve as a model for the rest of the nation. It is a major step forward for the City – and away from an outmoded approach to correction that isolates New Yorkers in a de facto penal colony. We can and should do better than this in 2019.

Since 1996, the Center has dedicated itself to the development of safe and effective alternatives to incarceration. We currently operate supervised release programs in the Bronx, Brooklyn, and Staten Island that have been credited with helping thousands of defendants avoid money bail and pretrial detention. The Center also provides research support and expert assistance to hundreds of criminal justice reformers around the world. One such project was our work with the Independent Commission on New York City Criminal Justice and Incarceration Reform (a.k.a. Lippman Commission). Since the release of the Lippman report, the Center has been working

with City officials, the state court system, prosecutors, defense agencies, community leaders, and others to implement the report's data-driven recommendations to reduce the use of jail while maintaining public safety. In general, we endorse a three-pronged approach to reform: (1) significantly reducing unnecessary incarceration; (2) closing Rikers and building small, humane jails; and (3) developing imaginative public uses for Rikers Island.

We hope to make jail a last resort rather than a default setting. Local jails will continue to be necessary for a small fraction of the criminal justice population; we must ensure that these facilities are places where genuine rehabilitation can take place. This is the promise of the City's proposed plan – to help the justice system live up to its commitment to treat every individual with dignity and respect.

The City's plan is not perfect – no plan is. There has been vigorous debate about things like cost and congestion and the scale of the buildings. Vigorous debate is one of the things we do best here in New York. Community input has already made the City's plan better. And the community should continue to be involved at every step of the process as the plan proceeds. But there can be no debate that we should move forward.

New York City's criminal justice achievements over the past generation are significant. We live in the safest big city in the country. At the same time, we have managed to reduce our jail population from more than 22,000 to less than 8,000. But as impressive as these results are, they are marred by the reality that we continue to operate a jail complex on Rikers Island that has abused and brutalized far too many New Yorkers. This is a stain on our record. The City's plan for borough-based jails is a chance to erase this stain and start again with a fresh approach to correction that recognizes the fundamental humanity of both jailers and the jailed.

Thank you, Chair Adams and subcommittee members, for considering the Center's perspective and for facilitating the important process of gathering input from the community and other stakeholders. This process will only strengthen the end result.

If you have questions, I am happy to answer them now, or can be reached via email at shahd@courtinnovation.org.

BEYONDrosies 2020: Reimagine Justice, Dignity, and Safety for Women

FOR THE RECORD

September 5, 2019

Subject: Public hearing on Borough Based Jail System

I am Rita Zimmer, a member of the BEYONDrosies2020 campaign that is part of the Women's Community Justice Association (WCJA) whose membership includes women with lived experience, community members, not-for profit leaders and friends.

Thank you to Committee Chair Adrienne E. Adams and members Inez, D. Barron, Peter A. Koo, I Danee Miller and Mark Treyger of the Subcommittee on Landmarks, Public Siting, and Maritime Uses for the opportunity to hearing and listening to public testimony today.

We applaud the work of New York City and the Mayors Office of Criminal Justice and the City Council leadership and council members and their staff and the not-for-profit community agency leaders who have been leading the way for decades. But I especially want to acknowledge and applaud the women and men with lived experience who have elegantly guided us, prodded us and who have become our moral compass. Closing Rikers is the right and the moral thing to do.

Our work over the past two years has been to reimagine justice, safety and dignity for women that begins by reducing the number of women incarcerated. Our vision of a replacement for the Rose M. Singer Center is a wellness center, a stand-alone facility for 100-125 self-identified women and gender non-conforming people with trauma informed models of treatment and operations that prioritize skill building, reunification with families; a wellness center that addresses women's health, mental health, trauma, substance use issues, poverty and homelessness.

We support the plan to locate new facilities in Manhattan, Brooklyn, the Bronx and Queens. We want to be partners with you to devise, build and fund a community reinvestment strategy that preserves the historic successful decarceration plan underway and one that will ensure that the gains made will last well into the future and lead to prosperity for all our citizens.

While there is no perfect solution we must not squander this opportunity to become a national model for transformative justice reform. We urge you to support the borough based center plan before you.

Sincerely,



Rita Zimmer

Contact Rita Zimmer, (646) 790-3160, ritaz@womenscommunityjustice.org

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FOR THE RECORD

**Testimony of the New York Civil Liberties Union
Before City Council Subcommittee on Landmarks, Public Siting and Maritime Uses
Regarding the Land Use Permit Applications for the Borough-Based Jail System
Submitted by the New York City Department of Correction and the Mayor's Office of
Criminal Justice**

September 5, 2019

Nicole Triplett

The New York Civil Liberties Union (NYCLU) respectfully submits the following testimony in support of the City's pursuit to close the Rikers Island jail complex. Given the well-documented horrors and affronts to countless individuals' rights, liberties, families, and lives that have occurred at Rikers, it is an understatement to say that the complex should have been closed generations ago. Yet despite savage abuse and rampant violence, the City has permitted the 400-acre island to warehouse tens of thousands of people for decades in egregiously inhumane ways. We therefore call for members of City Council to vote in favor of closing Rikers. However, we call on members of City Council to ensure that the plan to open four smaller jails is coupled with a meaningful commitment from the City to address the persistent use of violence and isolation by the Department of Correction ("DOC"). We specifically ask the members of City Council to issue a mandate for the City (the Mayor's Office of Criminal Justice and DOC) to plan and guarantee that the City will not use the land for the proposed jails to maintain the same use-of-force rate and isolation practices that they are using today.

I. Introduction

The NYCLU, an affiliate of the American Civil Liberties Union (ACLU), is a not-for-profit, non-partisan organization with eight offices throughout New York State and approximately 160,000 members and supporters. The NYCLU's mission is to defend and promote civil liberties and civil rights. We work to ensure that the core values and principles of equality, liberty, and due process are more fully and consistently realized in the lives of all New Yorkers. In pursuit of these principles we fight for the dignity of all people, with particular attention to the pervasive and persistent harms of racism.

We are deeply committed to ensuring equal protection of the law and realizing the promise that every New Yorker be treated fairly and humanely, which is why we call on City Council to

raise as areas of substantive concern the DOC's historic use of violence and isolation as primary tools for discipline and order. In no way are we suggesting to delay the vote. But with this vote, members of City Council have the opportunity to transform the way we treat people who have been accused and convicted of crimes and must do everything in its power to not permit the City to simply replicate the dangerous culture of Rikers in four smaller facilities.

II. Reduced Jail Bed Capacity

The NYCLU applauds the Mayor's commitment to decarceration, but we welcome plans to further reduce the jail bed capacity given the future projections for the reduced population. When Mayor de Blasio first took office, Rikers' average daily population was 11,089; this past July, the average daily population was 7,290.¹ Given the upcoming implementation of the state pretrial reforms, the City anticipates that the population will fall below 4,000 by the time the new jails are built. This commitment to a reduced bed capacity rightly recognizes the proven ways to keep people safe through investments in rehabilitative services, community programs, court diversion and other alternatives to incarceration. Because there is scant evidence that incarcerating people increases public safety, the plan makes clear that the City must divorce itself from policies that long justified the existence of a city jail that once held approximately 22,000 people.

III. Violence

Unlike the City's decarceration efforts, efforts to decrease the rate of violence on Rikers Island have failed, cementing a culture of violence that risks spreading to the four smaller jails. In 2014, the United States Department of Justice found a pattern and practice of excessive force and violence at Rikers that the United States Attorney's Office for the Southern District of New York described as a "deep-seated culture," particularly pervasive with the adolescent population.² Violence remains on a steady incline despite many recent efforts: DOC's 14-Point Anti-Violence Plan;³ the placement of a federal monitor who was tasked to monitor use-of-force incidents and to make recommendations as part of a consent judgment;⁴ and the Board of Correction's ("BOC") ongoing oversight and investigatory efforts. From 2008 to 2017, despite a significant decline in

¹ NYC Smaller, Safer, Fairer: A Roadmap to Closing Rikers Island, Status Report (last visited Sept. 3, 2019), <https://rikers.cityofnewyork.us/>.

² See Statement by U.S. Attorney Office for the Southern District of New York re: *Nunez v. City of New York*, 11 Civ. 5845 (LTS)(JCF) (June 22, 2015), <https://www.justice.gov/usao-sdny/pr/manhattan-us-attorney-finds-pattern-and-practice-excessive-force-and-violence-nyc-jails>.

³ NYC Mayor de Blasio, Commissioner Ponte Announce 14-Point Rikers Anti-Violence Agenda <https://www1.nyc.gov/office-of-the-mayor/news/166-15/mayor-de-blasio-commissioner-ponte-14-point-rikers-anti-violence-agenda#/0>.

⁴ See Terms of the *Nunez* Consent Judgment, <https://www.justice.gov/usao-sdny/file/479956/download>.

the DOC population, the number of injuries to people in DOC custody increased 101% from 15,629 in 2008 to 31,368 in 2017.⁵ From 2016 to 2018, the office managing the health and mental health services on Rikers, NYC Health + Hospitals' Correctional Health Services ("CHS"), found that the rate of serious injuries slightly declined from an average of 9.73 per 1,000 inmates in 2016 (June.—Dec.) to an average 7.48 per 1,000 inmates in 2018 (Jan.—Sept.). But the BOC found that the DOC was underreporting serious injuries, consistently reporting 80% fewer serious injuries than CHS. DOC's investigation process for injuries is "plagued by delays, poor accountability, and incomplete reviews."⁶

In its seventh report, the federal court monitor in the *Nunez* consent judgment⁷ reported that the number of use-of-force ("UOF") incidents by DOC continued to rise, reaching its highest level in December 2018. This increasing rate of violence is a continuing violation of the *Nunez* settlement, and comes even as the population of Rikers is steadily decreasing. Although the DOC contends the population left is smaller but more dangerous and merits such UOF rates, the *Nunez* monitor found that the DOC has failed to impact the factors identified that would lower its UOF rate.⁸

IV. Isolation

We also have serious concerns about the expanding use of isolation at Rikers. The DOC continues to expand the use of isolation despite increased scrutiny, rules and regulations, and isolation attributable tragedies happening to those most vulnerable to severe injuries, such as young adults under 22, and those who have serious medical issues. In 2015, the BOC issued a package of rules limiting the use of isolation.⁹ However, since the promulgation of these rules, the DOC has repeatedly taken steps to avoid compliance.

In 2015, the DOC increased transfers of individuals 21 and younger, which allowed the DOC to circumvent the rules and regulations forbidding the placement of adolescents and young adults in punitive segregation. In 2018, the DOC transferred at least 10 young men, eight of whom were sent to punitive segregation in a jail in Albany.¹⁰ Many suspect that these transfers of young

⁵ NYC BOC Report 3 (Jan. 2019), <https://www1.nyc.gov/assets/boc/downloads/pdf/Reports/BOC-Reports/2019.01.07%20-%20BOC%20Serious%20Injury%20Report%20-%20Final.pdf>.

⁶ *Id.* at 4.

⁷ Seventh Monitor Report in *Nunez v. City of New York et. al.*, 11-cv-5845 (Apr. 18, 2019), https://www1.nyc.gov/assets/doc/downloads/pdf/7th_Monitor_Report.pdf.

⁸ BOC Report, *supra* note 5, at 14.

⁹ First, the BOC prohibited the placement of 16- to 21-year-olds in punitive segregation, where people are locked in their cells for twenty-three hours of the day. Second, the BOC prohibited the placement 19- to 21-year-olds in enhanced supervision housing ("ESH"), which permits 17 hours of isolation. Third, the BOC limited the amount of time an adult aged over 21 can spend in solitary confinement to a maximum of 30 consecutive days.

¹⁰ Rosa Goldensohn, *With Rikers closure still years off, de Blasio backs away from young adult reforms*, Politico New York (Sept. 6, 2018), <https://www.politico.com/states/new->

detainees stand as a way for DOC to curb the ban on punitive segregation for adolescents and young adults.

Since the ESH ban for young adults was passed, the DOC has continuously requested and received variances from the BOC to waive its compliance with this requirement at least five times. Today, therefore, the DOC can send detainees between ages 18 and 21 to ESH. In the ESH unit, young adults are sometimes restrained to desks for all out-of-cell activities and receive 30-day reviews to assess whether they can be moved to a less restrictive setting. Despite the DOC's steps to track, monitor, and evaluate ESH, in practice, most young adults in ESH are spending nearly all day locked in their cells rather than the minimum 7 hours provided for under the ESH Standards. Nearly all young adults in ESH have no-contact visit restrictions imposed for the duration of their time in DOC custody, and very few young adults have progressed to less restrictive housing assignments. Locking young people in cages for 23 hours a day with no human contact is not just cruel; it is a form of torture. It does not reduce violence or promote jail safety. It simply inflicts permanent damage on developing minds too young to be beyond repair. The case of Kalief Browder, a teenager who spent two of the three years awaiting trial in solitary confinement at Rikers Island, more than proved the dangers associated with prolonged isolation. After prosecutors discovered they had no valid case against him, he was released but later committed suicide in 2015.

More recently, Layleen Polanco, a 27-year-old transgender woman, died in some form of solitary confinement, even though the DOC and a doctor, who cleared her to be placed in solitary, knew she had a seizure disorder. The city medical examiner's office reported that Polanco's cause of death was due to a seizure. Although the City disputes that Layleen was in punitive segregation when she died, the fact remains that she was in some form of isolation or restrictive housing that made her vulnerable to severe injury.

If the City is allowing the DOC to routinely pursue ways to curb the limited rules and regulations that already exist, there is nothing to assure us that the smaller jails will not result in even more proactive tactics pursued by the DOC to ramp up isolation (in all of its forms) and, consequently, jail attributable deaths.

V. Conclusion

As members of the City Council, you share in the responsibility to ensure that the long overdue closure of Rikers jail complex happens, but you cannot leave the DOC's current use of violence and isolation untouched in overseeing the City's jail plan. We are members of the Mayor's Justice Implementation Task Force—tasked with the effort to help the City to change Rikers' culture—and unfortunately have observed firsthand how the City continuously casts a blind eye

[york/albany/story/2018/09/05/with-rikers-closure-still-years-off-de-blasio-backs-away-from-young-adult-reforms-594152](https://www.albany.com/story/2018/09/05/with-rikers-closure-still-years-off-de-blasio-backs-away-from-young-adult-reforms-594152).

on the DOC's enhanced use of isolation and escalating use of violence. If you do not confront and dismantle the culture of violence and isolated confinement at Rikers Island, you are doomed to replicate its culture in four borough-based jails. The NYCLU urges you to close the Rikers Island complex – but to do so in tandem with a mandate and plan for the four proposed jails to avoid the culture of violence and isolation that pervade Rikers.

We thank the committee for the opportunity to testify on these important matters.



BUILDING & CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK

GARY LaBARBERA
PRESIDENT

AFFILIATED WITH THE
BUILDING CONSTRUCTION TRADES DEPARTMENT
OF WASHINGTON D.C.
—
BUILDING AND CONSTRUCTION TRADES COUNCIL
OF NEW YORK STATE
—
AMERICAN FEDERATION OF LABOR OF CONGRESS
OF INDUSTRIAL ORGANIZATION

TESTIMONY

On behalf

BUILDING AND CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK AND VICINITY

In Support of the Borough Based Jails

SEPTEMBER 5, 2019

Good afternoon. I am Santos Rodriguez, I am here to testify on behalf of Gary LaBarbera, President of the Building and Construction Trades Council of Greater New York & Vicinity. I am here to testify in support of Borough Based Jails.

The Building and Construction Trades Council is an organization of local building and construction trade unions that are affiliated with 15 International Unions in the North American Building Trades Union. Our local union affiliates represent approximately 100,000 union construction workers. The Building Trades mission is to raise the standard of living for all workers, to advocate for safe work conditions and to collectively advance working conditions for our affiliates' members, as well as all workers in New York City.

The plans to build four modern, community-based jails throughout the City will allow the City to close Rikers Island. This plan intends to provide smaller and safer jails. It will also make it easier and quicker to transport people in jail as well as for loved ones to visit those in jail. In addition to the public policy considerations, this plan will bring significant economic development opportunities to the communities housing the new facilities. Just at the outset, this project will create well paying jobs with family sustaining benefits and careers opportunities for the construction workers that will build the new facilities. Collectively, the program components for each site will require approximately 5 million GSF of construction work. These new facilities will include space for educational programming, recreation, therapeutic services, community space, visitation space, a public-service-oriented lobby, and space for new admission screenings, medical and behavioral health exams, and health/mental health care services. We believe that this new project is the type of smart investment that the City should make – one that creates good paying construction jobs while also addressing important community and social needs.

We thank you again for this opportunity to testify in support of this project.

Alfred H. Brand PE
80-67 Grenfell Street
Kew Gardens, NY 11415
September 5, 2019

New York City Council
250 Broadway
New York, NY 10007

Re: Testimony to Council

Public hearing date September 5, 2019

Subject: Borough-Based Jail System

Testimony by: Alfred H Brand PE

Chairman, Kew Gardens Civic Association

alfredhbrand@aol.com

718 846 8799

Speaker Corey Johnson and Members of the New York City Council:

The City's current Borough Based Jails application must be denied because it has not taken into serious consideration the concerns and objections of the residential communities surrounding each of the proposed jail sites. Further, the poorly defined concepts being presented as a design-build undertaking provide no assurance that the needs of the affected residential communities or the inmate population will be satisfied.

No Neighborhood input to jail concept:

No Civic Associations were contacted by the Lippman Commission for input into their analysis and report. The Kew Gardens Civic Association has been in continuous existence since 1914 and is well known to the local media, local elected officials, other community organizations and Community Board 9. We were not contacted by the Lippman Commission. The appendix in the Commission's report listing contributors does not include any Civic Association from any Borough, nor does it include any of the Community Boards covering the affected areas. It does include multiple real estate development interests.

Deteriorated conditions at Rikers Island:

A main thrust of the "close Rikers" movement is that the buildings at Rikers Island are old, seriously deteriorated and cannot provide safe and humane conditions for the incarcerated. During the City

Planning Commission hearing on July 10, 2019, we heard the testimony of the granddaughter of the woman for which the women's facility at Rikers was named. The building, known as Rosie, was built in the late 1980s as a state-of-the-art women's facility. Yet today a mere 31 years later, it is described as a horrible place of violence. That is not because the building is 31 years old. It is because the City has been unwilling or unable to maintain and manage the facility. The problem lies with the way New York City and the Department of Corrections has allowed the structures on Rikers, which were well designed for their time, to deteriorate into what are now described as horrible, violent and unsafe places. If Rikers originally accommodated some 20,000 inmates and now has fewer than 7000 inmates, with the population expected to decline further, our City needs to fix Rikers first. Building four mega jails, at a cost to taxpayers of an estimated 30 Billion Dollars after financing, and moving the same management and administration into new high-rise confinement structures will not solve the problem.

Tall buildings as jails:

The building heights are portrayed as varying from approximately 27 to more than 40 stories. Our Councilperson from Queens is claiming credit for reducing the height of the Kew Gardens building from 30 to 27 stories, when in fact the envelope of development which the City is requesting has not been lowered from the original request. There is no assurance of what the actual number of stories will be in Kew Gardens.

Transporting inmates vertically through a building, whether it's 27 stories or more than 40 stories, represents enormous security and safety challenges. It further represents enormous risks for evacuation in an emergency, whether that be fire, terrorism or other. The City's response is that the building will be fireproof. But even in a modern fireproof office building, multiple floors are evacuated in a fire because of smoke and other risks.

The conditions encountered in the Federal Detention facility in Brooklyn last year during a power outage which lasted several days is an example of what can, and actually may, occur. Building high-rise jail buildings in residential areas of any Borough, whether Queens, Brooklyn, Manhattan or the Bronx, is not a prudent approach to criminal justice reform in New York City for either the incarcerated or the affected communities.

Recreation in high-rise jails:

City representatives have said that the four mega jail buildings will contain outdoor recreation space. No concept drawings show outdoor recreation space. When pressed, the City representatives in prior meetings have said that the space will be recreation space on each residential floor with windows that allow sunlight to enter. In the earliest meeting at Queens Borough Hall last fall, such a recreation area was described as approximately 750 square feet. That is equivalent to a space 25' x 30', which is hardly sufficient for recreation for a group of inmates in a residential unit. The City falls back on their stock answer that the details have not been designed since the project is a design-build undertaking. How can we accept and you approve a concept that is poorly fleshed out with no assurance that it will in fact address the root causes of the violence at Rikers Island?

Passion of proponents:

The Borough-Based Jail System is an outgrowth of the concerns of very passionate reformers, but their good intent has been distorted into a plan which will overwhelm residential neighborhoods and will not be good for the inmates who will be confined. The concept of the Borough-Based Jails needs to be reevaluated in a more balanced way.

Our Kew Gardens' Councilperson's inexplicable position:

Our Councilperson, Karen Koslowitz, supports the current jail proposal over the objections of the residential community, Community Board 9, and the Queens Borough President. Her only stated reason is that she needs to be "at the table" with the Mayor for future issues. What issues are so critical that she needs to appease a Mayor whose focus is clearly elsewhere? Her position is unacceptable and in conflict with the wishes of her constituency. She is insulated by term limits.

The current Borough Based Jails proposal must be rejected:

The current review/approval process is inconsistent with ULURP, which requires meaningful input from affected communities. The Council must rise to the challenge and avoid the trap of always following the lead of the Councilperson whose district is directly affected. In this case the entire City will be affected. Jail reform must be done right, with proper community involvement. **Therefore the current proposal must be rejected.**

Sincerely,

A handwritten signature in cursive script that reads "Alfred H. Brand".

Alfred H. Brand PE



The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This “skyscraper of detention” would be an ineffective solution. It would be inoperable and wildly out-of-scale with its immediate surroundings.

The Boerum Hill Association holds the following views:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- If we believe we can significantly reduce the jail population then we must work toward that goal using many initiatives before we build four large jails.
- We support State and City legislation to assure bail reform and we support full discovery. We need to make sure they are implemented.
- Detainees with severe mental health issues need to move to an appropriate facility now and we must build more of these facilities as soon as possible. The mentally ill chemically addicted (MICA) should be housed in a therapeutic environment. This portion of the detainee population is not well served within the criminal system.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Such programs are not specifically identified in the Jail Plan’s Strategy 15A for supporting “Productive Futures for Young Adults”, and having basic skills are fundamental to any successful recidivism prevention initiative.
- We would like to see a plan for an 800-bed, state-of-the-art facility. We have asked to see what shape and size would result at this capacity and how the building can be integrated into our community.
- We will only accept a FAR of 8 -10.

We are not alone in our opposition to the current plan.

Remember Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building. Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.

His many thoughtful recommendations “balances the needs of the community with the imperative of making our criminal justice system more humane for all, something all sides have agreed is critical.” “What we are proposing advances the City’s goal of closing Rikers while providing real benefits to the surrounding community. Most importantly, it offers a roadmap

for ending the cycle of incarceration that plagues our underinvested communities. We urge the city to adopt these recommendations, and to work in close consultation with the community, so we can move forward in a responsible way.”

This “responsible way” includes many community-based initiatives that can further reduce the City’s incarcerated population. They include expanded supervised release programs, support from social workers, psychiatric support, education programs, investment in early intervention programs and greater economic opportunities in communities with need.

The main goal of criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the smallest detainee population.

The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, “**We shouldn’t be building for a bigger system than we anticipate.** If anything, we should be building for **smaller** than we anticipate and then putting some pressure on ourselves to **continue to implement reforms.**”

We completely agree.

From the first mention of a new jail in Brooklyn, the Boerum Hill community has recognized the need to transform our criminal justice system to focus on keeping people out of jails, out of the system, treating the detainees with mental health issues as well as focusing on services that reduce crime.

We are not hearing enough about the City’s commitment to address the mental health issues as well as tackling substance abuse and homelessness. We need to hear more about funding for community based social services and interventions that have yielded results in the past and can deliver future results.

In short, we should we talking about equality and elevating communities not bars and brick walls. It’s time to invest in the communities most affected by the inequities of the current criminal justice system. Let’s put the cart behind the horse.

Once again, we are talking about an out-of-scale and out-of-context real estate deal.

Howard Kolins 
President
Boerum Hill Association

TO: City Council, Subcommittee on Landmarks, Public Siting and Maritime Uses
FROM: Steven Pacheco, Advocacy Associate of From Punishment to Public Health (P2PH) at John Jay College of Criminal Justice (CUNY)
DATE: September 5, 2019
RE: PUBLIC HEARING ON BOROUGH BASED JAILS SYSTEM

My name is Steven Pacheco and I am a Bronx native of 20+ years. I work with the From Punishment to Public Health (P2PH) initiative, a research center at my soon-to-be alma mater John Jay College of Criminal Justice. P2PH is a collaboration of academic, research, policy and direct service agencies focused on accelerating reforms at the intersections of public health and public safety. Our focus is to stimulate dialogue across disciplines and accelerate the adoption of proven strategies that address the underlying causes of criminal and antisocial behaviors. I have also worked across various sectors such as policy and philanthropy, and am a formerly incarcerated person. So, closing Rikers hits home for me.

Today we are discussing a special moment for our city. The opportunity to shutter the horrid jail facilities on Rikers Island may not come around again for another 50 years or more. This is our chance to send a clear message that we will not tolerate the violence and overt neglect that these facilities have come to represent. And, so it is with that fervor that I make my appeal to City Council as we approach the closing of Rikers.

In this moment, elected officials are tasked with finding an equilibrium. It is imperative that we consider strengthening the socioeconomic fabric of the communities where the newly proposed borough-based facilities will exist. And, it is just as imperative to ensure that there is sufficient bandwidth to serve folks who are being released from a period of incarceration.

Living in New York City practically all of my life, I have seen the lingering atrocities many of the neighborhoods in question are faced with firsthand. The rampant disenfranchisement plaguing areas such as Mott Haven in The Bronx or El Barrio in Manhattan are a reflection of the City's long-standing historical negligence in many regards. Not surprisingly, much of the City's incarcerated population comes from these very same disenfranchised communities. So, what does accountability look like in the face of this reality?

Accountability looks like acknowledging the existing conflicts in the criminal justice system and delivering remedies that energize action, encourage self-evaluation, while stimulating innovation and adaptation. We cannot afford to undermine the health and wellbeing of our City's incarcerated and formerly incarcerated population any longer. As someone who was once locked inside the war-torn Rikers facility, I remember feeling as though the world had come crashing down on my spirit. And, with the closing of Rikers island on the horizon, we can finally shine some light on one of our City's most neglected populations.

As highlighted by many of those gathered for this hearing, we recognize the current plan to construct and redesign four borough-based facilities has flaws. But, at this special moment, we

also recognize the dangers of letting perfection stand in the way of progress. While our current system has surely impacted Black and Brown people disproportionately since its inception, the implications of closing Rikers will span far and wide beyond this demographic—if we do not get this right. With this sentiment in mind, I encourage you to consider three essential elements of community wellness – social, emotional and financial – as you seek amendments and improvements to the borough-based plan.

P2PH utilizes the wellness framework originally created by the Substance Abuse and Mental Health Services Administration (SAMHSA) to analyze and stimulate cross-systems innovations. The current plan to construct borough-based facilities is mostly focused on the construction and operation of the buildings themselves, and the wellness framework invites us to ask questions about how these buildings and their operations will likely impact the broader community.

How are we investing in the communities that surround the planned borough-based facilities? How are we investing in those communities that we know have the highest rates of incarceration? And, how do these investments foster the social, emotional and financial well-being of individuals and communities impacted by this plan?

The nexus between stable housing, healthcare access, and short-term incarceration is now well documented and better understood. Yet, we continue to operate mostly siloed systems of care for some of the most vulnerable members of our community. Perhaps the most important consideration that should accompany this conversation about borough-based jails is how we can provide safe housing and low-threshold healthcare access to the individuals that pass through them. If we don't answer that question, these facilities will remain a revolving door for impoverished and sick people that currently exist on Rikers Island. We need not only think about creating safer facilities, but also safer communities.

In thinking about the communities impacted by this plan, we must consider the employment prospects of current residents. Are they prepared to fill the jobs that will arrive with the construction and operation of large municipal facilities? Do they have the educational background and credentials needed to move beyond entry-level positions? In short, how are these residents integrated into the economic stimulation this plan contemplates? And how can this participation be amplified to contribute to broader neighborhood benefits?

Ultimately, the incarcerated individual bears the brunt of these challenges, but the effects extend outward to the social, emotional, and financial wellbeing of families, communities, and society at large. For these reasons, and many more, we encourage City Council to broaden the perspective on the City's plan to close Rikers. P2PH is eager to lend its wellness framework to the City's efforts to help move forward with the implementation of a borough-based jails system. Thank you for your consideration.

Stephan Freid, AIA
170 Park Row
NY, NY 10038
212-529-6248
stephan.freid@gmail.com

City Council Statement
Borough Based Jails
Hearing: September 9, 2019

PROGRESSIVISM RUN AMOK.

GREAT TO REFORM THE CRIMINAL JUSTICE SYSTEM **BUT** DON'T TAKE THE WOES OF RIKERS AND TRANSPLANT THEM INTO OUR COMMUNITY AND THE CIVIC CORE OF MANHATTAN WITH A MEGA JAILS.

THE CITY'S MISSION IS TO CLOSE RIKERS AND MAKE JAILS "SMALLER, SAFER, FAIRER" THIS PLAN IS FOR A 1.3 MM SF MEGA JAIL. IT IS MOST CERTAINLY NOT SMALLER AND WILL NOT BE SAFER.

IT WILL DESTROY THE FABRIC OF OUR COMMUNITY. IT IS IMMEDIATELY NEXT TO COLUMBUS PARK - THE LUNGS AND HEART OF CHINATOWN.

IT SHARES A WALL WITH THE CHUNG PAK SENIOR RESIDENCE WHICH WAS IN ITSELF A COMMUNITY FACILITY BUILT IN EXCHANGE FOR THE BURDEN OF THE CURRENT JAIL AT 124 WHITE STREET THAT WOULD BE COMPLETELY DEMOLISHED.

THE MEGA JAIL VIOLATES THE THREE FUNDAMENTAL TENETS OF THE ZONING ORDINANCE PUT INTO EFFECT AND USED SUCCESSFULLY SINCE 1916 TO CREATE A LIVABLE CITY. APPARENTLY, OUR CITY PLANNING COMMISSION DOES NOT DO CITY PLANNING. THEY JUST RUBBER STAMP THE MAYOR'S ILL CONSIDERED WISHES.

WHY DOES THIS ADMINISTRATION FEEL IT'S OK TO VIOLATE THE CITY'S OWN ZONING ORDINANCE FOR A PUBLIC BUILDING?? A PRIVATE DEVELOPER WOULD NOT EVEN DARE PROPOSE THIS.

- FLOOR AREA: - IS 32% TOO BIG !
- LOT COVERAGE: FULL 100% VS 40%
- ALL IMPORTANT SKY EXPOSURE PLAN - NO SETBACKS AND 460 FEET TALL AND BULKY. NO DAYLIGHT.

MUST PRESENT ALTERNATIVE PROPOSALS TO BREAK UP THIS PROGRAM INTO SMALLER BUILDINGS AND YES, ALSO A PROPOSAL TO REBUILD RIKERS.

LET'S FACE IT - THE FUNDAMENTAL ABUSES OF DETAINEES IS NOT CAUSED BY THE BUILDINGS.

A TALL MEGA JAIL WILL BE UNSAFE, UNSECURE AND WILL SURELY NOT STOP THE ABUSES OF DETAINEES.

Stephan R Freid, AIA Architect

Boroughs United

Neighbors United Below Canal / Park Row Alliance / Chatham Towers

170 /180 Park Row

New York, NY 10038

July 18, 2019

Via email & US Certified Mail:

Marisa Lago, Chair

New York City Planning Commission

120 Broadway, 31st Floor

New York, NY 10271

Re: Borough Based Jails Testimony

CEQR 18DOC001Y

124 and 125 White Street

Proposed Jail

Dear Chair Lago and Members of the Commission,

I hereby submit the following statement with attached exhibits as my testimony regarding the proposed Manhattan jail. Note that I attempted to enter the July 10th 2019 hearing to testify in person at 5:50pm but was told it closed minutes before. I ask that this written testimony be reviewed by all of the Commissioners who are addressed and copied herein as these issues are critical to your deliberations and vote.

I. **Prepared Statement as follows in *italics*:**

The scheme presented for Manhattan (and certainly Brooklyn as well) violates the three fundamental tenets of the Zoning Ordinance put into effect and successfully used since 1916. Limits on building Floor Area (FAR), Setback Requirements (Sky exposure plane) and Lot Coverage are all being grossly exceeded by the proposed scheme and accompanying request for Amendment to the Zoning Ordinance.

As you know, these principles are the basis for making New York a Livable City allowing for the fundamental access to air and light. For the past 100 years these requirements form the very basis for sound Urban Design and City Planning.

1. *FAR: The 1,270,000 square foot scheme violates FAR by a factor of 131%. The building is too big. The program does not fit on the site. The program should be broken up with additional sites identified. Manhattan is 13 miles long. Families live uptown as surely as they do downtown. See the options described in Part III of this letter.*

2. *Set Backs: There are none. The building must have set backs from the street line beginning 85 feet above the ground. This building scheme goes straight up to what is now indicated as 450 feet tall. This not only dwarfs everything around it but will create a massive presence looming over the only public park in Chinatown, used by all surround communities. It will eliminate light and air to the community. See the additional comments re: the Fair Share Analysis in Part II of this letter.*
3. *Lot Coverage: The scheme covers 100% of the zoning lots. Zoning allows for 40% Lot Coverage. It not only covers the lots 100% but even builds over White Street creating a constricted and indefensible pedestrian tunnel. Note that White Street is the only through Street connecting Tribeca to Chinatown.*

*The proposed Zoning Ordinance text changes under Chapter 4, Article 74-832, "Borough-based jail system", states in item (e): "**such#bulk#modifications, including any increase in permitted#floor area ratio#, will have minimal adverse effects on access to light and air for buildings and open spaces in the surrounding area**". Surely this requirement completely negates the proposed schemes as indicated above.*

Additionally, the information summarized for the CPC by City Planning staff masks these exceedances. (see the annotated Exhibit # 1 attached) The "System Wide" Actions chart lists "Other Bulk" and does not explicitly state the critical requirements limiting Lot Coverage and Set Back as requiring variances.

We are imploring the City Planning Commission to uphold these rules of good planning embodied in the Zoning Ordinance and not allow the creation customized Special Zoning Districts called "Borough Based Jails" just to fit these ill - considered schemes. These schemes violate our quality of life and habitability of New York City.

Let's make sure that if we are trying to bring the criminal justice system into the 21st century we are not regressing our city as a whole, straight into the woes of the 19th century.

II. Regarding the Fair Share Analysis prepared by HR&A Advisors:

This document is riddled with platitudes and untruths, ie:

1. Page 2: *"Each facility will be designed to minimize the effect on the surrounding neighborhood urban design..."*
Page 2: *" A guiding urban design principle for the proposed project is neighborhood integration"*

See the attached massing model and renderings illustrating the massive scale of the proposal in Exhibits 2 and 3 attached herein. This statement is extremely egregious.

2. Page 2: *"The proposed project is intended to strengthen connections...allowing people to remain closer to their loved ones."*

How is this achieved if detainees are held in the borough in which they are arraigned and not in the borough of their residence?

3. Page 7: *"The area promotes a wide range of land uses, with a concentration of public uses on the lots surrounding the Manhattan jail site, commercial office buildings to the north and south ... mixed use residential and commercial buildings to the northwest and north east..."* Further, the 6th paragraph that gives a litany of public buildings in the area and **ignores the residential Chatham Towers complex with 225 families.**

There is also absolutely no mention of Columbus Park which is one of the most actively used parks in the city in the dense Chinatown neighborhood immediately adjacent to the east and across the street from this complex.

4. Page 8: second paragraph: *"...the project is not expected to adversely affect publicly – accessible open space. While the proposed project will increase new demand on public open space resources owing to increased volumes of workers and visitors, the passive open space ratio for non – residential users within a 400 foot radius of the proposed site will remain well above the guidelines in the CEQR Technical manual."*

This statement is false: The adjacent Columbus Park is actively used seven days a week - all day, by residents of all ages, office workers, Public School soccer leagues including elementary school children from PS 234 in Tribeca and all local District 1 and 2 Schools. This Park is the heart and lungs of the economically and racially diverse community of Chinatown.

5. Page 16, Paragraph 6: *"The sites' relatively large footprint prevents the need to build a taller less efficient jail on a site with a smaller footprint. Fewer floors and a shorter elevator will have substantial impact in reducing construction costs as compared to sites of a smaller footprint."*

The proposal is for a 450 tall tower, with 100 % lot coverage and no setbacks. It is extremely tall. The statement regarding the elevators and cost is spurious. Regarding efficiency, see Elias Husamundeen's, (President of the Corrections Officers Benevolent Association) comments regarding the inability to manage detainees in a high-rise jail (See my attached Exhibit 5C, letter to Department of Corrections – Response to DEIS dated October 28, 2018).

6. Page 17, Paragraph 1: *"...site is currently owned by the City, eliminating the need to carry acquisition costs and thereby increasing cost-effectiveness"*

Alternate siting needs to be explored for the part of the program that does not fit "as of right" on the site. In lieu of constructing temporary jails on Rikers to house detainees moved from the existing Manhattan Jail during demolition, it would be actually more cost effective to split the program to multiple sites including the procurement of property.

III. Additional Comments:

In addition to the above, I offer the following comments which have previously been submitted as oral and written testimony to both Manhattan Community Board 1 and the Manhattan Borough President's hearings on the matter. See Exhibits 5A, 5B and 5C attached herein for the complete comments.

1. The existing 124 White Street building 1940 Addition to the tombs is eligible for State Landmark status and should not be demolished. This building can be renovated into a modern jail facility.
2. **Alternate "As of Right" schemes that break up the program need to be explored:**

Keep the existing 124 White Street wing and build "As of Right" at 125 White Street, Excess to be sited elsewhere in Manhattan or other. See my separate proposal dated July 19, 2019 submitted to the City Planning Commission illustrating an example of this using NYC owner property in addition to 124 and 125 White Streets.

Also - DOC stated that their criteria included building on City owned property. Surely for an \$11 bn program with multiple sacrificed "swing" space buildings to be built on Rikers, money exists to acquire other suitable sites.

3. Regarding the proposed Design / Build Approach (from my April 8, 2019 Letter to CB1 Chairman attached in Exhibit 5B):

The DDC has stated that this project will be a "Design / Build" delivery method. Not only has the DDC never done a Design / Build project, this method is wholly inappropriate for a sensitive public project. In Design / Build, a Construction Manager (Contractor) will lead the process and hire an Architect. The contractor is incentivized to reduce costs and deliver the basic program for the least expensive way possible. This results in significant reductions in the quality and final design of the building including changes to the shape of the building and the façade aesthetics. A traditional "Design / Bid / Build " with appropriate Value Engineering during the design process will yield the quality expected and give the community certitude of the final design.

For further comments and previous public testimony please see the attached Exhibits including Correspondence and testimony to Community Boards, the Department of Corrections and elected officials.

Respectfully Submitted,



Stephan Freid AIA
Neighbors United Below Canal Street
Attachments:

Exhibit 1: CPC Zoning Action Summary Slides- Annotated (Review Meeting - July 8 2019)

Exhibit 2: Massing Model of Proposed Mega Jail

Exhibit 3: Massing Impact - Community Views of Proposed Mega Jail

Exhibit 4: Zoning Text Amendment – Annotated

Exhibit 5: Testimony and Correspondence to Elected Officials and Agencies

5A: Manhattan Borough President: Testimony and Correspondence June 17, 2019

5B: Community Board 1: Testimony and Correspondence April 8, 2019 and May 10, 2019

5C: Department of Corrections: Comments to DEIS – October 28, 2018

cc:

New York City Planning:	<u>US Mail</u>
Commissioners:	
Vice Chair K. Knuckles	
D. Burney	
A Cappelli	
A Cerullo ,III	
M. de la Uz	
J Douek	
R. Eaddy	
H Knight	
A Levin	
O Marin	
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City Council	
NYC Council Speaker, Cory Johnson	district2@council.nyc.gov
Council Member Margaret Chin:	mguerra@council.nyc.gov;pleonard@council.nyc.gov; gli@council.nyc.gov ; ichan@council.nyc.gov
NYC Council Land Use Committee Chair, Rafael Salamanca Jr	salamanca@council.nyc.gov
NYC Council – Land Use: Zoning & Franchises Chair: Francisco Moya	fmoya@council.nyc.gov
Council Member Robert Holden:	rholden@council.nyc.gov
Council Legislative & Community Director	dkurzyna@council.nyc.gov
Manhattan Borough President	
Manhattan Borough President Gale Brewer:	gbrewer@manhattanbp.nyc.gov
Office of the Mayor:	
Mayor's Office of Criminal Justice	US Mail
Marco A Carrion	mcarrion@cityhall.nyc.gov ;
Joseph Thomas	jthomas@cityhall.nyc.gov
Tahirah Moore	tmoore@cityhall.nyc.gov
Department of Corrections	
Howard J. Fielder AIA	boroughplan@doc.nyc.gov
Governor's Office:	
Andrew M. Cuomo, Governor of NY State	<u>Email , US Mail</u>
NY State Senate	
NYS Senator Brian Kavanagh	kavanagh@nysenate.gov dzuckerman.nysenate@gmail.com
NYS Senator Velmanette Montgomery	montgomery@nysenate.gov

NY State Assembly	
NYS Assembly member Yuh-Line Niou, Ting-Ting Zhao	info@yuhlineniou.org tingting@yuhlineniou.org
NYS Assembly member Jo Anne Simon:	simonj@nyassembly.gov
NYS Committeeman: Christopher Marte:	chrismarteles@gmail.com
House of Representatives	
US Congresswoman Nydia Velazquez, Iris Quinones	Email, US Mail iris.quinones@mail.house.gov
Neighbors United Below Canal Street	jancrc@gmail.com nancywkong@yahoo.com

Exhibit 1

CPC Zoning Summary with Annotations

Exhibit 1

Slides From July 8, 2019 City Planning Commission Review Meeting

Annotated

19: City Planning Commission Review Session

'System-wide' Actions
 Site Selection for Borough-Based Jail System
 Text Amendment to create Borough-Based Jail System special permit

<p style="text-align: center;">Bronx <u>Special Permit</u></p> <ul style="list-style-type: none"> • FAR • Other Bulk • Acc Loading • Acc Parking • Ground Floor Use <p style="text-align: center;"><u>Mixed-Use Site</u> Zoning Map Change Text - MX and MIH HPD Disposition</p>	<p style="text-align: center;">Brooklyn <u>Special Permit</u></p> <ul style="list-style-type: none"> • FAR • Other Bulk • Acc Loading • Acc Parking • Ground Floor Use <p style="text-align: center;"><u>City Map Change</u></p>	<p style="text-align: center;">Manhattan <u>Special Permit</u></p> <ul style="list-style-type: none"> • FAR • Other Bulk • Acc Loading <p style="text-align: center;"><u>City Map Change</u> <u>Acquisition</u></p>	<p style="text-align: center;">Queens <u>Special Permit</u></p> <ul style="list-style-type: none"> • FAR • Other Bulk • Acc Loading • Acc Parking • Public Parking <p style="text-align: center;"><u>City Map Change</u></p>
---	--	--	--

FAR is over by 1.31X per DEIS

- 1. NO SETBACKS !*
- 2. 100% Lot Coverage (vs 40% allowed)*

Planning Commission Review Session

SUMMARY

	Bronx	Brooklyn	Manhattan	Queens
Beds	1,150 1,437	1,150 1,437	1,150 1,437	1,150 1,437
Community Facility / Retail	40k	30k	20k	25k
Accessory Parking	575	292	125	605
Floor area	1,150,000	1,075,000	1,145,000	1,135,000
Max Roof Height	245'	395'	450'	270'
Lot Size	148k	59k	157k (w/ courthouse)	378k (w/ courthouse)
Other Key Features	- 10k court space - Mixed-use development		- White Street pedestrian street	- 676-space public garage - Centralized care services

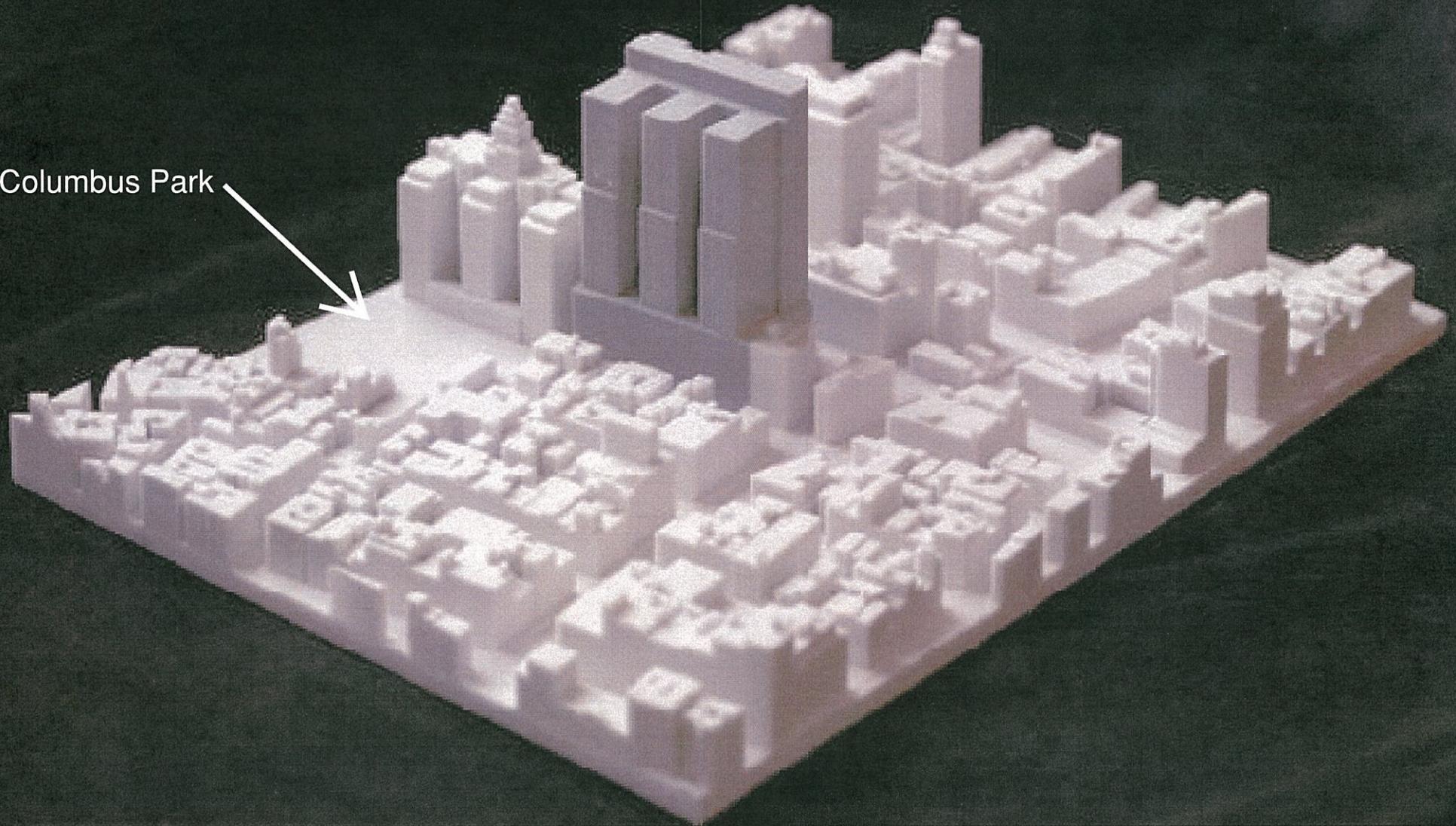
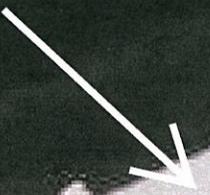
*803,788 Allowed !
(if both buildings demolished)*

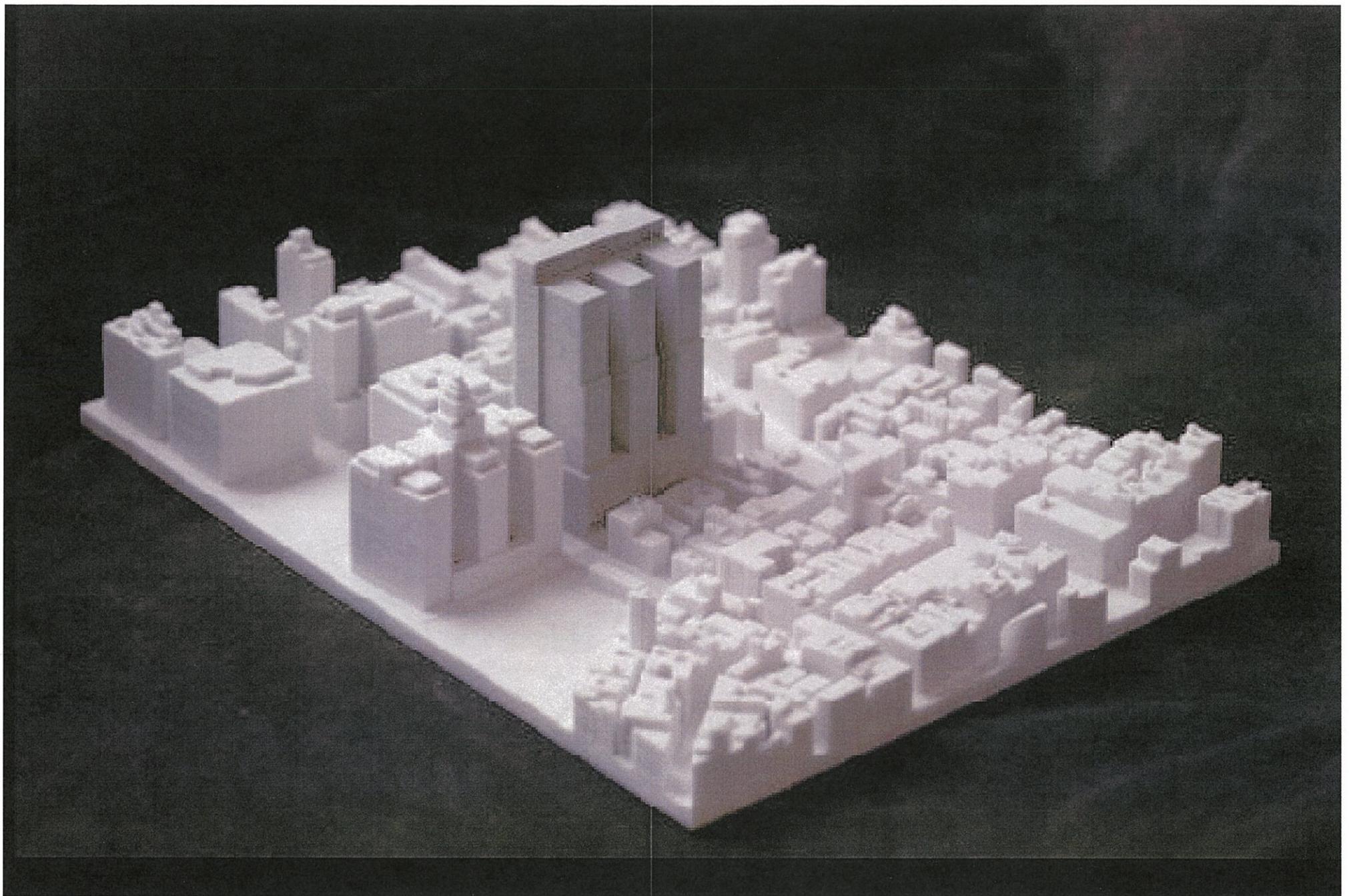
Exhibit 2

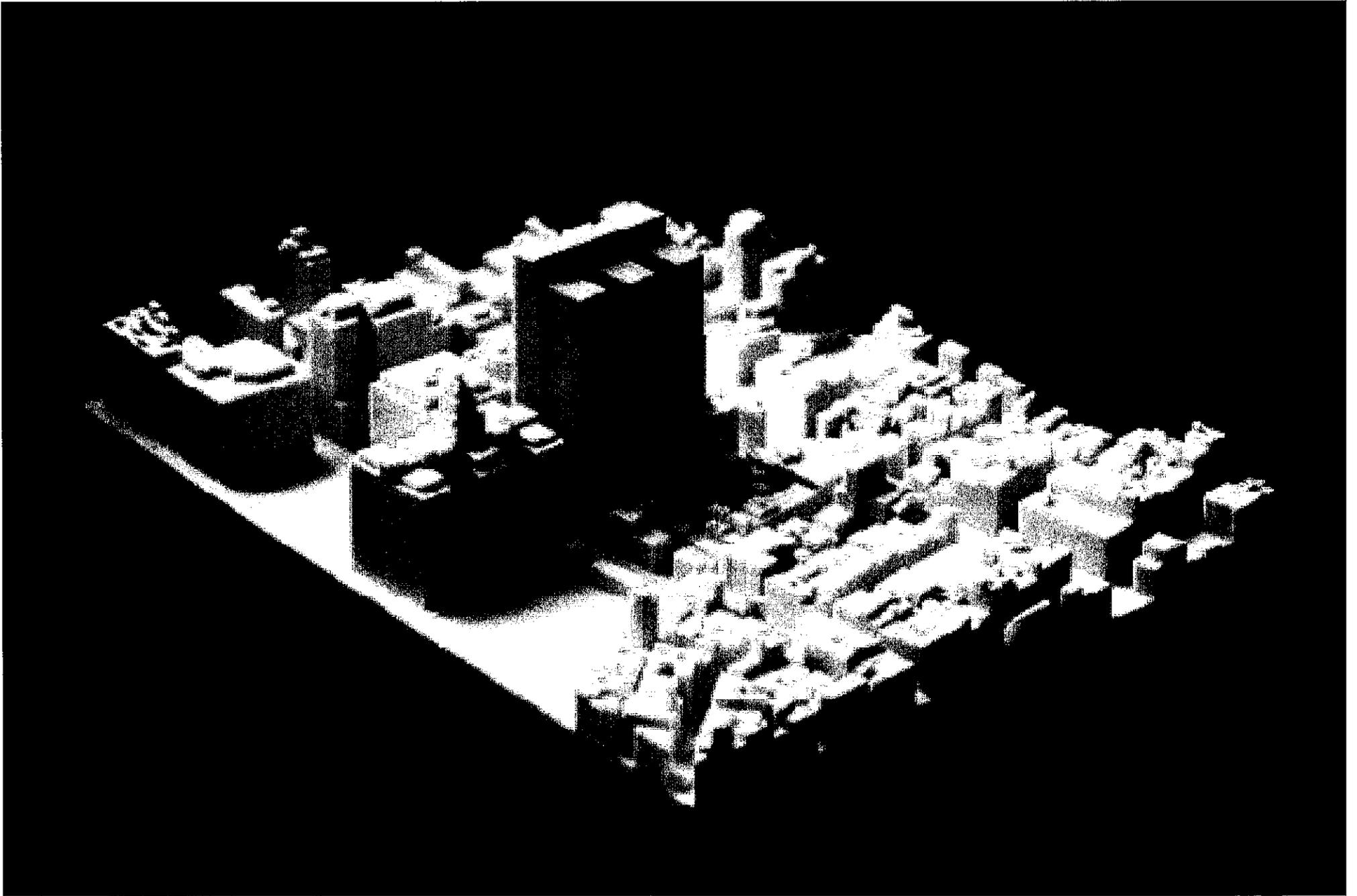
Massing Model of Proposed Mega Jail

For more information, please visit: www.neighborhoodbelowcanal.com

Columbus Park







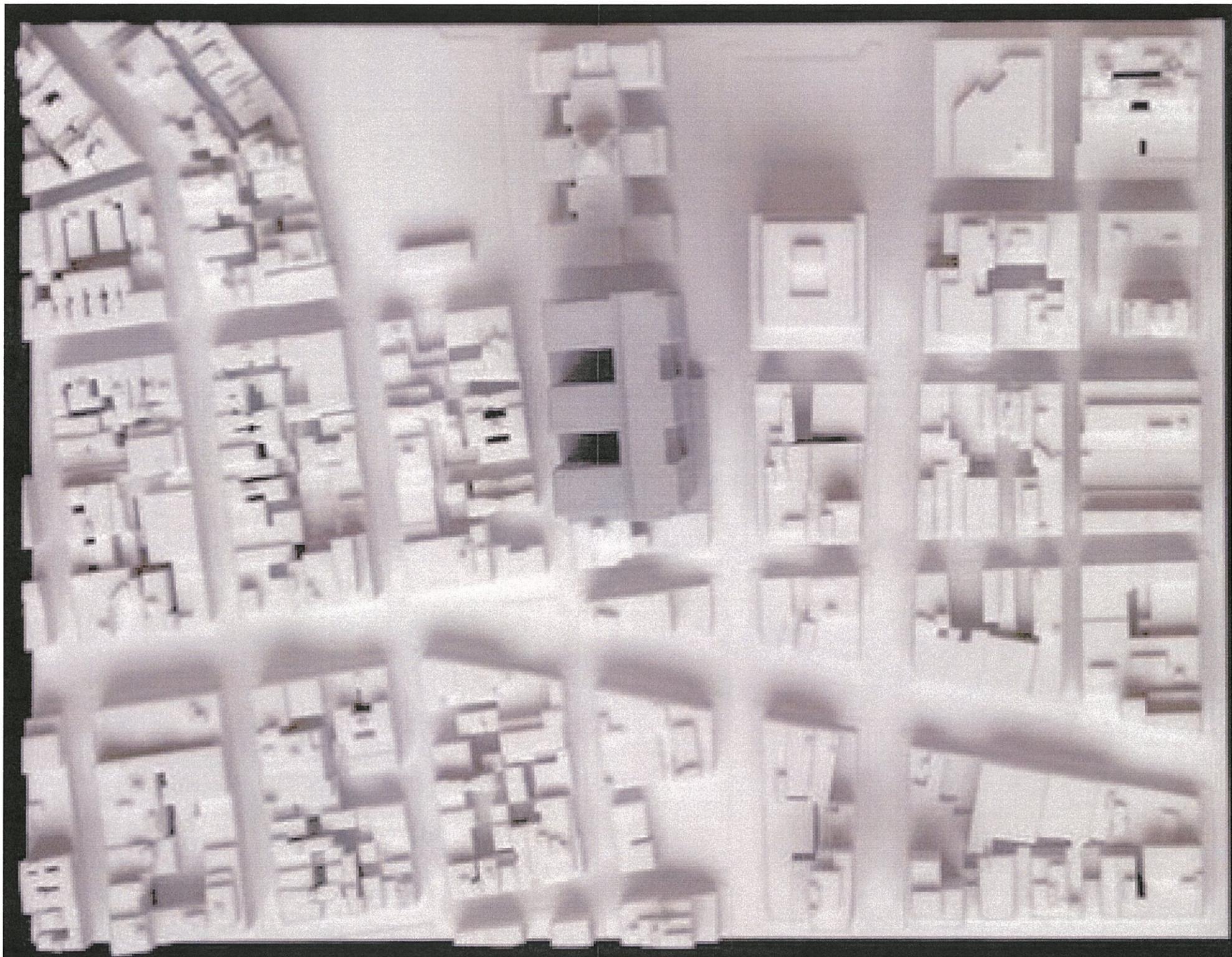


Exhibit 3

Massing Impact on Community
Rendered Views

For more information, please visit: www.neighborsunitedbelowcanal.com

Chambers and Centre - Looking Northeast

Proposed Jail
124 -125 White Street



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Chatham Towers - Looking North



**Existing View
Corridor**



**View with MOCJ
Proposal**

**Stephan R Freid AIA, Architect
Richard Moschella, Architect**

Neighbors United Below Canal Street

Mulberry and Worth - Looking Northwest



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Franklin and White - Looking East



**Existing View
Corridor**



**View with MOCJ
Proposal**

**Stephan R Freid AIA, Architect
Richard Moschella, Architect**

Neighbors United Below Canal Street

Baxter and Canal - Looking South



Existing View
Corridor

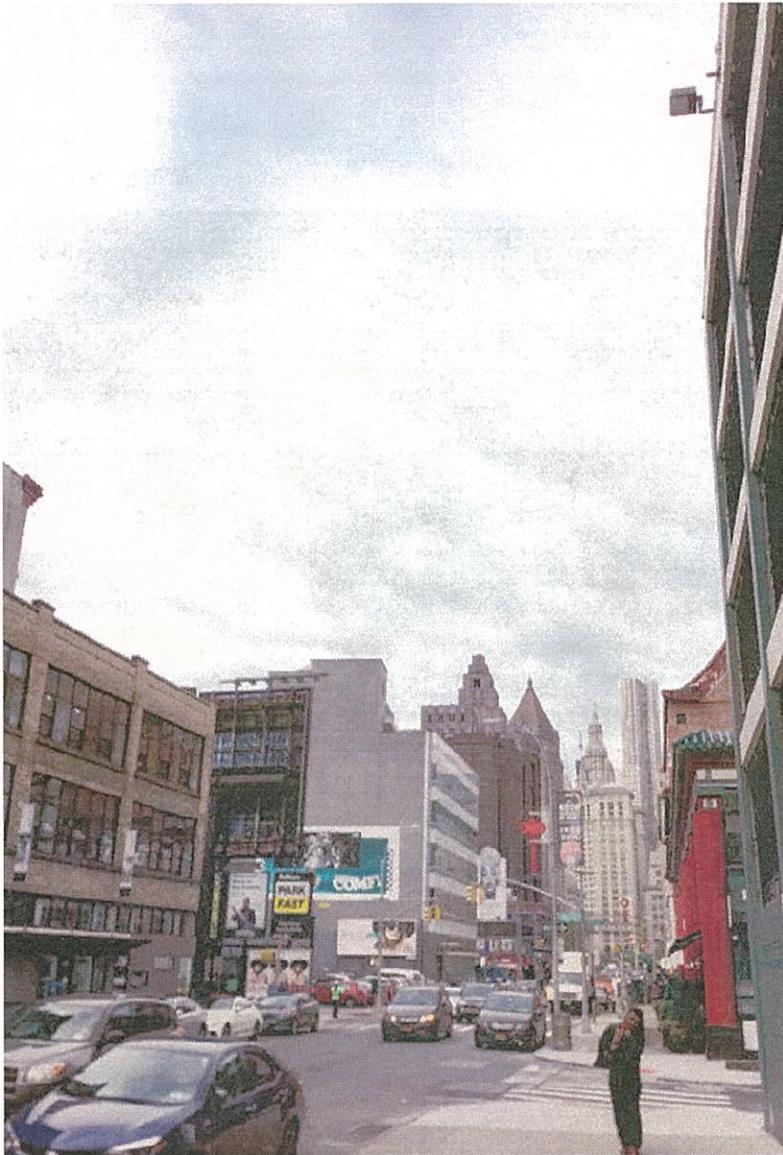


View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Howard and Centre - Looking South



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Canal and Centre - Looking South



Existing View
Corridor



View with MOCJ
Proposal

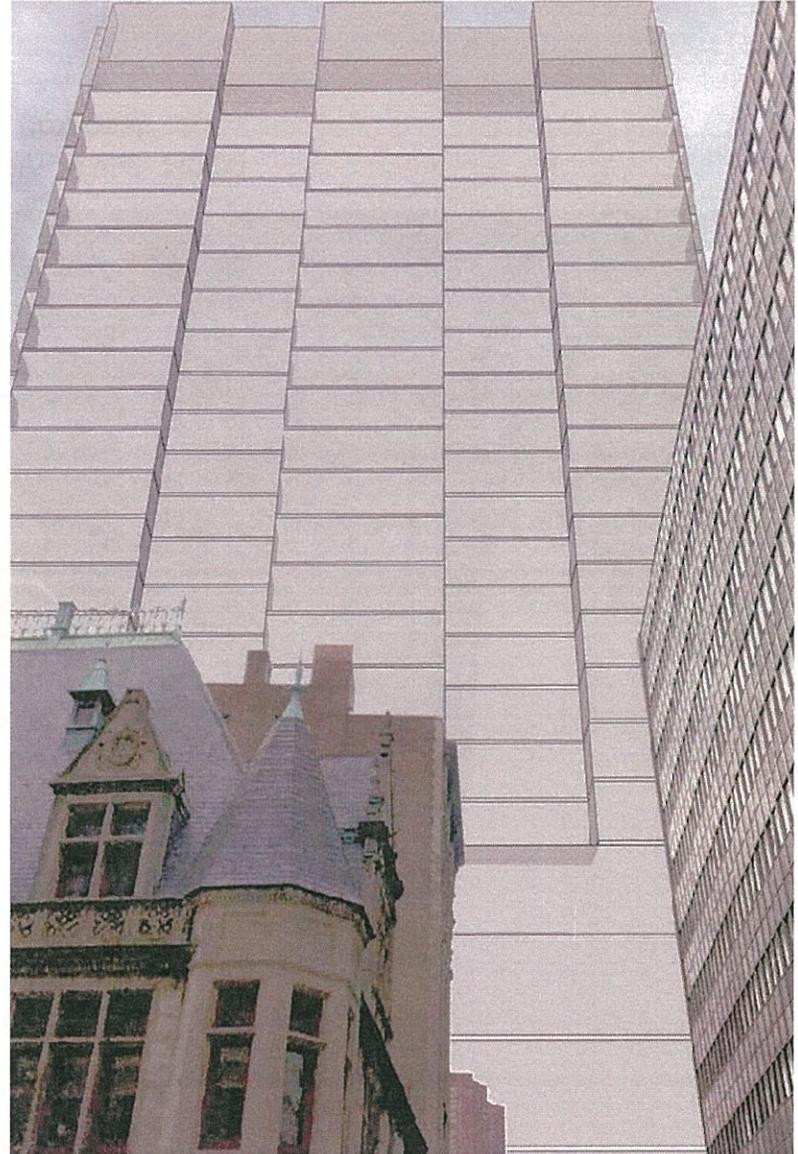
Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Lafayette and White - Looking East



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Pell and Doyers - Looking Northwest



Existing View



View with MOCJ Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Broadway and White - Looking East



Existing View



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Exhibit 4

Proposed Zoning Text Amendment – Annotated

[Faint, illegible text, likely bleed-through from the reverse side of the page]

74-832

Borough-based jail system

For #zoning lots# that are the subject of a site selection for a borough-based jail system pursuant to application C 190333 PSY, the City Planning Commission may, by special permit, allow modifications to the applicable regulations governing #uses#, #bulk#, including permitted #floor area ratio#, the permitted capacities of #accessory# off-street parking facilities and #public parking garages#, and off-street loading regulations, to facilitate construction of the proposed facilities. In order to grant such special permit, the Commission shall find that:

- (a) any #use# modifications will support the operation of the facility and will be compatible with the essential character of the surrounding area;
- (b) ground floor #uses# will be located in a manner that is inviting to the public and will integrate the facility within the surrounding community;
- (c) any increase in permitted #floor area ratio# will facilitate the development of the facility;
- (d) any #bulk# modifications will improve the interior layout and functionality of the facility;
- (e) such #bulk# modifications, including any increase in permitted #floor area ratio#, will have minimal adverse effects on access to light and air for buildings and open spaces in the surrounding area;
- (f) any modifications to the provisions of #accessory# off-street parking and loading regulations will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area; and
- (g) any modifications to the permitted capacity of #public parking garages#:
 - (1) will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area; and
 - (2) will provide adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles.

• NO SETBACKS!
 • 100%
 LOT
 COVERAGE!
 • 1.31X
 FAR

Exhibit 5A

CB1 – Testimony – Correspondence

Stephan R Freid, AIA Architect
Richard Moschella, Architect
Neighbors United Below Canal / Park Row Alliance / Chatham Towers
170 /180 Park Row
New York, NY 10038

May 10, 2019

Mr. Anthony Notaro, Chairman, Community Board 1
Mr. Patrick M. Kennel, Chair Land Use, Zoning and Economic Development Committee
Ms. Fern Cunningham, Co-Chair, Land Use, Zoning and Economic Development Committee
Ms. Diana Switaj, Director of Planning and Land Use

Community Board 1
1 Centre Street
Room 2202 North
New York, NY 10007

RE: CEQR 18DOC001Y
124 and 125 White Street
Proposed Jail
Additional Questions and Objections to DEIS dated March 29, 2019

Dear Mr. Notaro, et al,

I am writing, along with my colleague, Richard Moschella, with additional questions and objections to the proposed jail at 124 and 125 White Street. We are residents in the study areas of the DIES and members of Neighbors United Below Canal (NUBC). Along with other technical experts from NUBC, we are raising concerns and respectfully submit the following questions and objections to the proposed 1,270,000 square foot jail complex at 124 and 125 White Street. I am also attaching my initial letter dated April 8, 2019 for the record and for reference.

We ask that you please consider the points we raise below with respect to zoning, along with the unanswered questions related to the impact to the community and request that you distribute this document along with the Exhibits and attachment to all the Land Use Committee Members of Community Board 1:

- Exhibit 1: Community Objections and Questions
- Exhibit 2: Zoning analysis highlighting zoning ordinance violations especially noting building bulk.
- Exhibit 3: 3D diagram of the proposed jail massing imposed on the neighborhood
- Exhibit 4: Street views with rendered massing images of proposal (Before and After Images)
- Exhibit 5: Shadow Studies of the proposed building.

Given the severe deficiencies and zoning exceedances noted including the physical impact of the bulk of this proposal effecting multiple neighborhoods, only a no vote from the Community Board should be considered. The very issue of Criminal Justice Reform is in a moment of change, affecting the assumptions used and the reason for this jail. The idea of building swing space at Rikers Island to house the people incarcerated in Manhattan Detention Center, given the abuse and inhumane conditions cited by the City, should give everyone pause about the plan, let alone the cost of nearly \$11 billion.

Respectfully submitted,



Stephan R. Freid AIA
Richard Moschella, Architect

attachments: Letter from S Freid to CB 1 dated April 8, 2019

cc: N. Kong, V. Sung, C. Marte, J. Lee, A. Blank

Exhibit 1

Community Objections and Questions:

1. At a minimum the new jail facility must respect the intent of the C6-4 Zoning District, the existing context of the Civic Center and the low-rise character of the adjacent historic Chinatown and Little Italy neighborhoods.

- The proposed facility far exceeds the allowable FAR. This results in a building that is almost 470,000 square feet overbuilt. (see Exhibit 2: Zoning Issues)
- The facility's proposed floor area, height, bulk and lack of set backs far exceeds the maximum envelope and violates the required sky exposure planes. In addition, the tower lot coverage far exceeds the required maximum allowed.
- The proposed facility's base is much higher than the maximum 85' base height.
- The proposed facility does not provide adequate setbacks as prescribed by the C6-4 Zoning District violating the sky exposure plane.
- The proposed facility eliminates the view corridor established by White Street, which is a vital visual connection between Chinatown, Little Italy and the Civic Center.
- The new facility provides only two of the four required off-street loading berths.
- If a building of this height and scale was proposed by the private sector it would be scrutinized heavily for its massive size and blatant disregard for the existing context and the economic impact it would have to various communities.
- The City is exploiting the deficiencies of the Uniform Land Use Review, just as any unscrupulous private developer would. This is the exact reason an overwhelming amount of New York City residents are calling for an overhaul of the Uniform Land Review Use Procedure.

2. The ULURP application and DEIS lacks critical information required to determine the full impact of a new jail facility of this size. This is a CONCEPT and is changing daily.

- Has the City provided proper notification and allowed proper time for Community Board 3 to respond considering Block 167, Lot 1 is partially located within Community District 3?
- Why was there never an EAS for 124 and 125 White Street? This should be required to proceed to the EIS.
- Has the City studied the operational inefficiencies and other challenges associated with operating a multi-story 450' tall jail facility?
- What is the daily plan to transport every person incarcerated to the required outdoor recreation space on the roof?
- What is the fire evacuation plan? Where do the inmates go in the event of a fire?
- Will this new facility be LEED Certified, or achieve some other environmentally sustainable certification?
- Will there be a Public Private Partnership formed to develop and operate this building?

For more information, please visit: www.neighborsunitedbelowcanal.com

- Has a phasing plan been considered to eliminate the need for a temporary swing space on Rikers Island as well as provide the opportunity to reduce the overall size of the new facility?
- Would smaller jails and courthouses distributed in the county better address the issues of abuse and inhumane treatment and management of people in incarceration?
- Has the City considered the ongoing bipartisan legislative actions aimed at Criminal Justice and Prison reform to reduce the incarceration rate when determining the number of beds needed for the Borough Based Jail System?
- Is there a plan to modernize the current court system to further reduce the need for jail cells and beds?
- How will the reduction of loading berths, for a facility of this size, impact the street level regard to sanitation?
- Is one sally port adequate to handle the load of a jail facility that is over one million square feet?
- Has there been an economic impact study been completed on the damaging effect this new facility and its construction will have on the economic renaissance occurring along Canal street?
- Has the City studied the Design-Build project delivery method and how that could lead to the elimination of any qualitative design and urban planning strategies?
- How does the proposal respond to the US Bureau of Prisons guidelines on decentralization and unit management?
- How does the proposal respond to the US Bureau of Prisons guidelines on decentralization and unit management?
- How does the proposal measurably improve the conditions and quality of life in the facility and at what cost?
- The proposed site is in a flood hazard zone as indicated on the NYC Department of City Planning website. How does the proposed plan address flood concerns?
- With 35 elevators proposed in the current scheme, has the DOC addressed the concerns resulting from the death of a corrections officer in an elevator shaft in 2016 in Pennsylvania? <https://www.foxnews.com/us/prison-guard-inmate-killed-in-fall-down-elevator-shaft-during-fight>
- Will the additional corrections officers take street parking spaces in the neighborhood?
- The Perkins Eastman drawings anticipate outdoor recreation on floors in proximity to dorms, residences and the park. There are numerous residential apartments as well as NYU Lafayette Hall, which houses 1,100 students located near the proposed jail complex. Has the university and other nearby residents and businesses been informed and involved?
- What form of Design Build will the project take?
- Does the city have any successful examples of Design Build projects for complex high-rise construction?
- Simplistic Design Build is not appropriate for complex projects - Design Build with Bridging is.
- As a Design Build project with Bridging would allow both transparency and community input, DOC review of operations, a cost estimate to confirm City's expectations. Without the Bridging approach the city gets a fixed cost, but operational costs, life-cycle costs and quality suffer.
- Will the city require the Design Build team to be NY based or will the city export those good paying design jobs?

Exhibit 2

Zoning Analysis – Violations and Deficiencies:

General:

The proposed building relies on the combined area of multiple blocks and lots as presented in the DEIS. The project creates a super block from Hogan place on the south to the rear of the senior housing on the north and includes the de-mapping of White Street above which the building would span. Please also refer to my April 8, 2019 attached, which highlights zoning issues to be addressed and corrected

Review of Zoning Lot Areas:

Block 198 / Lot 1 124 White Street Detention Facility - White Street to Chung Pak Senior Housing:	42,239 Square Feet
Block 167 / Lot 1 125 White Street Criminal Court- (Hogan Place to White Street)	107,189 Square Feet
Total Lot Area	149,427 Square Feet

Note: White Street will be spanned by the proposed building, but the street area is not part of lot areas.

As of Right vs Proposed Analysis:

Regulation	As of Right Zoning	Proposed	Deviation	Mitigation Measure
FAR	10	13.12	3.12 X (31% over)	Reduce building Floor Area to FAR 10
Floor Area based on FAR	1,494,270 sf	1,960,482 sf	466,212 sf	REDUCE PROPOSAL BY 466,212 sf
New Building Square Footage	803,788 sf allowed after demolition of existing North Tower of 124 White Street	1,270,000 sf	466,212 sf	Reduce new Building to 803,788 sf (eliminate 466,212 sf)
Lot Coverage	40% (or 59,711 sf)	100%	72,884 sf minus 59,711 sf = 13,171 sf	Reduce foot print by 13,173 sf
Building Base / Street Wall	Base Height allowed = 85 feet	Proposed = 450 feet	365 feet	Create base with appropriate set back at 85 feet

Regulation	As of Right Zoning	Proposed	Deviation	Mitigation Measure
Building Height - Sky Exposure Plane	Ratio of 2.7: 1 at narrow street and 5.6:1 at wide street		Proposal Violates Sky Exposure plane	Create appropriate Set backs
Loading Berths	4 required	2 Provided	2 bays	Provide required loading bays

Exhibit 3

3D Diagram of Proposed Jail Massing Imposed on Neighborhood

Axonometric - Before

Proposed Jail
124 -125 White Street

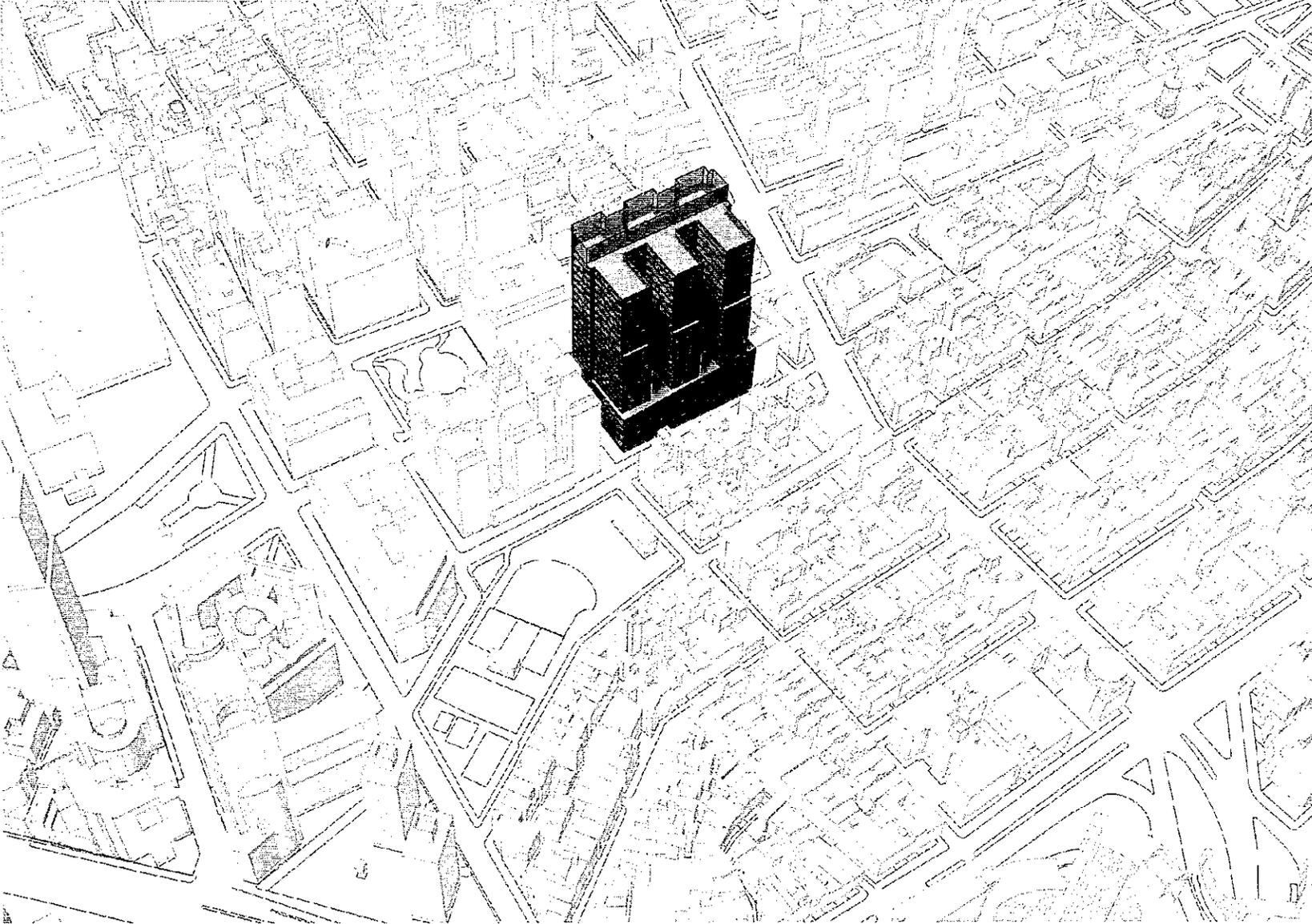


Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Axonometric - After

Proposed Jail
124 -125 White Street

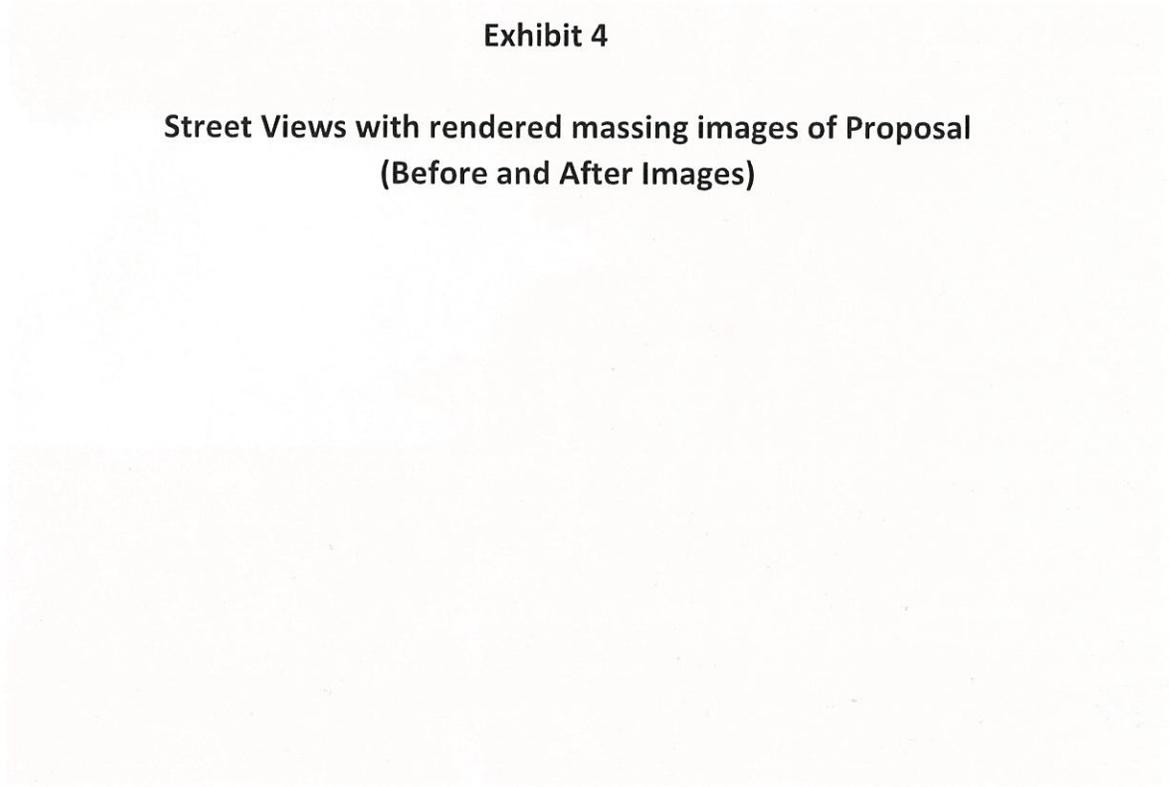


Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Exhibit 4

**Street Views with rendered massing images of Proposal
(Before and After Images)**



Chambers and Centre - Looking Northeast

Proposed Jail
124 -125 White Street



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Chatham Towers - Looking North



**Existing View
Corridor**



**View with MOCJ
Proposal**

**Stephan R Freid AIA, Architect
Richard Moschella, Architect**

Neighbors United Below Canal Street

Mulberry and Worth - Looking Northwest



**Existing View
Corridor**



**View with MOCJ
Proposal**

**Stephan R Freid AIA, Architect
Richard Moschella, Architect**

Neighbors United Below Canal Street

Franklin and White - Looking East



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Baxter and Canal - Looking South



**Existing View
Corridor**

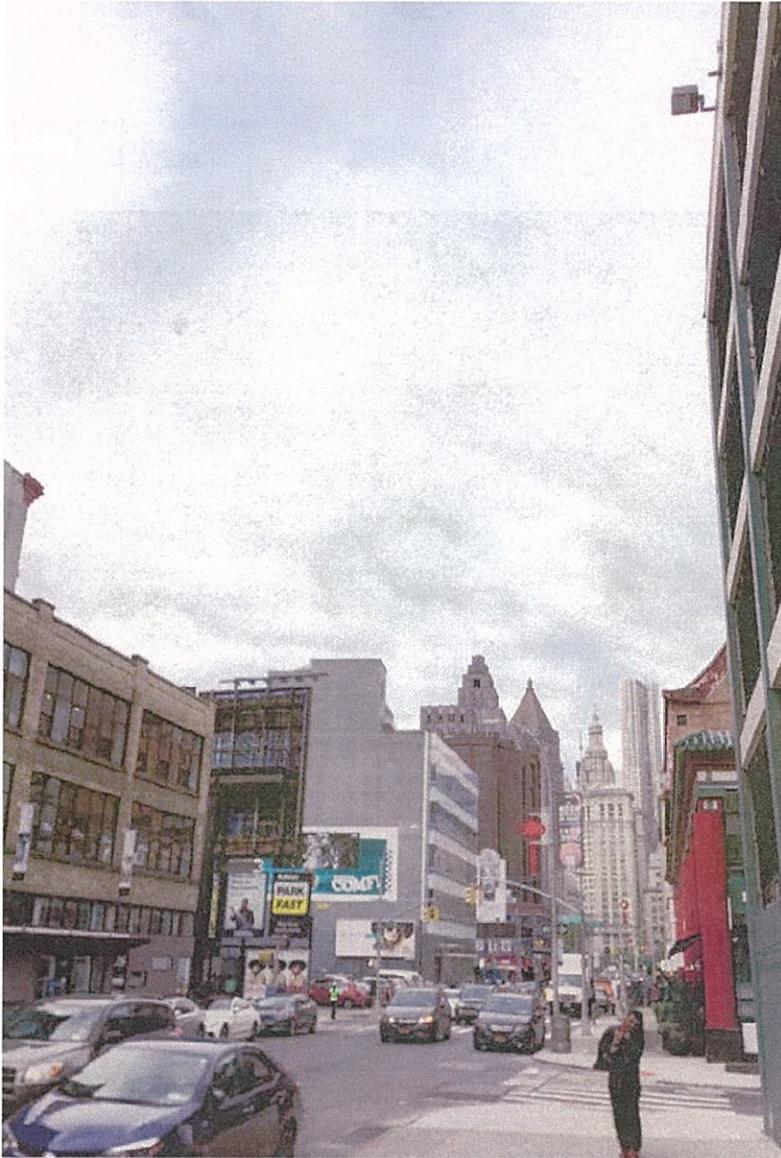


**View with MOCJ
Proposal**

**Stephan R Freid AIA, Architect
Richard Moschella, Architect**

Neighbors United Below Canal Street

Howard and Centre - Looking South



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Canal and Centre - Looking South



**Existing View
Corridor**



**View with MOCJ
Proposal**

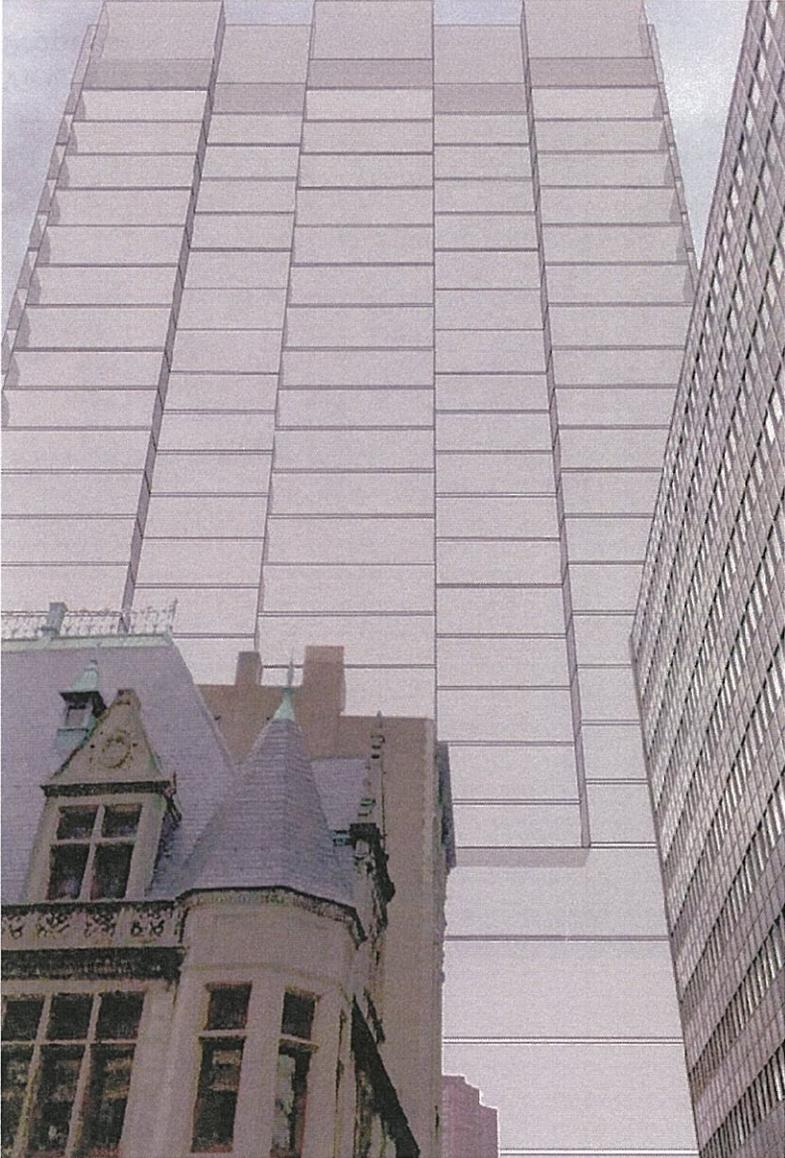
**Stephan R Freid AIA, Architect
Richard Moschella, Architect**

Neighbors United Below Canal Street

Lafayette and White - Looking East



Existing View
Corridor



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Pell and Doyers - Looking Northwest



Existing View



View with MOCJ
Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Broadway and White - Looking East



Existing View



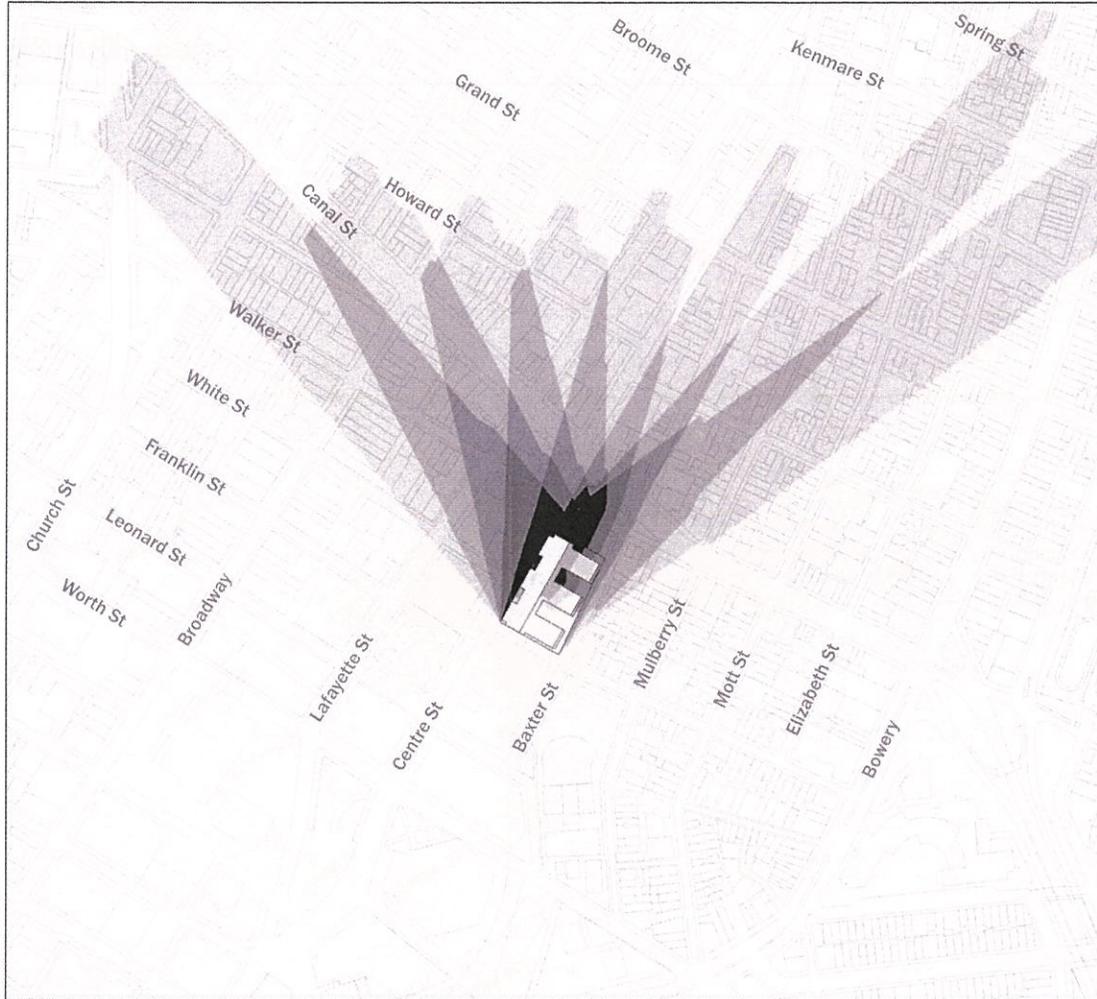
View with MOCJ Proposal

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Exhibit 5

Proposal Shadow Studies



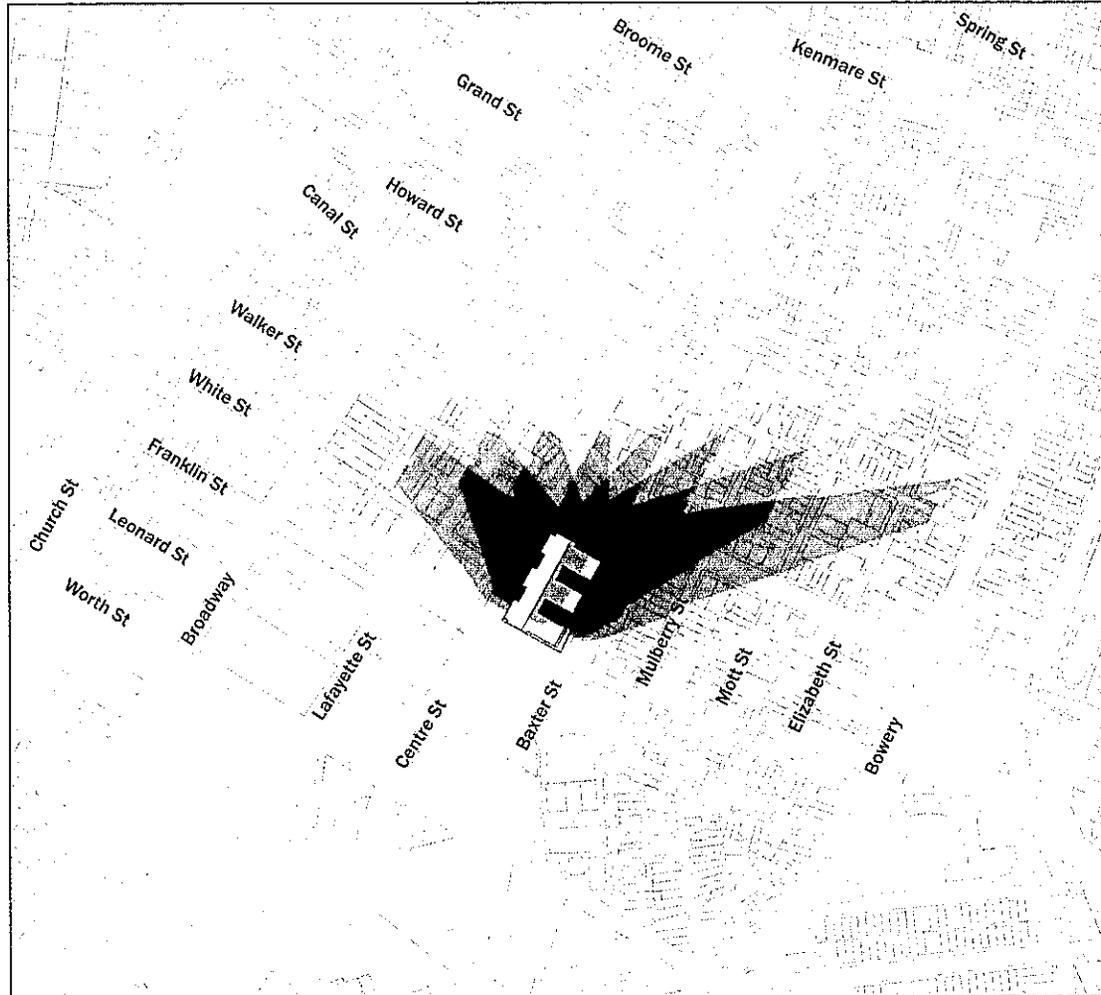
**Proposed Jail
124 -125 White Street
Shadow Study**

Winter

December, 21st
From 9am to 5pm

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street



**Proposed Jail
124 -125 White Street
Shadow Study**

Spring / Fall

September, 21st
From 9am to 5pm

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street



**Proposed Jail
124 -125 White Street
Shadow Study**

Summer

June, 21st
From 9am to 5pm

Stephan R Freid AIA, Architect
Richard Moschella, Architect

Neighbors United Below Canal Street

Stephan R Freid, AIA
Park Row Alliance / Chatham Towers
170 Park Row
New York, NY 10038

April 8, 2018

Anthony Notaro
Chairman, Community Board 1
1 Centre Street
New York, NY 10007

Land Use Committee
Community Board 1
1 Centre Street
New York, NY 10007

Via: email and hand delivered

Re: CEQR 18DOC001Y
124 and 125 White Street
Proposed Jail
Comments and Objections to DEIS dated March 29, 2019

Dear Mr. Notaro,

I am a resident of Chatham Towers located at 170 Park Row and a member of the Park Row Alliance. I reside in the study areas of the DEIS. I am a New York State Registered Architect and respectfully submit the following comments and objections to the proposed 1,270,000 square foot jail complex at 124 and 125 White Street.

Aside from the issue of erecting a high rise jail complex in our community and the appropriateness of the scale and relationship to the neighboring Courthouse, Senior Housing and Columbus Park, I submit the following specific objections for consideration by the CB # 1 Land Use Committee.

Zoning:

The proposed scheme clearly violates the NYC Zoning Ordinance as stated on page 4.1-14 of the DEIS. The DEIS states that a variance will be needed to increase the allowable FAR (Floor Area Ratio) from a factor of 10 to a factor of 13.15. (or a **31.5 % increase over allowable**)

The zoning calculations are based on the creation of a super-block extending from Hogan Place to White Street (Block 167/ Lot 1) and from White Street to the rear wall of the senior housing (Block 198 / Lot 1). This will create an "over build" on White Street. The square footage is further explained as follows:

As stated in the DEIS (page 4.1-14), the zoning ordinance allows for a maximum 1,494,270 zoning square feet to be built on this combined site. (This is without mechanical space or underground space). Given the demolition of the existing 438,744 square foot jail complex and construction of the new proposed 1,270,000 (stated as "approximately" on page 4.1-13), the new jail will create a building complex of 1,965,001 square feet. ***This violates the zoning ordinance by 470,731 square feet.***

To summarize:

The proposed jail ***will be 831,256 square feet larger than the existing jail.*** (New 1,270,000 Square Foot Jail vs existing 438,744 Square Foot Jail)

The zoning ordinance will allow for an additional new building of 799,269 square feet after demolition of the existing facility. Therefore, the 1,270,000 sf proposed building needs to be reduced by 470,731 square feet. The program for this proposal needs to be radically reduced by a factor 37%. To date the mayor's office has discussed minor changes to the program (such as moving the mental health facility to a hospital), but given this zoning violation, extreme reprogramming needs to occur.

Note that page S-48 of the DEIS states: "The proposed project would not result in significant adverse impacts to land use, ***zoning*** or public policy". Zoning is certainly adversely impacted.

Any variance application will need to go through the standard public process including a Board of Standards and Appeals Public Hearing, City Planning Commission and the City Council. As stated in the Zoning Resolution, Article VII: Administration, Chapter 2 Interpretation and Variances: ". the variance, if granted, will not alter the essential character...." If given, a variance of this magnitude will certainly radically alter the character of both the immediate neighborhood and lower Manhattan.

The community deserves a clear explanation of the zoning variance process as the Mayor's office presents this change as a pro forma assured approval. That cannot be the case given the multiple approval authorities and community input required by law. We believe in fact that there will be no case for a "hardship" argument. This variance would certainly not be granted to a private developer. The city should not be violating its own laws.

Design / Build Delivery Method:

DDC has stated that this project will be a "Design / Build" delivery method. Not only has the DDC never done a Design / Build project, this method is wholly inappropriate for a sensitive public project. In Design /Build, a Construction Manager (Contractor) will lead the process and hire an Architect. The contractor is incentivized to reduce costs and deliver the basic program for the least expensive way possible. This results in significant reductions in the quality and final design of the building including changes to the shape of the building and the façade aesthetics. A traditional "Design / Bid / Build"

process with appropriate Value Engineering occurring during the design process will yield the quality expected and give the community certitude as to the final design. Without this, all of the discussions and presentations on the building form to date will be unraveled.

Other Comments on the DEIS:

1. Zoning is C4-6: This does not allow for a Jail function. Zoning variance should not be given.
2. DEIS does not address specific Demolition and Construction issues requiring mitigation, especially due to the adjacent senior housing. More detail needs to be contributed by the consulting construction manager.
3. DEIS is silent on a required Licensing Agreement with the senior housing to address damage during construction. A License Agreement needs to be in place.
4. Statements in the DEIS (page S-53) referring to other tall buildings in lower Manhattan as justification for this proposal (in violation of FAR) are irrelevant and frankly insulting. (see my annotations attached)
5. Statement (page S-53) that visual resources would not be effected is blatantly not true. 100 Centre Street is an historic building. This tower behind 100 Centre will ruin the profile and North façade of the historic building. It is stated that the new building will be similar in height and form to 100 Centre Street. That is an outrageous statement.
6. White Street overbuild: Quality of this space with light and air is critical. Otherwise this will be a mean dangerous tunnel.

Text from my October 22 Letter previously submitted:

Lippman Commission and Other Proposals:

The Lippman Report repeatedly states in bold italics that *“Rikers must be closed”*. It is apparent to those of us who have read it carefully that this report did not adequately analyze other options to upgrade facilities for the humane treatment of prisoners. To say that the inhumane treatment of prisoners can be solved with new towers in residential neighborhoods is ignoring the fundamentals of prison reform. Even Elias Husamudeen, President of the Corrections Officers Benevolent Association, stated at the scoping hearing on September 27, 2018 that (and this paraphrasing): *“a high-rise prison tower is not manageable. Prisons are horizontal.”*

It is public record that construction was begun in December 2013 on a new state of the art 620,000 square feet, \$594M jail on Rikers Island. On November 18, 2016 it was suddenly announced that this construction was stopped and the plan put on “pause”. See Council Member Paul Vallone’s shocked reaction in the attached article: <https://www.villagevoice.com/2016/11/18/construction-of-new-rikers-jail-is-officially-on-pause/>

The Lippman Commission Report in no way addressed any deleterious effect that the borough based jail system would have on local communities. On page 22 of the report states: *“And it solicited public input via community forums, design workshops, and meetings with the faith communities across New York City as well as a website”*. There was absolutely no outreach to the Chinatown community in any way, *until recently after the community objected*

Why the sudden change in plans to abandon the work under way on Rikers Island?

It must also be noted that there is great suspicion that the closure of Rikers is a Real Estate maneuver given the participation private developers and real estate attorneys on the Commission. And the proposal to expand LaGuardia referenced in the report seems to be a farfetched, given that \$8bn worth of reconstruction of the entire existing LaGuardia Airport is currently underway.

Respectfully submitted,



Stephan Freid, AIA

Attachments: Zoning Summary
Annotated Building Section from NAC Meeting # 2 Agenda
Annotated Zoning Analysis from NAC Meeting # 2 Agenda

cc:

Office of the Mayor: Marco A Carrion Joseph Thomas Tahirah Moore	mcarrion@cityhall.nyc.gov ; jthomas@cityhall.nyc.gov tmoore@cityhall.nyc.gov
Mayor's Office of Criminal Justice	US Mail
Borough President Gale Brewer:	gbrewer@manhattanbp.nyc.gov
Council Member Margaret Chin:	pleonard@council.nyc.gov gli@council.nyc.gov ; ichan@council.nyc.gov
Council Member Robert Holden:	rholden@council.nyc.gov
Council Legislative & Community Director	dkurzyna@council.nyc.gov
US Congresswoman Nydia Velazquez Jacqueline Hsia	Jacqueline.hsia@mail.house.gov
NYS Senator Brian Kavanagh, Danielle Zuckerman:	kavanagh@nysenate.gov dzuckerman.nysenate@gmail.com
NYS Senator Velmanette Montgomery	montgomery@nysenate.gov
NYS Assembly member Yuh-Line Niou, Ting-Ting Zhao	info@yuhlineniou.org tingting@yuhlineniou.org Dzuckerman.nysenate@gmail.com
NYS Assembly member Jo Anne Simon:	simonj@nyassembly.gov
NYS Committeeman Christopher Marte:	Via US Mail
Chair Marisa Lago, City Planning Commission	Via US Mail
Neighbors United Below Canal Street	jancrc@gmail.com nancywkong@yahoo.com

**Proposed New Jail
124 / 125 White Street**

Zoning Calculation

(Square Footage is stated is Zoning Square Footage, ie:
without Mechanical and Underground Space)

1 Summary:

Requested Total Square Footage	1,965,001 Square Feet
(-) Maximum Allowable Square Footage on Combined Sites	1,494,270 Square Feet
Amount Exceeding Legal Zoning	470,731 Square Feet

2 Comparison of Existing Jail to Proposed Jail

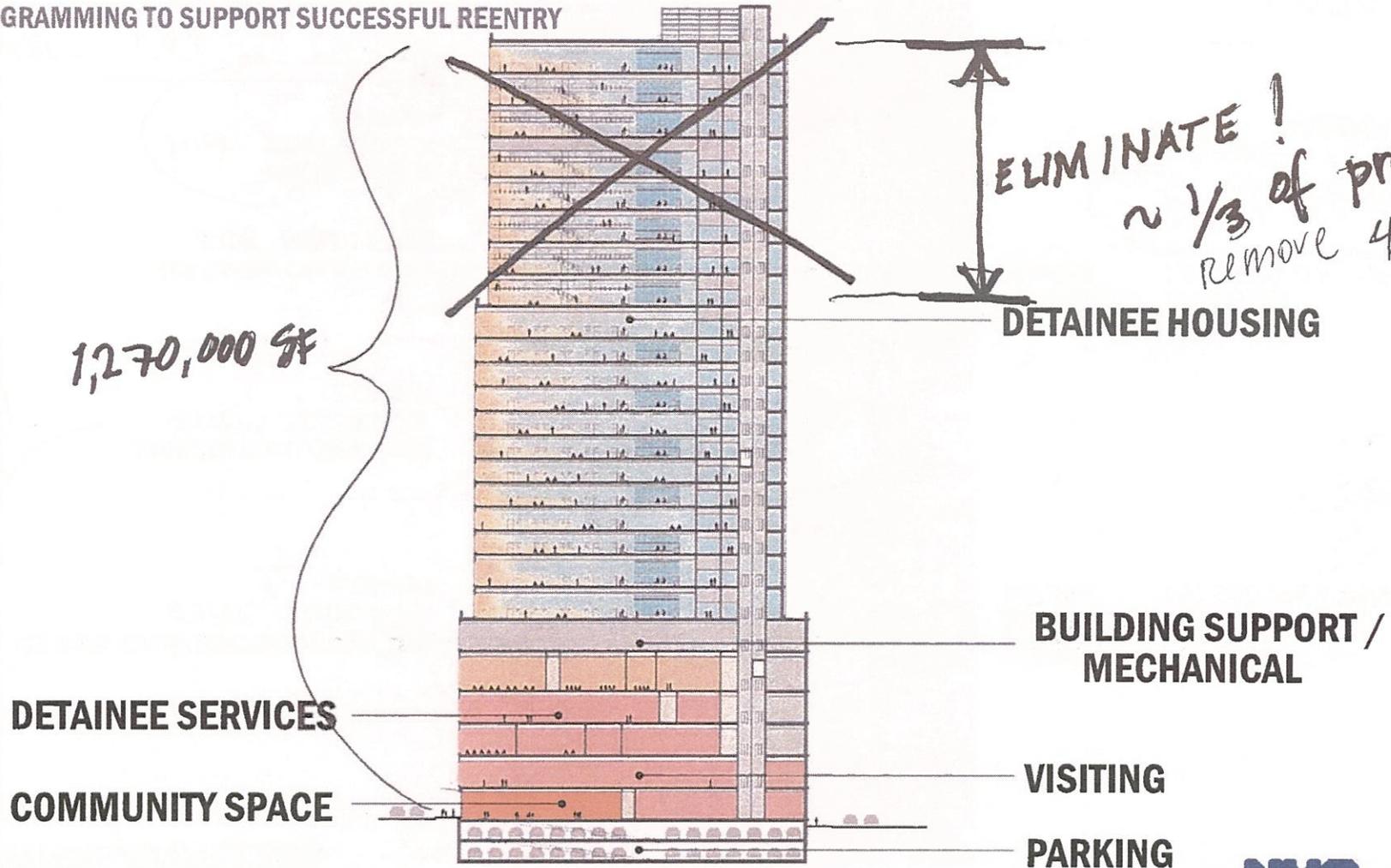
New Proposed Jail	1,270,000 Square Feet
Existing Jail Facility Size to be demolished	438,744 Square Feet
Added Square Footage	831,256 Square Feet
% Increase in Size of Proposed Jail	290%

3 Maximum Allowable Size of New Jail Allowed

New Proposed Jail	1,270,000 Square Feet
Amount Exceeding Zoning	470,731 Square Feet
Maximum Size of New Jail Allowed	799,269 Square Feet
% Increase of New Jail Allowed compared to Existing	182%

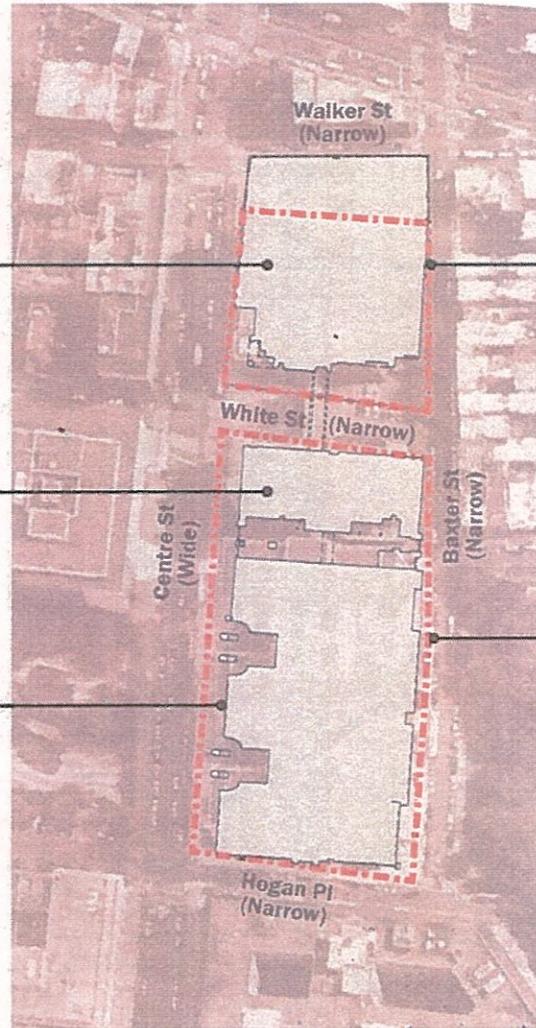
BUILDING A MODERN JAIL

PROGRAMMING TO SUPPORT SUCCESSFUL REENTRY



ZONING ANALYSIS

C6-4 DISTRICT



125 White Street/MDC North (Block 198)
EXIST 226,425 ZFA
 5.56 FAR

Block 198 / Lot 1
 Lot Area 40,752 SF
 Max ZFA 407,520 ZFA - ALLOWED

124 White Street/MDC South
EXIST 212,319 ZFA
 2.01 FAR

Block 167 / Lot 1
 Lot Area 105,394 SF
 Max ZFA 1,053,940 ZFA - ALLOWED

100 Centre/Criminal Court
EXIST 815,011 ZFA
 7.73 FAR

Total (Block 167)
EXIST 1,027,330 ZFA
 9.75 FAR

1,461,460
 → total allowed

Total EXI 224,425 (Block 198)
 1,027,330 (Block 167)

EXISTING → 1,253,755 ZFA
 BEYOND RIKERS: TOWARDS A BOROUGH-BASED JAIL SYSTEM

page 4, li-14 says 1,494,270

DEIS

asking for 1,945,011 ZFS

→ 450,741



Exhibit 5B

Manhattan Borough President Testimony – Correspondence

For more information, please visit: www.neighborsunitedbelowcanal.com

Stephan R Freid, AIA Architect

Boroughs United

Neighbors United Below Canal / Park Row Alliance / Chatham Towers

170 /180 Park Row

New York, NY 10038

June 17, 2019

Via email: info@manhattanbp.nyc.gov
gbrewer@manhattanbp.nyc.gov

Ms. Gale Brewer

Manhattan Borough President

1 Centre Street

Room 2202 North

New York, NY 10007

Re: Borough Based Jails Testimony
CEQR 18DOC001Y
124 and 125 White Street
Proposed Jail

Dear Ms. Brewer,

I testified at the June 11, 2019 public hearing that you hosted regarding the proposed borough based jails and submit the following as my written statement both for the record and for your further consideration.

The current plan significantly deviates from the letter and intent of NYC Zoning Ordinance in three fundamental areas which are critical to the health and well-being of the inhabitants of the city. The very basis for the NYC Zoning Resolution that came into effect in 1916 was to limit building bulk to allow light and air to reach the inhabitants and create a livable city.

The proposed scheme for the Manhattan Jail blatantly ignores these fundamentals. It is frankly shocking that the marching orders to the design team was to ignore the Zoning Ordinance with the intent that City Planning will rubber stamp the scheme and simply create customized zoning districts to contain this monolith all under the direction of the Mayor.

The degree of exceedance is remarkable and deleterious. Specifically:

1. Floor Area: Zoning allows for a FAR of 10. The proposed 1,270,000 square foot structure exceeds the allowable floor area by 470,731 square feet. This exceeds FAR by 31%. This building is grossly oversized for the proposed site.

2. Lot Coverage: Zoning allows for a maximum of 40% lot coverage. The proposal is for 100% lot coverage. Not only is there zero open space in the design, the proposal also calls for a “build over” on White Street, resulting in a pedestrian tunnel. This will result in a very mean space.
3. Setbacks: Zoning requires a set back at 85 feet above the side walk to allow for light and air to reach the inhabitants. This proposal has zero set back and rises straight up to a 450-foot proposed height. It will create a looming presence over the only public park in Chinatown to which it is immediately adjacent.

This combination of being too big, with no open space, and no setbacks eliminating light and air will certainly make for an unlivable city. This is not what should be happening in NYC in the 21st Century.

The Mayor’s Office for Criminal Justice (MOCJ) stated that site selection had only two criteria; Proximity to the Courts and being on City owned land. The planning and design approach was handled as a simple accounting exercise yielding massive facilities with total disregard for the communities that they are placed in.

We implore City Planning to do planning and not merely be an agent of the Mayor’s Office to make bureaucratic changes to the zoning ordinance to allow ill-considered schemes to become “legal”. This is a “tail wags dog” approach.

While we are not taking a position against the concept of closing Rikers, if the intent as stated in the Lippman Commission report is to create a system that is Smaller, Safer, Fairer, then this proposed structure certainly violates that intent. It is certainly not smaller and the dubious concept of a high rise jail will certainly not be safer.

Judge Lippman, when interviewed at NY Law school on January 18, 2019, in response to questions regarding the scale of the jails stated that: “...the jails are out of scale...make them smaller...are not to be out of character with the neighborhoods... I think it is overkill if you look at what the city is doing it is way greater than other jails across the country...”. Please see the Judge Lippman’s full comments in the linked interview starting at the 42:35 minute mark. <https://www.citylandnyc.org/live-stream-158th-citylaw-breakfast-with-hon-jonathan-lippman-former-chief-judge-court-of-appeals-of-new-york/>.

I further note that if the Manhattan jail population is targeted at approximately 1,100 beds then the metric is 1,200 square feet per detainee. That is excessive and far out of conformance with other modern jails.

Regarding the basic concept of supervision and safety in a high-rise jail, Elias Husamudeen, President of the Corrections Officers Benevolent Association, stated at the scoping hearing on September 27, 2018 that: “...a high-rise prison tower is not manageable. Prisons are horizontal.” So, it is dubious that the 450 foot tall, 26 story tower is in fact safer. In fact this will be the tallest jail in the country and is untested.

It is the community's strong advice that if a new jail facility needs to be erected then the program must be further distributed to multiple sites. There are certainly other city owned sites within Manhattan that would be convenient to families and attorneys visiting prisoners. Manhattan after all is 13 miles long. We would question why all detainees need to be near the courts. We are told this is for convenience to eliminate transportation to the courts from Rikers island. However for those serving sentences, there is no reason to be next to the court building.

Again – this program needs to be broken up into multiple sites.

I especially note that the community certainly acknowledges that we have existing jails in our community. No one has testified against prison reform, but to burden the community and the City of New York with this out of scale jail structure is a gross violation of our quality of life and not what the administration should be pursuing.

Other alternatives must be explored. We urge you to advise against this plan

Respectfully submitted,

A handwritten signature in blue ink that reads "Stephan Freid". The signature is written in a cursive, flowing style.

Stephan R. Freid AIA

Attachments: Building Massing Impact Images presented at 6/11/19 hearing
Cc: N. Kong, V. Sung, C. Marte, J. Lee

Exhibit 5C

DOC Correspondence

Stephan R Freid, AIA
Chatham Towers
170 Park Row
New York, NY 10038

October 28, 2018

Howard J Fiedler, AIA
Administrative Architect
Director of Design Unit
New York City Department of Correction
75-20 Astoria Blvd.
Suite 160
East Elmhurst, NY 11370

Via Certified Mail

Email: howard.fiedler@doc.nyc.gov
boroughplan@doc.nyc.gov

Re: CEQR 18DOC001Y
80 Center Street
The Louis J Lefkowitz State Office Building
Proposed Jail
Comments and Objections

Dear Mr. Fiedler,

I am resident of Chatham Towers (170 and 180 Park Row) which is located across Worth Street from 80 Center Street, the site of the proposed new Jail facility. Our building entrances face Worth Street and Columbus Park. We are 240 family residential cooperative.

Our community is unequivocally against the proposal to construct the projected 1,560,000 square foot , 432.5 feet tall jail in our neighborhood. This will radically degrade our quality of life. I want to be clear that this is not a NIMBY reaction - the fact is that this is our front yard, not the back yard.

The following is a summary of my remarks made at the public scoping meeting held September 27, 2018 at One Centre Street where I and all others from our community spoke passionately against this proposal.

Please consider this my formal objection for the record as required as part of the public review process.

Zoning:

The proposed scheme clearly violates the zoning ordinance. As indicated in the EAS on page 4, this project would over - build the site by 920,000 gross square feet. The legal zoning FAR for this site is 10. The maximum as of right that can be built is 711,040 gsf. The existing building is 640,000 gsf. This proposal will violate the zoning ordinance by a factor of 220 %.

Any variance application will need to go through the standard public process including a Board of Standards and Appeals Public Hearing. As stated in the Zoning Resolution, Article VII: Administration, Chapter 2 Interpretation and Variances: “. the variance, if granted, will not alter the essential character of the neighborhood...and will not be detrimental to the public welfare.” This project will surely violate the character of the neighborhood and be detrimental to the public welfare.

To date there has been no adequate presentation to the community showing the proposed massing or size of the building. Renderings that were shown at the two presentations made by the Mayor’s office on September 12, 2018 at PS 124 and the scoping meeting on September 27, 2018 at One Centre Street intentionally only showed the base of the existing building with only the slightest hint of a tower above. This was frankly insulting as there was a planned effort to obfuscate the actual proposal to avoid community outrage. It is only through detailed reading of the Draft EIS where height and bulk information is found.

Regardless, I find it astonishing that the City would attempt to violate its own Zoning Ordinance especially in light of the City owning multiple other properties where this Jail can be built, including reverting to the project for the new jail that was in fact begun on Rikers Island.

Columbus Park:

Columbus Park is the only green space in the neighborhood with multiple constituent groups using the park. Local residents as well as organized community sports leagues and local elementary and middle schools use the fields and basketball courts. The park is a gathering place for the community. The proposed tower will cast the park in extreme shadow in all seasons with a looming presence in the sky. The shadow will have a deleterious effect on park usage and kill trees. For your reference I am attaching photos of the park in use on a pleasant recent fall day. The setting sun in the fall seen in the photos will be obliterated.

The Study Area:

The 400 foot study area boundary is woefully inadequate to analyze the effects on the entire Chinatown community. Major commercial and residential uses are excluded as well as the spirit of a community perpetually struggling to maintain its character and identity. This arbitrary study area does not even include Mott Street or Bayard Street as if they are not contiguous with the study site.

The study zone does not even include the entirety of the Chatham Towers Residential Cooperative which is composed of two buildings. The study area bifurcates this property, excluding one of the two buildings housing 240 families.

Landmark:

As stated in the Draft Environmental Impact Statement under Architectural Resources, (page 19): "...80 Center Street has been previously determined eligible for listing on the S/NR" (State & National Register of Historic Places). Further: "This site is also across Baxter Street from the S/NR listed Chinatown and Little Italy Historic District..."

Note that on October 11, 2018 Community Board 1 voted to recommend the landmarking of 80 Center Street to the Landmarks Preservation Commission.

This proposal will destroy the character of the historic neighborhood. There is no way to mitigate the effect of the proposed structure on the Historic District.

Traffic:

Park Row was closed to traffic after 9/11 to protect one Police Plaza. Worth Street is used as the only crosstown thoroughfare south of Canal Street. The proposal to use Hogan Place as the access point will stop all traffic heading both west across Worth and south on Baxter Street. The additional traffic to serve this proposed jail will have adverse effects on vehicular congestion, pedestrian safety accessing residential and public buildings, the public park and degrade quality of life in the neighborhood.

Lippman Commission and Other Proposals:

The Lippman Report repeatedly states in bold italics that "*Rikers must be closed*". It is apparent to those of us who have read it carefully that this report did not adequately analyze other options to upgrade facilities for the humane treatment of prisoners. To say that the inhumane treatment of prisoners can be solved with new towers in residential neighborhoods is ignoring the fundamentals of prison reform. Even Elias Husamudeen, President of the Corrections Officers Benevolent Association, stated at the scoping hearing on September 27, 2018 that (and this paraphrasing): "a high-rise prison tower is not manageable. Prisons are horizontal."

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Why the sudden change in plans to abandon the work under way on Rikers Island?

It must also be noted that there is great suspicion that the closure of Rikers is a Real Estate maneuver given the participation private developers and real estate attorneys on the Commission. And the proposal to expand LaGuardia referenced in the report seems to be a farfetched, given that \$8bn worth of reconstruction of the entire existing LaGuardia Airport is currently underway.

Our community strongly opposes this plan in any form. There needs to be an alternative to siting this jail at 80 Centre Street.

Respectfully submitted,

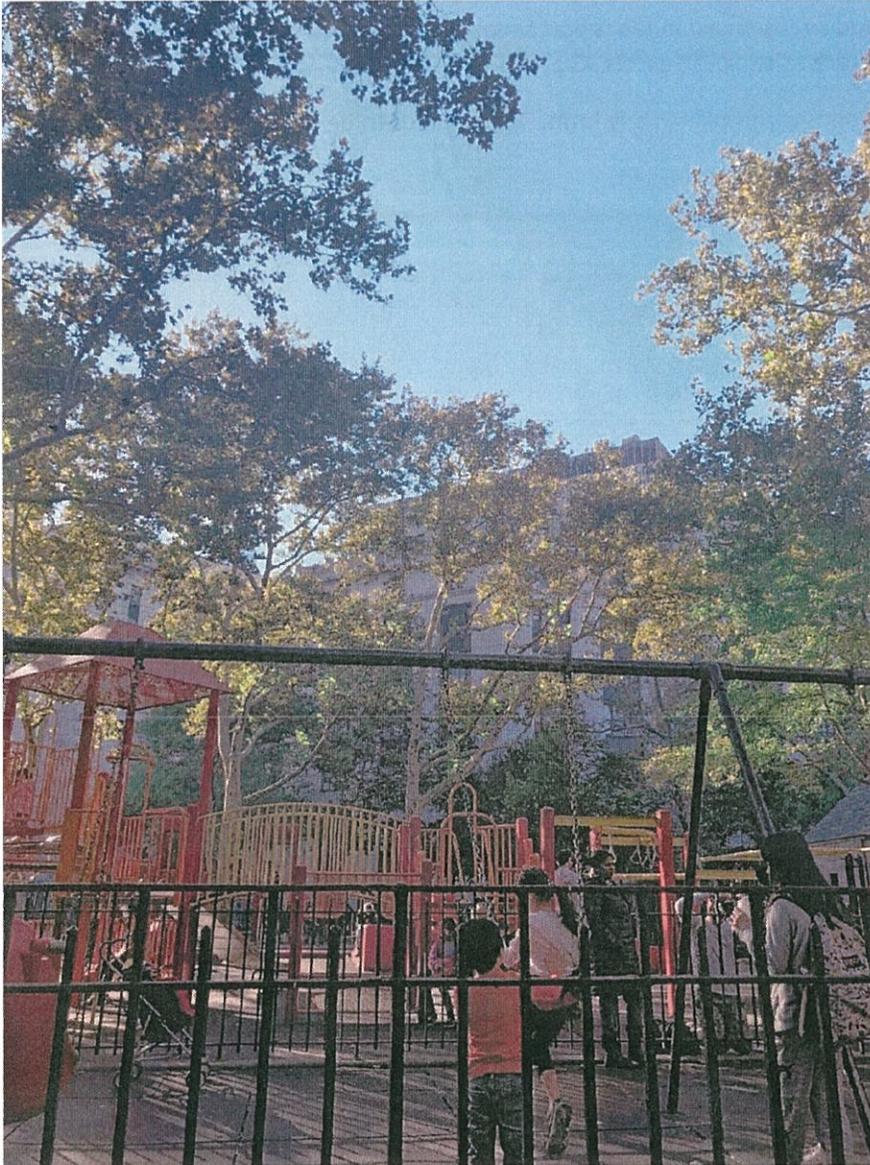


Stephan R Freid, AIA

cc:

Office of the Mayor: Marco A Carrion Joseph Thomas Tahirah Moore	mcarrion@cityhall.nyc.gov ; ithomas@cityhall.nyc.gov tmoore@cityhall.nyc.gov
Mayor's Office of Criminal Justice	US Mail
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Council Member Robert Holden:	rholden@council.nyc.gov
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US Congresswoman Nydia Velazquez Jacqueline Hsia	Jacqueline.hsia@mail.house.gov
NYS Senator Brian Kavanagh, Danielle Zuckerman:	kavanagh@nysenate.gov dzuckerman.nysenate@gmail.com
NYS Senator Velmanette Montgomery	montgomery@nysenate.gov
NYS Assemblymember Yuh-Line Niou, Ting-Ting Zhao, Laurence Hong	info@yuhlineniou.org tingting@yuhlineniou.org laurence@yuhlineniou.org
NYS Assemblymember Jo Anne Simon:	simonj@nyassembly.gov
NYS Committeeman Christopher Marte:	Via US Mail
Chair Marisa Lago, City Planning Commission	Via US Mail
Neighbors United Below Canal Street	jancrc@gmail.com nancywkong@yahoo.com

Columbus Park, 4:00PM October 20, 2018



Swing set with 80 Centre Street in background



Fall Light – will be obliterated



**Testimony at the New York City Council
Hearing on the Borough-Based Jails Plan
September 5th, 2019**

The Chinese-American Planning Council (CPC) thanks the members of the City Council for holding this hearing and for the opportunity to testify. CPC's mission is to promote social and economic empowerment of Chinese American, immigrant, and low-income communities. CPC was founded in 1965 as a grassroots, community-based organization in response to the end of the Chinese Exclusion years and the passing of the Immigration Reform Act of 1965. CPC is the largest Asian American social service organization in the U.S., providing vital resources to more than 60,000 people per year at over 30 sites across Manhattan, Brooklyn, and Queens. Twenty of our sites are located across Chinatown and Lower Manhattan, including **two program sites that will be directly impacted by the proposed jail site in Manhattan**. At 125 Walker Street, adjacent to the proposed site, CPC's Chung Pak Daycare provides daily early childhood education to over 60 children. At 70 Mulberry Street, near the proposed site, CPC's Chinatown Senior Citizen Center provides daily senior activities including exercise, dance, meals, educational classes, social and field trips, and case management to over 200 older adults.

First and most importantly, CPC affirms that Rikers Island must close and it must close now. We support policies that will expedite those currently held at Rikers. **Our criminal justice system and Riker's disproportionately harm particularly black and Latinx communities of color and low income New Yorkers, and meaningful reform must be taken.**

We have heard compelling arguments from allies, advocates, and individuals formerly held at Rikers that criticize reforms that do not include elimination of cash bail. We echo the concerns and recommendations of criminal justice reform advocates that cash bail must end in order to permanently reduce the overall jailed population. **Without planning for the end of cash bail in advance of planning for new sites, the City is effectively planning to keep its jailed population at the same level.** We believe that without meaningful reforms in place ahead of new construction, that the Mayor is not holding himself accountable to his own criminal justice reform commitments.

We affirm that the City's jail population and overall crime have decreased significantly in that last ten years. However, we also believe that these numbers would not have declined without the work of non-profit organizations and community advocates who provide critical social services, housing, education, health and mental health care to our communities. New Yorkers who are arrested disproportionately come from communities of color, low-income, immigrant, homeless, or non-Native English speaking communities. To reduce the city jail population, the City must minimize the factors that contribute to the arrest and over-incarceration of these communities by investing in more housing, education, financial literacy, health and mental health resources, and social support services. **We request that no plan should be approved unless investments are made in families whose lives have been disproportionately impacted by arrest, over-incarceration, poverty, and discrimination.**

CPC stands OPPOSED to the expansion of the current Manhattan Detention Center. Key information relevant to our communities and the lives of our community members is missing from the planning and impact scopes. The plan lacks critical information about community investment and criminal justice reform. Community-based organizations have not been sufficiently engaged to advise on neighborhood needs. Simultaneously, key recommendations from criminal justice advocates are missing from the scope.

CPC recommends that the Mayor's Office renovate the Manhattan Detention Complex (MDC) instead of expanding the MDC because of the decreasing jail population. While we must expedite the closing of Rikers Island, we believe that the Mayor's Office should be planning for a jail population that is significantly reduced because criminal justice reforms. In the public meetings that have been held since the plan's release, CPC has heard compelling arguments from allies, advocates, and individuals formerly held at Rikers that criticize reforms that do not include elimination of cash bail, which has become a reality due to landmark criminal justice system reform legislation that has passed in New York State this year. CPC echoes the concerns and recommendations of criminal justice reform advocates that the elimination of cash bail will lead to a smaller jail population. Cash bail burdens low-income New Yorkers disproportionately, and the reforms at the State level mean that many New Yorkers who were held in jail simply for not being able to afford bail will no longer need to be accommodated at the borough-based jails. Also, the proposed scope of work does not integrate feedback from criminal justice

reform advocates and address permanent bail reform, and does not include explicit plans to bring the citywide jailed population lower than the 7,000 projected in the Smaller, Safer, Fairer report. The Lippman Commission supports the idea that through reforms around bail, discovery and speedy trial, we can (and must) significantly reduce the jailed population.

CPC recommends that the City invest resources in non-profit organizations that provide social services, housing, education, health and mental health care. We believe that the City's jail population and overall crime has decreased significantly in the last ten years because of the work of nonprofit organizations and community advocates who provide critical care to our communities. These community programs and resources have played major roles in making New York City a safer place where individuals and families are able to increasingly find support, justice, and success. As a community-based organization, CPC did not have sufficient, meaningful dialogue with the Mayor's Office and have not had enough time to meaningfully engage our constituents, understand their needs, and come to consensus on recommended resources. Plans for any site within New York City's justice system should lead with community investment and community resources. New Yorkers who are arrested disproportionately come from communities of color, low-income, immigrant, homeless, or non-Native English speaking communities. To reduce the city jail population, the City must minimize the factors that contribute to the arrest and over-incarceration of these communities by investing in more housing, education, financial literacy, health and mental health resources, and social support services. These same services are critical for the communities that surround the proposed sites and will be impacted by any construction or renovation of the jails. These critical community investments are absent from the proposed plans. Community programs support and empower New Yorkers, and no plan should be approved unless investments are made in families whose lives have been destroyed by arrest, over-incarceration, poverty, and discrimination, and will be impacted by the establishment of borough based jails.

CPC urges the Mayor's Office to invest in non-profit organizations, create affordable housing, support small businesses, and improve public space in Chinatown instead of investing resources into expanding the MDC. Manhattan's Chinatown is one of the oldest Chinese ethnic enclaves and remains today as a historic neighborhood and hub for Asian American and Pacific Islander (AAPI) New Yorkers. AAPIs are the fastest growing group in the city, making up 15% of the population. AAPIs live, work, worship, and visit Chinatown to socialize, conduct business and commerce, and seek linguistically and culturally competent services. Visitors from across the country also visit to Chinatown for its historic significance and cultural heritage. Over the last two decades, Chinatown has undergone significant change. Many residents and businesses have been impacted by post-9/11 security and street closures (such as Park Row), while lack of affordability has increasingly pressured families who have watched as friends and neighbors moved to other parts of the city, like Flushing and Sunset Park. Citywide, over a similar period of time, New York City has seen a dramatic decline in overall crime and a reduction of the city's jailed population. Much of this work is thanks to important community institutions and criminal justice reform advocates whose partnership has both empowered communities and advanced policies that contribute to a fairer, more equitable city.

CPC joins the Chinatown community as well as multiple Borough Presidents, Council Members, State Senate and Assembly Members, and countless community members, residents, and advocates across all four boroughs in criticizing the one-size-fits-all plan for the borough-based jails. Chinatown residents, criminal justice reform advocates, community leaders, and allies have not been sufficiently engaged in meaningful conversations. The period of time between the date of release to the scoping session hearings was too short to fully understand how the plan could legitimately reduce the jailed population long-term, invest in communities, or impact any of the proposed neighborhoods. Because of rushed dialogue, many residents and advocates felt forced to choose between the much-needed closure of Rikers and their wish to provide serious input on the future of criminal justice reform and community investment. Neither should be delayed because of poorly planned engagement. Community engagement on criminal justice reform and community investment is necessary.

CPC thanks the City Council for the opportunity to testify today. We affirm the urgency to close Rikers Island and thank you for your leadership in moving the process forward; however, we do not support the current plan to expand the Manhattan Detention Center. We look forward to engaging further with you. Further question or comment can be submitted to Carlyn Cowen, Chief Policy and Public Affairs Officer, at the Chinese-American Planning Council, at ccowen@cpc-nyc.org.



September 5, 2019

Members of the New York City Council,

Trinity Church Wall Street urges the City Council to vote yes to close the jail complex on Rikers Island and support a system of modern, borough-based jails — with provisions that decrease incarceration and build a justice system worthy of our great city.

Rikers Island is a stain on New York that contributes to human suffering, broken families, and community deterioration. Its culture of violence and inhumane conditions creates a human rights crisis that impacts our families, our neighbors, and the people who are employed there. Many of our congregants have been detained on Rikers, often before their trial, with great physical and spiritual costs inflicted on their souls. Furthermore, we know that over 90 percent of those detained on Rikers are black and brown and over 40 percent have a diagnosed mental health condition. The tragedy of Rikers is a family, racial, and social justice issue, and we must close it as soon as possible.

A modern, borough-based system of jails that prioritizes rehabilitation and family unity, and helps prepare our neighbors to live full and wholesome lives, is the morally right plan to advance. At the moment, when family members or clergy wish to visit a loved one detained at Rikers, they must invest an entire day for an hour-long visit. We know that successful rehabilitation and health outcomes require that a person have connections to their families, social services, and educational programming — and a system of modern, borough-based jails supports the environment for these outcomes to happen.

The tragedy of Rikers must not be replicated in the new system of justice we are building in our city. To that end, the following conditions should be included in the plan moving forward:

- We must invest in alternatives to incarceration so that detaining a person becomes the last resort — after other options have been exhausted.
- We must invest in communities, so that our neighborhoods have vibrant opportunities and health outcomes that are robust.
- The era of incarcerating people for mental health and substance abuse issues must end.

Through our capacity as a faith leader and philanthropic organization, Trinity Church has advocated for significant investments in successful programs that attain these goals. When we build economic opportunity, vibrant neighborhoods, and invest in families and alternatives to incarceration, we will end mass incarceration in our city and set an example for cities around the world to follow.

None of this can happen as long as Rikers Island stays open. As leaders in criminal justice reform and partners who stand with our allies that have brought the plan to this point, we will continue to advocate for conditions that end mass incarceration and build wholesome and strong communities.

We urge you to stand with us and move the plan for borough-based jails forward, advocating for the policies that will continue to build a system of justice that is worthy of our city's name.

Thank you for your consideration.

Sincerely,

The Rev. Winnie Varghese, Priest, Trinity Church Wall Street

September 5, 2019

Justin Pollock
87 Smith St. Condo Board President
718-855-8646
justin.pollock@gmail.com

FOR THE RECORD

City Council Hearing on the Borough Based Jail ULURP application Testimony

My name is Justin Pollock. I'm the condo board president at 87 Smith St., across the street from the Brooklyn Jail.

The NACs, Community Boards and Borough Presidents have all panned this plan. The City Planning Commission, even while approving the application raised serious questions about the siting, scale and transparency of the plan.

Planning Commissioner Douek said it best when he recommended the city council modify the application in line with all the Borough Presidents' recommendations.

Specifically in Brooklyn, we support Borough President Adams' recommendations. We support the siting of a modern humane facility at 275 Atlantic with the condition that it house significantly less detainees than currently proposed. His recommendations clearly show that he has listened to the stakeholders including the Neighborhood Advisory Committee and CB2 and has come up with achievable criminal justice reforms that will only hold those in detention who pose a public danger. He joins the chorus of voices calling for those with mental health issues to not be housed in these detention facilities. His recommendations also make sound concrete proposals about how best to mitigate many of the neighborhood issues regarding building design, traffic, parking and overall operation.

The City has held up the Denver jail as a model of modern jail design. That jail is built at under 300 sq ft/bed. The City's proposed jails are between 800-1000 sq ft./bed. No one at MOCJ has justified why these jails need to be built 3 times bigger than other comparable modern jails. Either the City is "grossly overbuilding" these, as Judge Lippman said or vertical skyscraper jails are not efficient.

Rikers Island is approximately 5.5 million sq feet on 413 acres of land. The current proposal is just under 5 million sq feet on only 13 acres. These are NOT SMALLER jails. They are just squeezing them into a smaller area.

Listen to the reasoned recommendations coming from every Community Board and the Borough Presidents.

Let's be truly progressive. Follow Los Angeles' lead. "Care First, Jail Last".

Former Chief Judge Lippman says plans for renovated jail in Brooklyn are too big

Lippman: City needs to engage the community more



The plan to close Rikers Island has always relied on two contingencies: shrinking the current population of inmates in the city and spreading those inmates across the boroughs in five new and smaller jails.

In Brooklyn, that means the House of Detention located on Atlantic Avenue, which currently holds about 800 inmates, needs to be renovated and expanded. The plan proposed by the city calls for the current facility to be

“We have been in the city’s face about not engaging with the community,” Lippman said. “You need to go to those hearings. Communication is key to making this happen the way it should.”

So far, the few public hearings that have taken place have often been overtaken by advocates who do not want Rikers Island replaced with five community jails. Lippman said that he is worried that such advocates could derail the project entirely, adding that standing opposed to community jails is akin to being for Rikers Island.

“If you are against local jails, you are for Rikers Island — and Rikers Island is an abomination,” he said. “Local jails make sense. They’re smaller, more humane and don’t have this brutalizing effect on human beings.

Lippman is still optimistic that the city will eventually close Rikers, especially since the state Legislature has flipped from Republican to Democratic. The next step, he outlined, is to continue making criminal justice reform to bring the prison population in New York City down.

“This is an opportunity that shouldn’t be missed,” Lippman said. “The composition of the legislature has changed. I would say that this is the moment. This is what we’ve been waiting for ... Criminal justice reform is on the verge of a quantum leap in New York state. I urge them to seize the moment.”

Los Angeles County Nixes \$1.7 Billion Deal To Replace Jail After Pressure From Prison Abolition Advocates

Former Obama official wants “non-custody community-based care facilities” as lawmakers shift toward “care first, jail last” model.

Jeffrey Cawood August 19, 2019

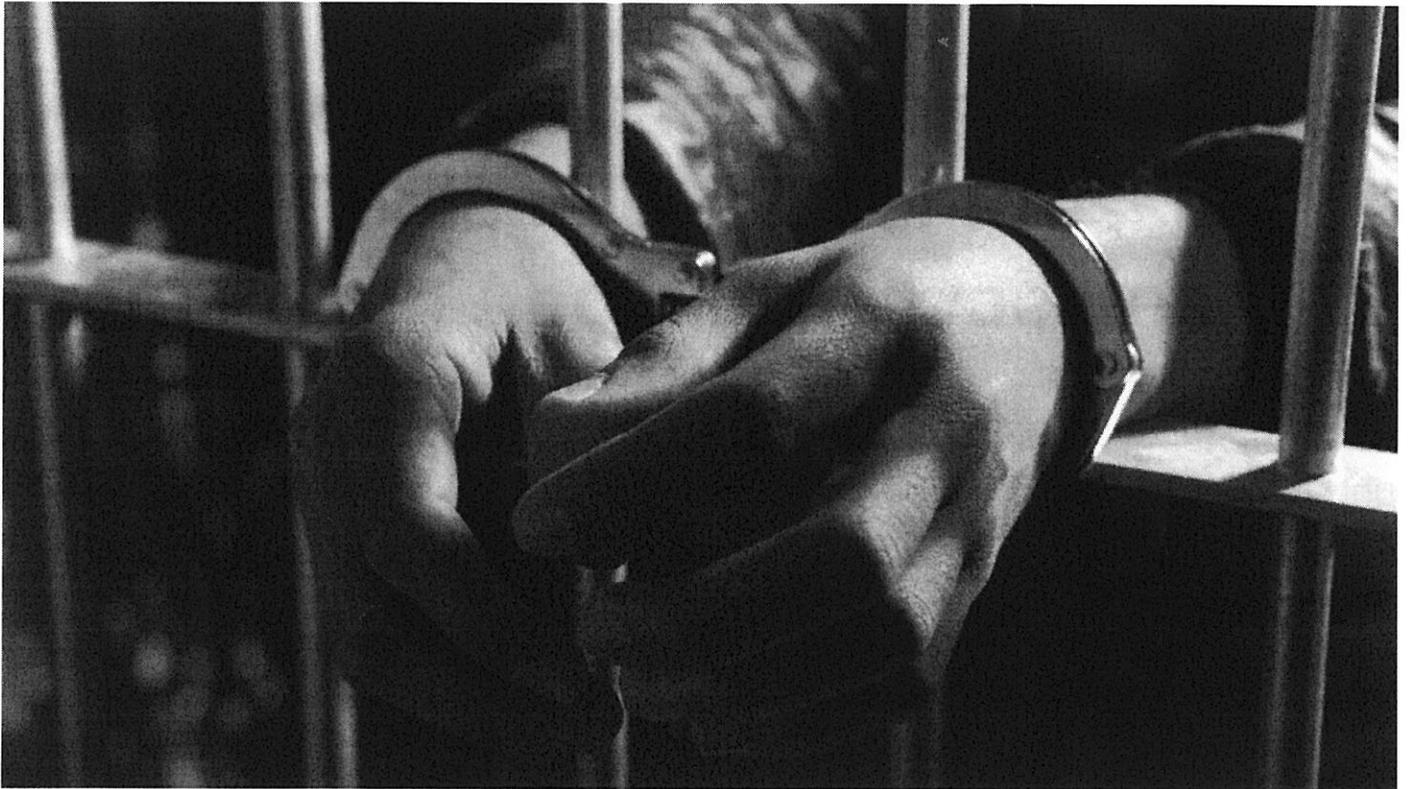


Photo by Caspar Benson/Getty Images

Elected officials in Los Angeles County decided to scrap a \$1.7 billion jail project last week after anti-incarceration activists convinced them to change course, adopting a new “care first, jail last” approach.

past several months has brought us to this important realization."

Solis joined "Justice LA" jail reform activists at a press conference last Tuesday before the Board voted to kill the contract. She co-authored the motion along with Sup. Sheila Kuehl, who recently referred to incarceration as "an experiment that has failed." Each of the five county supervisors represents approximately 2 million people.

Black Lives Matter co-founder Patrisse Cullors established the Justice LA coalition in 2017, which staged multiple demonstrations opposing the plan.

"We are demanding an end to mass incarceration in the U.S. and our county's investment in policing and jails," she explained in an editorial written shortly after the group's launch, later referencing "our movement's call for abolition."

The Los Angeles Times describes Men's Central Jail, built in 1963, as "dungeon-like" and "antiquated." According to the New York Times, it "is often referred to as America's largest mental health institution, a dystopian, run-down facility where mentally ill inmates are often chained to the furniture." Still, lawmakers opted to start over and develop a new strategy rather than continuing with the modified plan that had initially been approved in 2015.

County Counsel predicts it will take three or four years of bureaucracy for another jail replacement project to come before the Board.

"This issue around criminalizing mentally ill people is actually not just an L.A. issue," Cullors told the NY Times. "L.A. is the microcosm of what's happening across the country. You can go to Cook County in Chicago. You can go to Rikers Island in New York."

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CITY HALL Sept 5, 2019

SAY NO TO MASSIVE NEW JAIL

IF YOU BUILD IT THEY WILL FILL IT

Do you know what you are voting for? We are told the size of the jail will be smaller than originally proposed but there are no new numbers and no new renderings.

There is no public evaluation of how the new Albany legislation will affect the need for new jails or what size they ought to be.

This ULURP application is premature and should be withdrawn until a more modest proposal is submitted by the administration.

The 4 Community Boards voter no or no with recommendations. That is a rare agreement across the city and should be listened to.

Whether 1500 or 900 beds this is not a humane way to treat people. You are putting people in cages and both the jailer and the inmates are forced to behave in an aggressive manner in that circumstance. Years of experience proves this. How is putting human beings in cages reform? We need **alternatives** to putting people in steel boxes.

Recent legislation passed in Albany will greatly reduce the jailed population. Three important changes: Bail reform, speedy trial, and discovery. Decriminalizing weed will further the reduction. Jails and alternatives must reflect the results of these reforms.

What do the inmates get for our tax money-bad food, bad health care and increased violence. In 2018 the cost to taxpayers in New York State was \$1.39 billion to warehouse human potential. Rather than putting that money into jails it should go to prevention by improving education, housing, health care, social services and job training.

In 2017 NYC spent \$302,296 per person in jail. A half million dollars was spent on Keith Browder for 3 years in jail, two years of it in solitary confinement, without a hearing. Where did that get him? NYC has the most expensive per person cost in the country.

Now on top of that the Mayor thinks spending \$11 billion on new jails, \$15-22 billion to redevelop Rikers and \$250 million for a new training college for correction officers is the answer to closing Rikers.

In what is supposed to be the most progressive city in the country how is it possible that we have a place like Rikers which is referred to as "torture island" where people get beat up, knifed and left in

solitary confinement? What is being done right now to create humane conditions there? Or are the incarcerated just suppose to endure these conditions for another 10 years. I have heard not a word about improving the current conditions.

The engineering corporation AECOM Tishman has been awarded a contract of \$107.4 million of our money to direct the development of building four new jails. What does the council know about how this money is being spent? Who here has looked into who makes the profit on this massive investment? Without that knowledge all else is window dressing.

So, is the answer to mass incarceration more mass incarceration plus \$33 billion?

There must be a better way to direct so much money so that it improves lives rather than raises the misery index for mostly brown and black people.

We know that once again the only winners will be the developers and the financiers who get the contracts to build and fill the jails and whatever the real estate industry has in store for Rikers island!

Brandon J. Holmes - Public Comments on City Council 9/5 ULURP Hearing

The #CLOSErikers campaign calls on the City Council to amend the current ULURP application to reflect our plan, providing a clear path for the city to reduce the capacity to incarcerate people by over 75 percent. The #CLOSErikers campaign advocates for City Council to center three priorities in the upcoming vote:

- Reducing our city's capacity to incarcerate New Yorkers from 15,000 beds to 3,000 or below; from our current 12 facilities down to 4
- Improving conditions for New Yorkers who are currently incarcerated; including folks who have been remanded & do not have the option of bail
- Reducing our over reliance on the punitive legal system, making it possible to divest from law enforcement agencies and invest in the communities most harmed by mass incarceration
 - We are submitting our #buildCOMMUNITIES platform which contains over 100 concrete policy and budget demands to support community based solutions which can lead New York City to achieving a zero ADP

We know that a combined ULURP and design build are the RIGHT CHOICE to be able to close Rikers on the fastest timeline possible, and ensure that not one person is left behind on Torture Island. This joint ULURP reinforces that we have a major commitment to closing Rikers, improving conditions, and increasing access to families, courts, and legal support - which will improve case outcomes and reduce lengths of stay in NYC jails.

The community has been engaged since the beginning of this plan because this plan came from the community -- specifically from survivors of Rikers. As early as 2016, our campaign mobilized directly impacted and formerly incarcerated residents of every borough during the original Lippman Commission hearings, to share their experiences of how Rikers Island had impacted their lives and their communities. Our members met with City officials in each borough to identify areas for improvement and outline our specific priorities and demands to implement the full closure of Rikers Island. After the scoping hearings, formerly incarcerated leaders and advocates participated in the Neighborhood Advisory Committees in each proposed site district. As the leaders who created the conditions to make closing Rikers an urgent priority for this Mayor and his administration, formerly incarcerated leaders have elevated their key demands and remained engaged at every step of the process.

Each year, there is a new report and multiple incidents of violence, rape, and death in our toxic, isolated penal colony on Rikers Island. If the City were to delay the process of advancing a plan until every element was 100% decided, it would not allow for advocates and communities to serve the oversight role in shaping this plan that we have had to date. And, more importantly, it would fail to address the urgency to get

Brandon J. Holmes - Public Comments on City Council 9/5 ULURP Hearing

every last individual off of Rikers Island and out of the horrific, inhumane conditions in current NYC jails.

While elements of exactly which programs, what design, and even what management structure are still being debated and negotiated, we know WITHOUT A DOUBT that if this plan is defeated or delayed, it will mean people spend more time on Rikers - with no plan or commitment to closure. We need to do those two streams of planning concurrently - just as we need to divest from incarceration by shrinking jails capacity while we also invest in improving conditions and access to programs and supports for people who are currently incarcerated. ~~The #CLOSERikers campaign urges the Commission to vote this plan forward and send this application to City Council.~~ New York City must not waste this opportunity to finally close Rikers Island jail complex and transform our approach to justice in America.

ISLAND ISSUES

VOLUME 1 NO1 1973

DECEMBER



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ISLAND ISSUES is published bi-monthly, by and for the residents at the New York City House of Detention for Men at Rikers Island. All submitted copy is subject to approval by the Editor and the Program Director. The opinions herein are those of the authors and do not necessarily reflect those of the staff or the administration.

EDITORIAL

We have been asked to add our voice to the many periodicals representing penal institutions throughout the nation. A penal publication is a peculiar instrument, tolerated by the administration only as long as we remain a constructive clarion for change. The monitory spectre of censorship lurks behind every word. However even with all of the problems we shall encounter, we will attempt to present the position of the confined inmate.

Our primary purpose for existing is to portray an accurate interpretation of our prison environment, from an inmate perspective. This can be highly unflattering to both the inmate and guardian.

The portrait of an inmate is often not at all complimentary. The ugliness is sometimes expressed in the viciousness and pettiness of our actions towards one another. There is mistrust, fear, fighting and the inability to relate to common problems. Until we begin to reconcile these differences, shall we remain at odds with each other.

We constantly use the term brother, in relating to those around us; however, we find that the word has degenerated into triteness. It has become overused, abused and some practitioners have little or no regard for the humanity of their "brothers."

from our population. We can state unequivocally, that all copy submitted to this office shall be appraised and evaluated on its own merit. We must reserve the right to keep all manuscripts, therefore we suggest that you retain copies of everything you submit. All submitted copy shall be subject to revision at the editor's discretion. However the context of the revised statement shall remain intact. You should bear in mind we welcome material of any length, criticisms, letters to the editor, general observations, prose, poetry and commentary.

Let us together make this publication a force in the penal media to be reckoned with. We can only accomplish this with your support. That's 30.

Richard Turner

A MI QUERIDA MADRE

per rosendo figueroa

Dios te bendiga mi madre amada
que desde el cielo llega tu luz
aunque amparada allí en tu leche
siempre sus rayos te brindan luz
Vienen los dias como te expreso

EDUCATION DEPARTMENT

by: Richard Turner

Very recently the adult education department was transferred from the adolescent school library area to the institutional programs section. This department was placed in the hands of the eminently qualified Mr. Henry Hunter.

Mr. Hunter, an educator whose career spans four decades, has been teaching on Rikers Island for nine years. His credentials are very impressive. He is a former professor of languages at the Spanish American Institute.

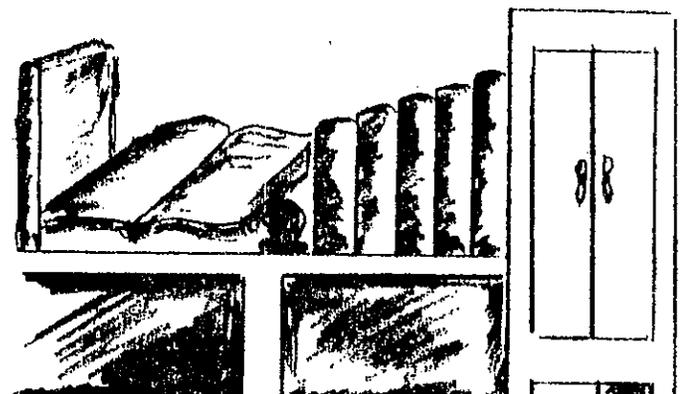
He and his wife emigrated to this country from Jamaica, in the British West Indies. She is a nurse and a teacher. They have five sons and three daughters. Among them there are three teachers and a nurse/teacher, also two sons are striving for doctorates in education.

Mr. Hunter presently is teaching the high school equivalency class, with assistance from the following individuals; Robert Reston, reading comprehension; Howard Fuchs, general science; Rev. M.W. Gordon, S.J., social studies and the capable Gilbert Machado, an Assistant Counselor who acts as typist, runner and allround man Friday.

Mr. Hunter's primary concern is

cessity for a man to be able to read, write and speak in an articulate manner to succeed in any endeavor. Mr. Hunter has hopes that the men will take the initiative and investigate the opportunities available here. His class will be unique in that they will be bi-lingual. He is fluent in Latin, Spanish, Portuguese, French, Italian, German and English. So if there are those who have felt that only English would be spoken, now you are aware of the multiple advantages in attending class. There is little enough for us to do here, and this is an opportunity to better ourselves.

For the benefit of those who are interested, kindly send an interview slip to the Education Department. You will be interviewed! The view from the classroom is much nicer than the block - believe me.



beneficial to those among us with compulsive drug problems. With the exception of inmates charged with Class A felonies; homicide, rape etc. It should be understood by all applicants that the ultimate decision as to whom shall be sent to the various programs, lies with the court.

A.S.A. is staffed by two former addicts; Ted Fraiser, the supervising addiction specialist, whose addiction was seventeen years in duration. Mr. Fraiser left Rikers Island's C-76 in 1967, enrolled in the Phoenix House program at Hart Island. Upon graduating from the Phoenix program he was hired by his present employers.

Robert (Bob) Carnes also left Rikers Island in 1967 enrolled in the Phoenix program. Mr. Carnes' addiction was of ten years duration. He also graduated from that program, and enjoys his present position in the institution as senior addiction specialist.

A partial listing of the services and referral agencies are as follows: group and individual Counseling, Phoenix House, Harlem Confrontation, Odyssey House, Reality House, Project Return, S.E.R.A., and methadone maintenance clinics.

Veterans who possess honorable

their addiction was service connected. But until this situation is corrected, the former conditions must prevail.

(con't. on page #16)

* * * * *

CREATIVE WRITING CLASS

by: Michael Salge

A new poetry/creative writing class is soon to begin at this institution. The class will be given as a part of the education program, and will be held on Mondays and Thursdays from 1-3 p.m. In order to participate inmates must send an interview slip to Mr. Henry Hunter at the school, and indicate that they desire to be a part of the writing class.

The instructor of the class will be the author of this article. Mr. Salge has previously run classes at the Queens House of Detention and also at the Bronx facility, and has substituted for the poetry teacher at the Womens House on Riker's.

The aim of the class is to make writing a means of expression. We will attempt to probe the subtleties of life and feeling. Discussions and writings will deal with despair, love, family, and any personal feelings, desires and needs that each individual wants to express.

(con't on page # 16)

BOULIN'

Passing through the diagnostic corridor, one may encounter any number of interesting sights, people and sounds. At the far end you will probably hear Mr. Fredericks the drama teacher preparing his troupe for the Christmas show; or, you may see a bevy of vivacious young ladies dashing in and out of various offices; or, C.O. Arthur Sumlin berating someone in this manner, "I told you to stay out of that office. Are you trying to get me in trouble?"

Proceeding further we can hear the melodic magic of James Brown doing his thing. Closer examination reveals a smiling, obviously grooving assistant counselor sitting at a phone-tape deck. This is none other than the inimitable Roger Washington, funkadelic dispenser of soulful sounds.

From time to time his schedule permitting, Roger carries his phonograph and records into the blocks for the enjoyment of the inmates. He is invariably surrounded by inmates with their requests.

He presently is attempting to

expand his collection of records. He has contacted various record producers and disc jockeys in an effort to add a more diversified flavor to his presentation.

Roger has begun taping soul and latin music for presentation on his show. His show will become a regularly scheduled Sunday feature. The show will be aired over the public address system at 9:00 PM and will run for approximately two hours.

You are advised to drop an interview slip stating your request to Roger Washington, Assistant Counselor, Program Director's Office. Mention the artist and the tune on your slip. It is advisable to have all requests sent in by Tuesday of each week. This will provide ample time to research and make the record available in time for the show.

A closing note to all; Roger has promised to have some interesting guests on each show. We are curious and shall remain skeptical until he proves his guests are interesting and a delight to listen to. So come on with it! We ain't goin' no place soon.



was piercing as it snatched him from his world of sleep. He crawled out of bed and splashed some water on his face. God, he needed a shave!

This was the day that he'd been waiting for. But somehow it wasn't what he'd expected, for he felt none of the euphoria one usually feels on the day that he's released from jail. There was only emptiness.

The cell-block had come alive as men struggled to prepare themselves for another long day. From somewhere a voice shouted, "When I get out of here I'm going to get me a brand new El D, and all the breads that it can carry. I'm going to buy me a closet full of bad vines man. Just wait and see."

He sighed.

He'd been like that once, full of dreams and possibilities, but eventually those dreams had faded and the possibilities had narrowed down to just a few. He was left only with memories.

He pulled the toothbrush from the locker and halfheartedly began brushing his teeth.

The judge had sentenced him to

much, but then the big boom boom opened his big mouth. He remembered the words well.

"What's your name?" he asked.

"Willard Jones."

"Son, when are you going to make something of yourself? You've been in and out of jail for most of your life and you're only twenty-three. If this is the way you want to live then I can't do anything about that but, one of these days you are going to have to ask yourself, where will it all end. After all no one has ever gotten rich behind bars."

Willard had heard sermons before. People had been preaching to him for all of his life. But who was it who said, "All men are created equal." George Washington... or was it Lincoln. And if all men are created equal, then why should he Willard Jones, work for some big shot son-of-a-bitch who sat behind his desk smoking ten dollar cigars with manicured fingernails, and go riding around in his thirty thousand dollar chauffeured limousine? No way!

He thought about the streets. That merciless jungle where the weak was deemed to pay; where life had no more value than a bag of depe and the wicked caresses of vice seduced the soul of the infant

from its ill-fated moment of conception.

Willard had left home early in life, hoping to escape the inescapable dilemma. He'd screamed, but no one had answered his cries, and his only interception was deafened ears. Now he was hearse.

He placed the toothbrush back inside of the locker and gargled. He'd leave the thing here. Perhaps the next cat could use it.

No one waited for him out there with open arms. Maybe if he was lucky he could get on welfare. It was worth a try.

He ran the pick painfully thru his hair. The thought of going to the streets always scared him a little at times like this. It made him realize how very lonely he was. Like most people, he was lonely.

During the past ten months, he'd been forced to eat around, work around, even sleep around faceless men who were packed in like sardines. And yet throughout his sentence he'd been lonely. Sometimes he often wondered what it would be like to enter someone's private world, or to let them into his.

Willard remembered Carol. Jive-ass Carol!

"Why don't you get a job," she

He sighed.

That had been so long ago. She wouldn't be waiting for him today. In fact, she hadn't been there the last time, or the time before that; or the time before that; or none of the previous times that he'd come out of jail since she'd said those words.

The no good bitch!

He didn't mind her leaving so much, but she took the kid too. Somehow they always managed to take things away from him.

After struggling into his clothing, he took one last lingering look around the cold dank cell and walked slowly through the door. Life was passing him by.

THE END



During 700 B.C. the legions of Kush, led by their king Kushta, conquered more than half of Egypt. After his first military encounter king Kushta was succeeded by his son Piankhy, who completed his father's dream of conquering Egypt. Under Kushites rule, the nation of Egypt established the largest and most powerful African state welded together under the direction of a single man. Egypt during this period comprised nearly one quarter of the continent of Africa.

In less than a generation the arts, government, national security and the rights of the individual were firmly re-established throughout the land. Egypt became once again the center of world civilization.

Shabaka, successor to Piankhy, continued the progressive and enlightened programs initiated by his brother. He abolished the death penalty for such minor offenses as lying and cheating.

The successor to Shabaka was Taharka, often referred to in the Bible as Tirhaka. He united Ethiopia and Egypt in a single state with great stability and prosperity.

Twelve years after assuming the

several years they initiated a new offensive, with new and superior weaponry. They drove the Kushites out of Egypt, and into Nubia where they transferred their capital to Meroe.

Meroe was rich in natural deposits; i.e., iron, silver, gold, and timber. Historians believe that the knowledge of ironworking spread southward from Meroe.



THE FARM OF THE CATHOLIC MONARCHS

On the first expedition to the island of San Juan Bautista, Ponce de Leon had selected a site near the Toa River where a model farm was later built. He named the farm in honor of the Catholic Monarchs of Spain, Queen Isabel and King Fernando.

When Ponce de Leon returned to the island he set up a permanent settlement. With him he brought plants, seeds and horses. The farm not only attained success in the cultivation of native products like yuca, sweet potato and corn but also served as a laboratory for the cultivation of many vegetables imported by the Spaniards. Among the products imported were sugar cane, plantain, coconut plants and many other vegetables. These products

grew so rapidly in the mild climate of Boriquen that in time they came to be mistakenly considered native to the island. At one point in the island's history such crop as sugar cane and coffee were the basic elements of the island's economy. Coconut trees grew so plentiful that they changed the landscape of the entire island.

The Taino Indians worked the farm under the guidance of the Spanish settlers. The small number of Spaniards on the island made it necessary to use Indian labor. The Indians, because of their great fear of the Spaniards, gave in to the back breaking work without openly complaining, but their attitude of respect towards the Spaniards was beginning to change.



was November, 1973. Unable to post bail, Mr. Purvis remained on Rikers Island.

Throughout his period on Rikers, Mr. Purvis was a member of the art class. He regularly experimented in different mediums. A talented man, he learned his craft in state prison four or five years ago.

During November, the Central Harlem Center of Planned Parenthood conducted an art contest; the winner to receive \$300.00; second award, \$75.00; third award \$25.00. The judging was held at the center on December 5, 1973. Morris Purvis had submitted a crayon drawing entitled "Father's Love". His drawing won second prize.

Mr. Purvis made a scheduled court appearance on December 6th at Brooklyn's Supreme Court. Mr. Purvis explained to the court how he had just won an art contest and requested the court to accept a cash alternative in lieu of the \$500.00 bond. The court again reduced his bail to \$100.00 cash. Morris returned to Rikers and discovered an additional \$25.00 in his account. He has posted his bail and is presently enjoying his return to the community.

A special award should be given to those sisters who conceived the idea and had the courage to award

Christmas is a human feast. It is a time set in the daed of winter that makes us recall our humanity and our participation in divinity. Christ is born! God has become man. He is with us as men, and we are together with Him. Christmas tells us that there is nothing greater than to be a man. To be a man is to face our humanity and to share and grow in it with other men and with God.

To be a man is to be a man with other men as Christ was a man with other men. Christmas reminds us that human community is not a far-off ideal but a hard reality with which we struggle everyday. It is not easy to be a man, but the cry of an infant in the cold desert night tells us that it is not only possible but necessary.

Christmas floods our minds with memories. Small things, a sound or a picture or the smell of evergreen, bring them rushing back. We can withdraw into ourselves and feel alone, but really we are not alone. Our fellow men are all around us hearing, seeing and smelling their own memories. We are all caught up in our own humanity.

Christmas is a time for children, and children are always full of hope and expectation. Once a year somehow we are all children again.

ADULT READING CENTER

by: Gilbert Machado

Besides all of the other activities that take place here at the House of Detention for Men, we have the Adult Reading Center which is headed by Mr. Jim Kimple.

Mr. Kimple, who is a graduate from Earlham College of the University of Chicago, is in the process of completing his doctoral degree at Yeshiva University.

The purpose of the center is to help the incarcerated men advance in their reading abilities. In addition, they try to work with the men on an individual basis. Because not every man has the same difficulty. It is for this reason that different approaches are used in the teaching of "How To Read".

men enrolled in the reading class. A variety of small reading technique tests are taken by the men which they correct themselves with answer key material that is given to them.

Mr. Kimple is assisted by detainee Jose Ayala who helps him interpret to Hispanic speaking detainees, that do not understand English well.

Because of their training in reading, some men can now file for drivers license, job appointments, etcetera. Four men have already been promoted from the reading set to the High School Equivalency class, which deals with subjects other than reading.

Presently there are thirteen(13)

* * * * *

WORD FIND PUZZLE

All the words listed can be found in the letter diagram. The words read forward, backward, up down and diagonally. Words overlap, and some letters are used more than once. Circle each word you find and cross it off the list.

B A R S H A X J O R D A N A Y P
U B M Y O M B F L W F I L H L S
T L O R W A N U A N E R D U U E
U N D C E N K R M I N N N S C D
K C I I K N F E W A G K S A C R
S M G R E I T T D A E N S N I C
Z A J O E N N A R T I N W U N B
I R D L R G I G T K T G N N A C
I S D A N H U N T E R S O B R H
K H B O R K O N T O X T A U G P

brought in his squad, 136 Ruckers, from St. Albans, Long Island to face the Tigers. The team appears to have an abundant array of talent and tremendous reserves of courage. They needed it all.

After the tap, the Tigers immediately displayed that the name of the game is defense. Their collapsing zones sealed off the passing lanes for Rucker. This forced the guards to dribble the ball and the Tigers were waiting just for this moment to start their ball hawking. Led by the tenacious efforts of Rickie Bonner, the Tigers forced Ruckers into making an unusual number of turnovers in the first period. The Tigers were successful in converting the turnovers to their advantage.

The Tigers throughout the first and second quarters used a full court press that appeared to shake the Ruckers' squad into making many miscues. At the half the Tigers led 53 to 38.

During the intermission, Alex Bishop gathered his squad together and told them what they appeared to be doing wrong. He told them that they had to "... get it together." He really must have made some impression on them as they tried to come back in the third quarter.

This picked up the rest of the team and they seemed to be off and running. On a series of fine plays they tried to close the gap. However at the end of the third quarter the Tigers led 80-62.

The final quarter signaled a fierce struggle for domination of the offensive and defensive boards. Ruckers attempted to come back and the Tigers were just as insistent that they would not. Fine defensive play was seen by Bob White, Reggie Brown, Ronnie Ellison, Rickie Bonner and Red Green. At the final buzzer it was the Tigers over Ruckers 101 to 85.

(con't on page #13)



GOING TO THE HOOP

by: Pete Lumumba

Saturday, November 24, 1973, the annual institutional basketball got underway with a very exciting game. The principals were, the Rikers Island Tigers against the Pen Correction Officers.

It's been well established, that the Tigers possess an awesome array of talented players; however, it must be stated that the C.O.'s must not be overlooked.

When your reporter arrived at the gym, both teams were warming up. Both teams appeared anxious, awaiting the initial tap. As I am an inmate I naturally went to the Tigers bench to check them out at a closer range. They impressed this reporter with their style of gettin' down and also the teamwork required to win ballgames.

The C.O.'s on the other hand were so slow getting started that it appeared the players were recruited from a local undertaking parlor.

For the first twenty minutes the game looked like a rip-off for the Tigers. At the end of the first quarter, the Tigers led twentyone to six. The C.O.'s were disorganized and appeared dazed by the Tigers style. The second quarter was another story altogether. C.O.

47 all. It took a great team effort to put the C.O.'s back in the game, and it appeared that the extended drive in the last quarter sapped their energy for the overtime.

In the overtime period the Tigers really showed their class. The tricky ball handling of Richie, faked C.O. Jones right out of his sneakers. The jazzy play-making of the Tigers backcourt, the powerful rebounding of brother Robert, the deadly shooting for Watkins and Greene, who were high with sixteen points, and the defensive efforts of Rennie who was all over the court. The final score was: Tigers 57, C.O.'s 53.

(con't from page #12)

TIGER'S STILL JOIN' IT

The Tigers superb efforts were tarnished by the mediocrity of the officiating. It was obvious to fan and players that the referees did not know how to position themselves in order to make the proper calls. C.O. Ace Barnes made many efforts to keep up with the fast-breaking squads. However his infirmities were obvious to us all. The legs are gone. In fairness to Barnes, it must be said that in his youth he was an excellent ref. The other

Loving you is not the dream of the vision
in your eyes

It is to search endlessly for a shadow...
It is to search for you with a desperate
loneliness

It is to follow you like the sound of lamentation
To roam around with frenzy in my heart
muttering your name

And forever loving you
Lose my voice in the wind

IT'S COMING

by: Donnel Brown

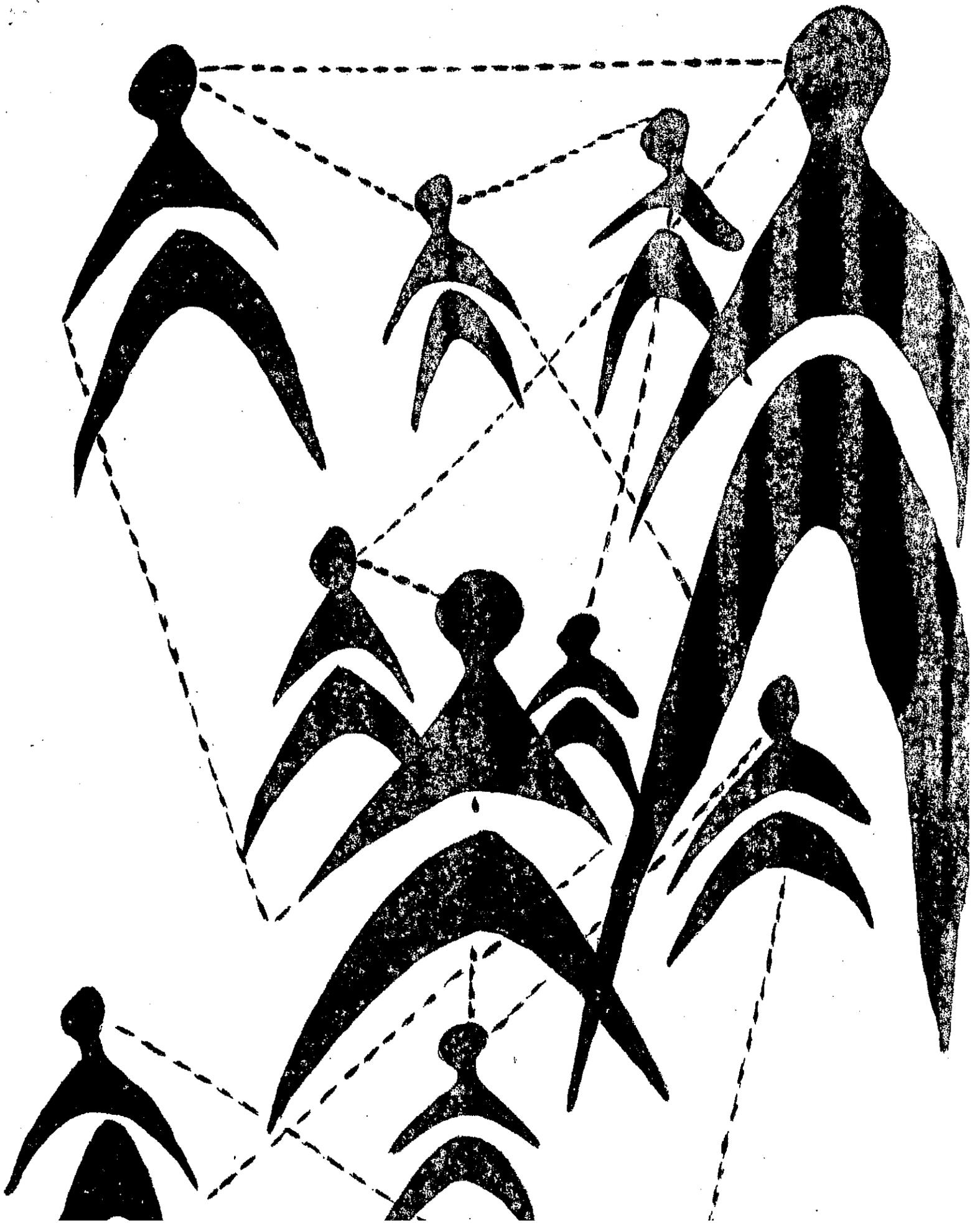
I see it coming, its coming very fast,
Its the day of doom, its the very last.

A revolution's rising,
A change is on the way,
Do you want to be around,
On that dreadful day?

There will be no room,
For pimps, whores, or drunks,
Step back Uncle Toms,
Scary cats, and punks.

No time to load weapons,
And no place to run,
Forget about the bomb,
Throw away your gun.

Use your knowledge,
Your wisdom and understanding,
Stand up and unite,
Stop begging and start demanding.



with a rendition of Silent Night. The group consisted of the following men: William Love, H. Jones, James McKenzie and Marlon Brandon.

The program director, Assistant Deputy Warden Roy Caldwell stated that he was amazed at the exceptional behavior of the children. The parents should be very proud of their offspring.

Commissioner Benjamin Malcolm stayed throughout the afternoon and feels that this type of project should be an ongoing endeavor. He was favorably impressed with the entire afternoon.

After the visiting period was over, Commissioner Malcolm toured the program area. He viewed the art display room and was enthused over the production of art work and its quality.

Mrs. V. E. Cooke, secretary for the program director and a mother of four, stated that she observed the men with tears in their eyes and many overcome with emotion at being able to be so close to their families.

The media was well represented by Gabe Pressman of the channel 5 news team, and a reporter for the New York Times.

The New York City Department of Correction has in each of its institutions an Inmate Advisory Committee. At this particular facility, the council meets in executive session weekly with representatives of the administration; Assistant Deputy Wardens Alexander Jenkins and Roy Caldwell. Once a month the warden chairs the meeting.

Your participation in the bi-monthly elections is desired. This is your opportunity to correct any legitimate grievances or problems you feel exist. C.O. Arthur Sumlin is the liaison officer. Any questions you may have on the committee you are advised to see Mr. Sumlin when he comes to your block.

* * * * *

ATTENTION ALL HANDBALL PLAYERS

H.D.M. is currently conducting a Handball Tournament. The tournament is for two (2) man teams. It is being led by Mr. Holman, the civilian recreation leader and basketball coach.

There is only one (1) prize, a carton of cigarettes per player of the winning team. Only the institutional champ will get the prize, so if you think that your good enough to win give it a try.

DECEMBER

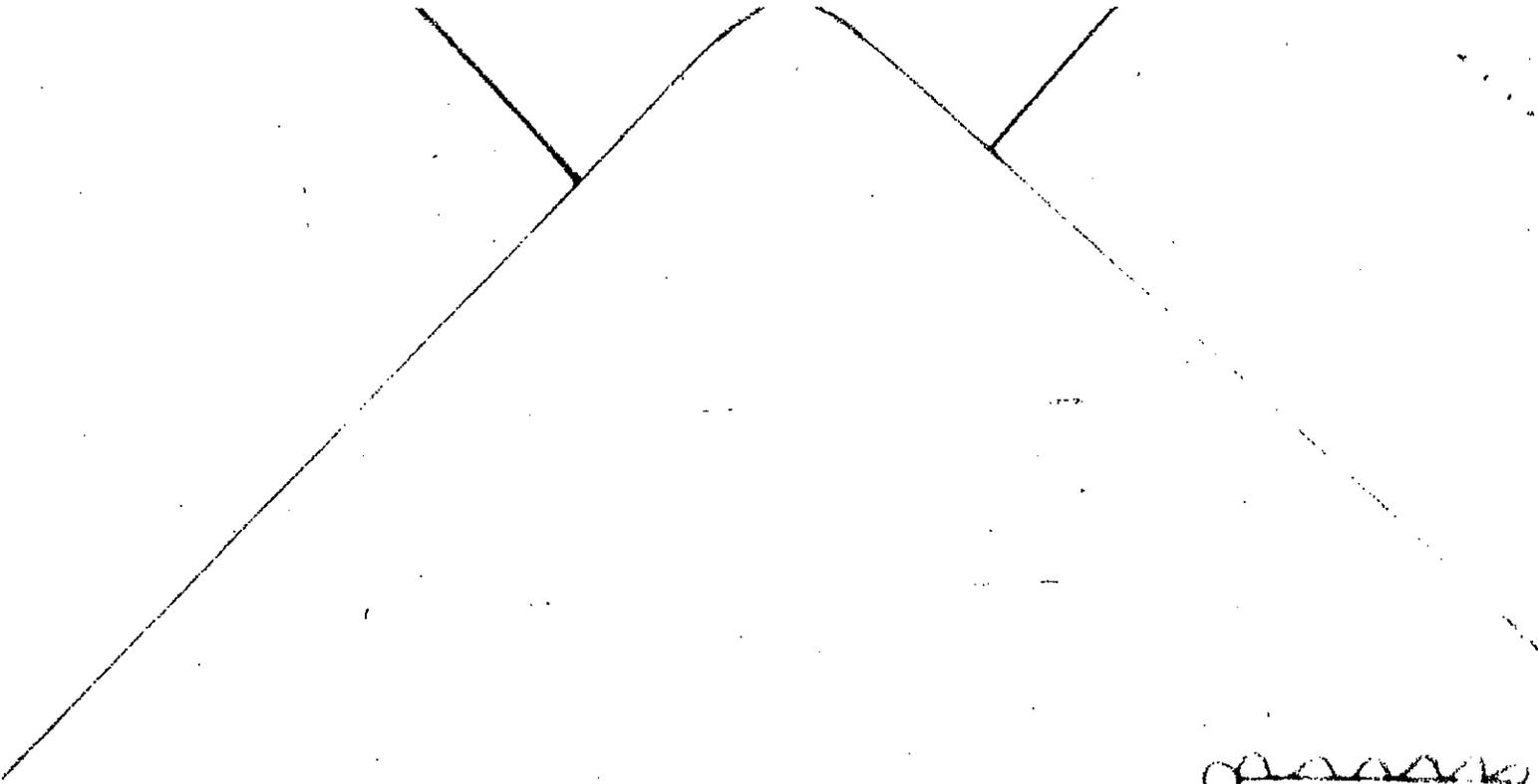
1973

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JANUARY

1974

SUN	MON	TUES	WED	THUR	FRI	SAT
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ISLAND ISSUES
N.Y.C. House of Detention for Men
14-14 Hazen Street
East Elmhurst, N.Y. 11370

PLACE
STAMP
HERE

My name is Poonam and I am a long time resident of Richmond Hill, Queens. I am leader member of DRUM - Desis Rising Up and Moving, an organization, which organizes low-income South Asian and Indo-Caribbean immigrant workers, adults, and youth to fight for education, worker, racial, and gender justice.

Investing in prison only does more harm to our communities especially in Queens which is home to many working class immigrants. Poor working families try to go about their daily lives by going to work and school, yet they are **constantly surveilled and harassed** for being poor. Instead of investing \$10 billion to better fund our schools, our libraries, our parks and our people, the city would rather criminalize people of color.

Undocumented folks face constant anxiety and threat of deportation every time they are stopped by NYPD and the threat is all around including minute details in our everyday lives. Arrests and charges of immigrants can lead to ICE interaction. Here in Queens, there have been several cases of ICE picking up immigrants at the Queens Court House. The proposed jail proposal will put immigrants, especially undocumented immigrants, lives in danger. Because **if you build a jail, the police will fill it**. And they will fill it by increasing their policing even more of working class communities of color.

Furthermore rent prices are increasing due to gentrification in Queens that has caused sharp increases in rent, displacement and the cost of living. These luxury developments are not for working class people. By building more jails the city has made it clear that **prisons are the new homes for poor people**. The city would

rather criminalize the poor than invest in them and provide resources including better health clinics, job trainings and affordable housing which would help our communities flourish.

WE cannot say NYC is home to new opportunities if the only opportunity for working class people of color is detainment and detention. **While Mayor de Blasio claims that NYC is a sanctuary city, WE know that we can not be one if we are putting our people in cages.**

FOR THE RECORD

My name is Darren Mack. I was born and raised in Brooklyn. At the age of 17, I was arrested for being an accomplice to a robbery, charged as an adult, and incarcerated on Rikers Island. At that time, there were over 20,000 people detained on Rikers. Unlike today, there was no interest, no concern, and no media attention about the dehumanization and culture of violence that thousands of people like myself experienced on Torture Island. I served 19 months of hell on that penal colony. After serving 20 years from a 20-40 year sentence in prison, I returned home to the city that I love and found that the culture of violence and human rights violations on Rikers still remained. That is why I got involved with the campaign to close Rikers. Rikers is a human rights crisis. Closing it is urgent and cannot be delayed.

To enable the fastest possible closure of Rikers, I support the plan to go from 12 jails across our city down to 4 borough-based facilities unlike anything we've seen before, but with important conditions that will improve the plan. Any delay or opposition to move forward with this plan is a vote to keep Rikers Island open.

The idea to shrink the system, decarcerate and put forth a justice reinvestment plan to build communities came from directly impacted people and we want to ensure our input is reflected from now through completion. This campaign in particular has gotten the furthest in securing closure of Rikers, but we recognize that people have worked for decades to close the Rikers Island jail complex, and many of those leaders are still in this fight. Thanks to their advocacy - denouncing racist policing and criminalization -- while New York has capacity to jail 15,000 people - all those beds are not all filled. We must keep going.

The Mayor proposed a system that is smaller. He proposed to shrink the jail system from 15,000 beds to 6,000. With community input it has been reduced to 5,750. Then factoring in the recent passage of new criminal justice reform legislation on the state level, the number was reduced to 4,000. The continued work with our partner organizations on the state, city, and local level, demanding that the Mayor to reign in the NYPD to stop criminalizing people with mental health issues, feeding them into the pipeline to Rikers, and removing the hundreds of men, women, and

young people with serious mental health issues on Rikers now, and into therapeutic settings, this borough based plan can even be smaller. This, along with other reforms being passed and legislated right now, these facilities can be **a maximum capacity of 3,000 beds**, and designed in way that as the population drops it can be easily converted and used for something other than a space for detention.

The Mayor proposed a system that is safer. Conditions are important, but culture is equally important, because the culture of violence on Rikers is bred by its isolation on an island and decades of mismanagement by the Department of Corrections. Therefore, it is time to end the absolute and unfettered unaccountable power of DOC in these new facilities. If the design is going to be different, the management should be different. DOCS has been stubbornly unwilling and historically unable to manage Rikers safely. Therefore, their role and control should be diminished. Professional social workers, reentry specialists, transformative justice practitioners and the like should manage these facilities.

The Mayor proposed a system that is fairer. 89% of the people on Rikers are Black and Latino, and they come from neighborhoods like Brownsville and East New York which have been historically under-resourced. That's not fair. 300k to incarcerate a person on Rikers for 1 year, while community centers in communities of color and public libraries have closed due to lack of funding from the city. That's not fair. Crime in our city is at historic lows, but the NYPD budget is at historic highs of over 5 billion a year, and our schools have more cops than counselors. That's not fair. **Investments are choices and those choices have created a tale of two cities.**

Let's do something different. Our #buildCOMMUNITIES platform is calling for investments in housing, mental health services, and essential services that would divert people from going into the system in the first place. These investments in basic needs can be made right now on the front end. This plan has the potential to save our city 500 million dollars a year. The vocational, educational, and other stabilizing programs being proposed in these new facilities must also be created and funded to scale in currently under-resourced communities, outside of the carceral

system. This would not just benefit some communities, but ultimately this benefits our entire city.

Our #buildCOMMUNITIES demands are comprehensive and they are the best thinking of directly impacted people including a variety of experts who have compiled the best solutions in public health, housing, violence prevention, transformative justice, education, restorative justice, and other necessary projects to heal our communities and ensure we can thrive. In order to one day get to a population of zero - we believe a new field that prioritizes these solutions must be funded to scale over several generations.

To seize this moment and finally end this moral stain on our city, I urge you to support the borough based plan but with the important conditions outlined by directly impacted leaders who have brought us closer than ever to closing the last penal colony in the United States.

Thank you!

Darren Mack

Statement to City Planning Commission

Re: borough based jail plan

Good afternoon everyone, my name is Tamika Graham. I'm a lifelong New York City resident, I am formerly incarcerated, and I am HUMAN. I am testifying today in support of the plan to go from 12 jails to 4 borough-based facilities. Along with other formerly incarcerated people, I am also urging the City Council to ensure that this plan also comes with commitments to further investments in alternatives to incarceration, and treatment for mental health needs.

Rikers Island must be closed down immediately. It serves no positive purpose. I was on Rikers Island for the first time in 1995 while at the tender age of 16. I had to learn to develop a thick skin and I had to learn how to survive, otherwise Rikers Island would have chewed me up alive and spit me out. When I was back at Rikers Island years later, I found that toxic culture as unchanged as the toxic environment.

Because of the work of formerly incarcerated advocates, we've made progress. With Raise the Age, adolescents are no longer on Rikers. And we passed bail reform that will keep thousands of people across the City (and state) from spending even a day in jail.

But there is more work to do and not everyone will be free yet. Rikers is not an environment fit for any human being, and we won't leave anyone behind there. The time is now and we cannot delay. Moving quickly with this approval process is the right thing to do to match the urgency of the human rights crisis on Rikers Island, and the poor conditions of other existing City jails.

In closing Rikers, we must also invest in our communities. This downsizing of the jail system will set us up to permanently reduce how much money we spend on it each year. It costs taxpayers \$300,000 to jail one human on Rikers annually. We could instead use it for schools, recreation centers, healing and restorative justice centers, credible messengers, alternatives to incarceration, job training, housing, treatment programs, growing gardens and anything else that fits the needs and betterment of the community. These are the type of investments that will help us, over time, continue to reduce the jail population in this City and

the prison population across the state. But we cannot get to that point without first crossing this threshold.

So please, pass this plan, and heed the demands of the #CLOSErikers campaign to make this a plan to shrink the system, improve conditions, AND invest in communities.

Testimony to the New York City Council

September 5, 2019

I'm Insha Rahman from the Vera Institute of Justice. I'm a former public defender, a researcher, and a long-time New Yorker.

Over the years, I've visited loved ones and people I've represented at the jails at Rikers Island, the Boat, the Tombs, and the Brooklyn House of Detention. I've seen firsthand the violence and danger within those walls. We cannot in good conscience condone the existence of facilities like these that do not provide safety for people incarcerated there. We must close each and every one of them without further delay.

And, for now, they must be replaced with safer and better jails in our communities.

Voting yes on closing Rikers and building new borough-based jails is not at odds with striving for a day when jails become obsolete. As a city we have already come further than we could have ever imagined in delivering public safety by using incarceration less. And we can—and must—go even further.

First, invest in the services and resources that build our communities. It will cost \$260 million a year to provide housing, education, and supportive services. Before we spend \$8.7 billion to close Rikers and build new jails, commit to spending a fraction of that amount on the resources that help people thrive.

Second, set the bar high for how low we go in the use of incarceration. There are 7,100 people in jail today. The new bail laws will get us under 5,000 and parole reform will land us closer to 4,000. By arresting less, expanding diversion, investing in pretrial services, and providing more effective alternatives to incarceration, we can reach an average daily jail population of less than 3,500.

As we build new jails, think to the future and a day when we will not need them. Build them in a way that allows for flexible and evolving use—as future community centers, libraries, grocery stores. Design them as spaces that we would be proud and eager to repurpose for another use.

Finally, as long as we have jails, create a culture where the prevailing values are human dignity, respect, and autonomy—not violence and control.

The idea of closing Rikers used to seem like a pipedream. Today, it is entirely within reach. In the future, the idea of no jails can be within reach too. But today, moving forward with a vote of yes to the plan before us does not end the power you have to invest in our communities to deliver on public safety—now and in the future—that we as New Yorkers deserve. We owe it to ourselves to do so.



The Fortune Society
In Support of Borough-Based Jails
Testimony by Gina Williams Presented by April R.

^{Danvers}
Hello my name is April Rodriguez, my colleague Gina Williams is taking her daughter to her first day of school today, so I am reading testimony she prepared.

I am testifying today as a mother, a Brooklyn resident, an advocate and employee at The Fortune Society. I currently live with my daughter a couple blocks away from the proposed Brooklyn community jail site. After being incarcerated on Rikers Island, I stand here today in support of building the community jails.

If my incarceration experience had a famous title, it would be named after “The Tale of Two Cities,” but with a much different plot! I’ve been confined in Rikers Island and in Bedford Hills Correctional Facility. Rikers is a jail and Bedford is a maximum security prison. Yet every day I thank God that Bedford Hills exists and hope Rikers closes.

Rikers Island is a dark, cold, destructive, and dehumanizing place. It dragged me down to one of the lowest points in my life mentally, emotionally, and physically. I found out I was 2 weeks pregnant at intake. For the first 5-6 months, I had to share a cell. Which meant struggling with nausea, heartburn, vomiting, headaches, dizziness, leg cramps, and everything else associated with pregnancy in a tiny space with an open toilet – in front of a stranger.

Yet, the people I was incarcerated cared for me the most. People brought me food when the guards refused to allow me to eat, sometimes for days at a time. Food is a source of control. I was told they “were going to break me,” because they didn’t like the way I spoke. I was “too tough for a pregnant lady,” whatever that means.

Like many women, I was subjected to inappropriate physical behavior. Rikers has too many blind spots not captured on any camera, or only filmed one camera at one angle. There is also inadequate real-time monitoring of the footage which should be handled by an external agency.

But finally, one day I reached the other city- Bedford Hills Nursery Program. A place with windows streaming in sunlight, walls painted in bright colors with characters from children’s books, rooms filled with toys, sounds of people singing friendly songs, and most importantly staff that care about the well-being of me and my child.

I could finally breathe again. I was in a place where I could actually see myself becoming a parent. Some of my best friendships started there and continue to this day. I really do believe it’s because the environment there felt like a community. My relationship with my daughter, is without a doubt, stronger as a result. I never had to miss a day of her life thanks to that program, and without that first 18 months, I don’t know if our bond would’ve been as strong. I am forever grateful that I was able to be with her.

Please support this plan, because every parent should have the opportunity I had at Bedford, and no one should have to be subjected to the way we incarcerate people on Rikers Island. We are all human.



The Fortune Society
In Support of Borough-Based Jails
Testimony from Danielle Whyte

Good afternoon, my name is Danielle Whyte. I am an adult education teacher at The Fortune Society. I am honored to be part of this hearing today alongside my students and fellow Beyond Rosies coalition members. Decades of advocacy laid the foundation to bring us all here today to discuss a plan that will reduce the number of people confined in New York City jails by two-thirds. Such a giant step forward to decarcerate our city will create a real-time pathway to closing Rikers Island- reform so radical many people say it's impossible.

Maybe it WAS impossible, UNTIL people directly impacted by the harm Rikers Island causes said this has to stop. NYC can be better. Our society must do better. As a result of this brave leadership, our city finds itself at this imperative crossroads facing us today. A chance in history to continue the status quo or an opportunity to course-correct for our future.

Focusing resources on punishment, isolation, and deterrence does not facilitate success upon reentry. Which is why we cannot talk about improving Rikers Island as a permanent solution. Although improvements, such as adding programming offered by agencies like The Fortune Society, have been made and we acknowledge those steps in the right direction- they pale in comparison to the overhaul plan before us here today.

No matter what, Rikers Island will still be far away- intentionally out of sight out of mind. Continuing to intentionally isolate people far away from loved ones, community, supportive services, legal guidance, etc. It will allow the stigma and shame of "being on Rikers" to continue, rather than owning our truth as a society. As long as incarceration exists, the issue and the people it affects should not be cast away as someone else's problem because this is a societal problem and must be dealt with as such.

I've seen how the current punitive methodology traumatizes students, detracting from a person's ability to feel safe, hindering one's ability to concentrate in a room with other people, and building walls that won't allow people to be vulnerable. Students have felt afraid to seek shelter in the NYC system after being forced to share space during detention, choosing unsafe living options or even sleeping on the train instead. People without mental health symptoms at arraignment understandably left incarceration requiring mental health treatment and/or using substances to cope. This is not the way forward, this is not how our city should be treating people.

My students and I are here today looking to you to interrupt the status quo. To stand up and send a message to New York City that this will NOT be allowed to continue happening on your watch!

Please help protect future learners and strengthen our communities by ensuring we decarcerate NYC, invest in our neighborhoods, and confine the least amount of people possible in the best conditions possible.

Testimony of Mia Soto
On behalf of New York Lawyers for the Public Interest
Before the New York City Council
ULURP Hearing on Borough-Based Jails

Greetings. My name is Mia Soto. I am the Community Organizer for the Health Justice Program at New York Lawyers for the Public Interest (NYLPI).

On behalf of NYLPI, I thank the Council members for conducting this hearing.

NYLPI's strong commitment to racial equity, health care justice and disability rights in New York has led us to support the work of the Close Rikers coalition and other grassroots organizations which are pushing for reform in the criminal justice system and expansion of community investment by the City. After polling the needs of the community, NYLPI urgently advocates for investment in community-based systems and resources that support and keep people safe -- especially those with mental illness. An extensive network of neighborhood mental health services is critical for those with disabilities. Additionally, the City can decarcerate a significant number of individuals with mental illness if they are diverted to appropriate community alternative resources.

Our criminal justice system reflects a historical and continuing lack of investment in the health and well-being of communities. On any given day, more than 9,000 people are detained in the New York City jail system¹. Over 43% of those held in city jails are diagnosed with mental illness². While an additional 6 to 15% of those individuals are diagnosed with a serious mental illness, including schizophrenia, bipolar disorder, major depressive disorder, and post-traumatic stress disorder, with a marked increase during the last four years³. Once placed into the criminal justice system, they are not provided adequate treatment and support services, which ultimately leads to worsening health conditions⁴. These individuals often serve longer sentences and their incarcerations are more costly⁵. These individuals also have a 47% higher risk for repeat incarcerations, and they return to prison more quickly than those without a mental illness⁶. Early

¹ SCOC, Jail Daily Population Reporting System – 1-28-2019

² Weisman, R., Lamberti, J. & Price, N. *Psychiatry Q* (2004) 75: 71.
<https://doi.org/10.1023/B:PSAQ.0000007562.37428.52>

³ Fuleihan, D., Newman, E., (2018, September) Mayor's Management Report. Retrieved from
https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2018/2018_mmr.pdf

⁴ Sarteschi C. M. Mentally Ill offenders involved with the U.S. criminal justice system: A synthesis. *SAGE Open*. 2013;3(3):1–11. doi: 10.1177/2158244013497029.

⁵ Gill, K. J., & Murphy, A. A. (2017). Jail Diversion for Persons with Serious Mental Illness Coordinated by a Prosecutor's Office. *BioMed research international*, 2017, 7917616. doi:10.1155/2017/7917616

⁶ Dolnick, S.(2018) The Insane Way Our Prison System Handles the Mentally Ill. New York Times.

intervention in health care, housing, employment and other social services is critical to reducing recidivism for formerly incarcerated and re-entering individuals with mental health needs⁷.

This is, therefore, the right moment for the City to change the narrative around mass incarceration and make critical investments in resources that can meet the needs of people with mental and behavioral needs. **NYLPI calls on the City to listen to the communities' consistent demands for more effective healthcare services and greater investment in resources that ensure public safety.** By meeting these needs, the City has the potential to save more than \$500 million dollars per year in incarceration costs⁸, which will allow further investment in other resources.

Additionally, we strongly urge the City to place the welfare and wellbeing of communities first by:

- 1. Providing free, quality, community-based mental health services that both prevent and respond to mental health crises. These services must be provided outside the carceral system and should prioritize peers and local community members in paid roles.**
- 2. Expanding supportive housing which is a critical aspect of stability for New Yorkers with mental health needs. Additionally, the City must expand the range of housing options to include more units that allow families to stay together and accelerate the rate of development of new units.**
- 3. Tackling the unemployment and underemployment of communities ravaged by mass criminalization, with the goal of creating efficient pathways to living wage employment and entrepreneurship, with real opportunities for economic mobility.**
- 4. Reinvesting in our schools and education to end the generational cycles of poverty and oppression that have negatively impacted our communities, including increasing the number of social workers, therapists, career advisors, mentors, resource liaisons and in-school healthcare services , in order to support the needs of students with disabilities, those facing homelessness and those who are English Language Learners..**

⁷ Milgram, A., Brenner, J., Wiest, D., Bersch, V., Truchil, A., (2018) *Integrated Health Care and Criminal Justice Data - Viewing the Intersection of Public Safety, Public Health, and Public Policy Through a New Lens: Lessons from: Camden, New Jersey*

⁸ Independent Commission on New York City Criminal Justice and Incarceration Reform (2017). *A More Just New York City*. Retrieved from <https://static1.squarespace.com/static/5b6de4731aef1de914f43628/t/5b96c6f81ae6cf5e9c5f186d/1536607993842/Li ppman%2BCommission%2BReport%2BFINAL%2BSingles.pdf>

We are optimistic that the City will listen to its constituency and take into consideration our demands for transformative change in the criminal justice system and the need for investment in resources that will advance equity for all New Yorkers. City investment in community-based resources will enable communities to flourish.

Thank you.

About NYLPI

For over 40 years, NYLPI has been a leading community-driven, civil rights advocate in pursuit of equality and justice for all New Yorkers. Led by the communities' priorities, we continuously fight for equal access to healthcare, education, government services, housing and a clean environment. NYLPI's Health Justice Program brings a racial equity and immigrant justice focus to health care advocacy in New York City and State. Utilizing a broad range of advocacy tools, we aim to challenge a myriad of intersectional barriers and inequalities that promote health disparities, and racial and ethnic discrimination.

FOR THE RECORD

PRESBYTERY OF NEW YORK CITY

Justice Ministries Committee
475 Riverside Drive, Suite 1600
New York, NY 10115-0240
Tel: (212) 870-2221
On the Web: www.nycpresbytery.org
Email: mkoenig@presbynyc.org



5 September 2019

My name is the Rev. Mark Koenig. I am a minister in the Presbyterian Church (U.S.A.); I serve as the Advocate for Justice Ministries for the Presbytery of New York City.

I thank you for your time and service as you consider the question of closing the jail facilities on Rikers Island and replacing them with borough-based justice facilities. This step is crucial to take for two reasons. The jail facilities are an abomination filled with human rights abuses. They must be closed. You also have an opportunity and moral obligation to transform the justice system not only in New York City, but across the country. You do so by voting yes with conditions that replace the current system with a system of restoration and wholeness.

Vote yes with the condition that the City commit that the new facilities are designed differently and operated differently from the current facilities. The new facilities must have the least restrictive conditions possible. People should not be locked in cells or cages. The facilities must be built with the intention to end the practice of solitary confinement, and the Council must continue to the Department of Corrections accountable to curtail the use of isolation and restrictive housing in all forms.

Vote yes with the condition that the City move away from a model of retribution and move to a model of restoration. Healing renewal must become the goal for those incarcerated rather than punishment. Restoration will involve diversion and recovery for those with substance dependencies, as well as opportunities for education, job training and other skills needed to function effectively as returning citizens.

Vote yes with the condition that the people managing and running the facilities be willing, and have the capacity to provide, a restorative model. The current Department of Corrections, built on the model of punishment, needs to be replaced with a staff trained in, and committed to, restoration and rehabilitation.

Vote yes with the condition that the language the City uses is changed to people-first language: "people who are incarcerated and people who have been incarcerated," for example. Such a change establishes the humanity of the people involved and makes it easier to treat them with the dignity and respect they deserve.

In closing the facilities on Rikers Island and replacing them with borough-based criminal justice facilities, you can end the tragedy that they represent and you can transform the culture of incarceration in the City. This can serve as a model for cities across the country. I urge you to vote yes with conditions.

The Presbytery of New York City is a community of 103 congregations with some 14,000 members across the five boroughs.

Sincerely,

The Rev. W. Mark Koenig
Advocate for Justice Ministries



TRANSITIONAL COMMUNITY INC.

Good afternoon,

My name is Kandra Clark. I am the Associate Vice President with Exodus Transitional Community, a preventative, reentry and advocacy organization located in East Harlem; our founder and 90% of our staff are directly impacted, and like almost all of our participants, we have been detained/incarcerated on Rikers in the past. In addition, I am a leader on both the Close Rikers and Beyond Rosie's Campaigns. Most importantly, I am a directly impacted woman who experienced first-hand the horrors of the Rose M. Singer Center for a period of 4 months. You all have heard me testify throughout the URLUP process around the abuse, harassment, and inhumane conditions on Rikers, including the deteriorating buildings that lack adequate space for programming and are isolated from family, counsel and community.

Today, I want to discuss the reasons why you should vote yes with conditions to the Mayor's Plan, with the conditions being repeatedly outlined by directly impacted advocates. Most importantly, the Close Rikers plan calls for 3,000 people or less in the new facilities, with realistic strategies to continue to decarcerate while we create transformative healing and justice practices that will allow us to reach our goal of abolition while keeping our communities and families safe. Our BuildCommunities Platform outlines the community and preventative investments needed to end mass incarceration in NYS and beyond. Funding for Cure Violence Interrupters, Credible Messengers, medical mobile units in lieu of NYPD command centers, diversion centers where people retain all of their civil rights, youth centers, employment training and education programs, etc. will ensure our communities have access to the resources they need to be successful. The money saved through the closure of Rikers can be used to invest in these resources and much more. In addition, the island can be used as a renewable energy source for the entire city, creating better health outcomes for all New Yorkers, through the Renewable Rikers Act, which we strongly support and hope you do as well.

Furthermore, with respect to the design and culture of the new facilities, we must NOT sacrifice space for programming and humane conditions for people by reducing the height of buildings to accommodate NIMBYism. Reducing the height of buildings should come from continued decarceration efforts and investments for alternatives-to-incarceration even for those people facing more serious violent felonies. Hurt people, hurt people, and as a society, we must devise new ways in which to hold people accountable, such as providing them with the opportunities to succeed and break the cycle of crime overall.

Finally, the culture of NYC jails will only change with a new staffing structure put into place. Job descriptions of workers should address the root causes of incarceration. The same way schools need social workers instead of police, the new facilities need credible messengers, educators, employment training providers that offer certifications that provide people with careers, therapists, etc. instead of correctional officers. People with serious mental illness and substance use disorders should be placed in hospital settings as opposed to the new borough-based facilities. And, solitary confinement must be ended! We don't use solitary confinement outside of jail/prison to deescalate situations or work with people who experience violent episodes, so why is it acceptable in jails? As directly impacted advocates, Exodus looks forward to continuing this work to transform our justice system.

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Board of Directors: Rev. Dr. Lonnie McLeod, *President Emeritus* | Robert Hall, *Chairman Emeritus* | Michael Luciano, *Chairman Interim*
Wayne Atwell | Michele Davila | John Gilbert | David Hobert | Ruedi Laager | Yumari Martinez | Ashely Morrissey | Ashish Prashar
Katina Rojas Joy | Joe Turner



Good afternoon,

My name is Frank Genco. I currently work as an Employment Specialist with Exodus Transitional Community, a preventative, advocacy and reentry organization located in East Harlem. In the 90s, I spent over 6 years on Rikers. I was also incarcerated on Rikers in 2006 and 2007. Most recently, I spent another 3 years incarcerated on Rikers from 2013-2016. Throughout all of my times on Rikers, I experienced brutality. While beatings from officers were worse as an adolescent during my time on Rikers in the 90s, my time from 2013-2016 was not better. I was pepper-sprayed repeatedly and watched other incarcerated individuals with Asthma also being sprayed both directly in the mouth and in the eyes. We received no medical attention and were placed in cells without running water for hours. In addition, officers continued to abuse people, including myself, who were handcuffed behind their backs. I was once even thrown down a flight of stairs (with several other incarcerated people) with flex-cuffs on behind my back.

I urge you to vote yes with conditions to the Mayor's Plan, to ensure that the conditions outlined by Close Rikers campaign and Build Communities Platform are included in this plan. Rikers Island cannot be renovated. The conditions of the buildings are deplorable and the health-related issues experienced by people are unacceptable and inhumane. New facilities must be designed with continued decarceration efforts at the forefront. We can reach a number of 3,000 or less people incarcerated. We can shrink our current system by 75% and beyond.

Most importantly, preventative measures such as increased funding for employment training opportunities must be included in this plan. Our communities need access to resources and careers to end the cycle of poverty and mass incarceration. For those who remain incarcerated, we also need increased funding for vocational programming and apprenticeship training that is up-to-date with industry standards.

We look forward to continuing to work towards transforming our justice system into one of healing and accountability. Thank you for your time today.

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Walker Street Block Association- Eric Dillenberger 9/5/19

Ericdillenberger@gmail.com 718-935-1111

The jails proposed are the tallest in human history. They are budget busting experiments in carceral fantasy, without heed to practicality, physics or history. For 180 years we have been building new jails in Chinatown, always believing that the new one would solve the problem of the old one, a system which has proven ineffective. As each jail failed in succession, Rikers was meant to be the solution. CLEARLY IT IS NOT.

This experiment will be ^{ONE OF} the largest line item expenditure in our municipal budget for years. The priorities are mixed up. If crime might be viewed as a pathology, the first line cures are education, health, housing and nutrition, not jail building. Policing and incarceration are societies last line of defense, but jail building will eat up all the resources at the expense of the others.

Worst of all we believe this experiment will fail. The jails are too tall for practical use. You cannot engineer yourself out of certain physics problems. How do you get inmates, corrections officers and staff out of a burning tower, or timely respond to emergencies. How do you keep everyone safe? In a tower you do not. Jails worldwide are low rise for a good reason.

This is a lose, lose, lose, lose scenario. You do nothing to prevent the root causes of crime, you needlessly carve up residential neighborhoods, you do not protect the incarcerated or their minders, and you mortgage the future of generations.

Robert Moses infamously carved up NY with grand visions. You do not 'Robert Moses' your way out of this social problem, you 'Mother Teresa' your way out of this problem. Protect, feed, heal, ^{WORKS} and educate first.

Who do you want to be remembered as?

Thank you

Prepared Testimony for the New York City Council

September 5, 2019 – Hearing on Borough Based Jails Plan

By: Shawn Hudson

My name is Shawn Hudson, I am a resident of the Bronx, and a member of No New Jails NYC.

This hearing is not a debate about the fate of Rikers Island. We can all agree that Rikers Island is an archaic, diabolical structure that was created to enforce modern enslavement, creating a culture that breaks – and does not rehabilitate - those that are sentenced there.

We can also agree that this isn't a debate or argument about land, or who doesn't want this jail in their backyard.

This hearing is about more than that. It is a debate about our city's infrastructure crumbling each and every single day, while we plan to spend billions of dollars on new jails. They say there's no money for our children's future, and that there's no money to improve NYCHA, and yet there's \$11 billion for new jails. There's no money to create affordable housing to help the homeless and there's no money to fix the MTA, yet somehow, some way, they can find billions and billions of dollars to fan the flames of mass incarceration for generations to come.

In short, we don't have money for classrooms, yet we have money for cages. Yet we have money to keep over 500 cops in subway stations across the city. Yet we had enough money to pay Eric Garner's killer for five years while we waited for the slow gears of justice, which often grind to a halt when Black and Brown people's lives are in the balance.

These politicians are nothing more than sales people, they tell you whatever you wanna hear and when they get elected your left talking to their voicemail. So I guess your slogan is cages and coffins for the poor; freedom sold separately. Being poor isn't a crime, being Black or Brown isn't a crime. Being Queer or Trans isn't a crime. Yet anyone who fits that description is criminalized in this city. Putting prisons in the hood don't guarantee the closing of Rikers Island, they'll just guarantee that more victims like Kalief Browder and Layleen Polanco are coming soon to a hood near you.

Close Rikers now. And don't build any new jails in the process.

Statement to City Council

Re: Borough Based Facilities

My name is Herbert Murray. In 2016, I joined JustLeadershipUSA to launch the #CLOSErikers campaign on the steps of City Hall, because I myself have suffered the inhumane conditions of Torture Island, and because I believe "Those closest to the problem are closest to the solution but often furthest from the resources and power."

I urge the City Council to vote yes to this plan to build borough based facilities so we can close Rikers Island in the next few years. I also urge you to listen to and fight for the improvements that we're asking you to consider.

When I was arrested, I was only 21 years old and my daughter was only 13 months. When I was held the Brooklyn House of Detention at first, my daughter and her mother were able to visit me, and so was my lawyer. But later I was transported to Rikers Island. Instead of one it was a whole complex of jails - it was chaotic, full of anger and despair. The only thing I looked forward to were visits from my family, but I almost didn't want them to come because of that environment.

And my trial. It dragged on for two years. I remember being dragged back and forth to Rikers Island, waiting all day for court, sometimes missing court dates because it took so long to get there. It was demoralizing. I feel sure I would have had a better chance of fighting my case if I weren't on Rikers. **A better chance at fighting my case could have saved me from serving more than 25 years upstate for a crime I did not commit.**

The smaller, borough facilities will give us a chance to start over. You hear me saying "facilities," not jails, because I do not accept that these will be anything like the jails that exist in this City right now. Those jails, especially Rikers, were designed for punishment. Directly impacted people will keep fighting through the next stages of this process, to make sure these community based facilities create a true chance at rehabilitation, and are run by people who can and will create the environment.

Lower East Side Power Partnership
Testimony to New York City Council
Landmarks, Siting and Maritime Uses Sub-Committee
On Borough Based Jail System
September 5, 2019

The Lower East Side Power Partnership (LESPP) has a few concerns related to the closing of Rikers Island and the proposed Borough Based Detention System.

Location

LESPP advocates for meaningful community engagement in the selection of a location for the proposed Borough Based Jail System.

At the March LESPP 2019 Meeting a Lower East Side Resident shared going to 100 Centre St for a court of a relative being held on Rikers Island. The case was postponed and the family at court was told that the Rikers Island detainee missed the bus from Rikers Island to court.

LESPP advocates for Detention Centers to be located closer to the detainee's assigned court.

Community

Research found that children who do not read proficiently by the end of the third grade are four times more likely to leave school without a diploma than proficient readers.

According to the Fortune Society web page "...one in ten young males who do not finish high school end up in adult jail or juvenile detention..."

LESPP advocated for the 2nd Grade Universal Literacy Program Initiative in Community Education District (CED) 1 and this Initiative was implemented in CED 1. The proposed jail in Manhattan is in Community Education District 2.

LESPP advocates for availability of implementation of the 2nd Grade Universal Literacy Program Initiative for all schools in Community District 1 and 3 that are in Community Education District 2.

LESPP advocates for the City to work with NYC Department of Education and NYC Department of Youth and Community Development to develop reading programs for third and fourth graders who are not reading at grade level in Community District 1 and 3 that are in Community Education District 2.

LESPP advocates for GED and job training programs for all ages; prevention programs for middle and high school students; across generations health & wellness services including technology education.

A portion of the draft resolution of Manhattan Community Board 3 Land Use Committee which was included on the April agenda states "...The original Draft Scope of Work for the proposed Manhattan site projected that the facility would be located at 80 Centre Street. In that scenario, in addition to the anticipated 20,000 square of community facility and/or retail space, there was exploration of a future reuse or redevelopment of the MDC North tower, potentially with a significant amount of community-serving resources located there. With this option now off the table, there must be an immediate discussion of additional off-site community benefits to compensate for this loss, whether that is through investing in existing but underfunded community resources, and/or directly providing additional community facility space, or affordable housing (such as at the Chung Pak LDC-leased site on the corner of Walker and Centre Streets, where significant additional FAR is available"

"The community space is intended to provide useful community amenities, such as community facility programming..."according to the Notice of Completion, page 5 & similar 70.

At the March LESPP meeting a LES resident shared concern about a need for an avenue for open dialogue for members of the community to share information and personal concerns about prevention and intervention concerning incarceration. Support of family, friends and the community are crucial.

The Lower East Side Power Partnership advocates for community outreach programs to inform community members of available services and support approaches including re-entry programs, affordable housing and Human Resources Administration benefits (i.e. SNAP).

Land Use

"Any future proposal for the redevelopment of Rikers Island, should it move forward, would be subject to future planning and public review processes, including a separate approval and environmental review process as necessary" according to the Notice of Completion of the Draft Environmental Impact Statement for the Borough Based Jail System Project, page 11.

Metrofocus-Justice Week: The Future of Rikers of August 3, 2019 discussed several possible usages of Rikers Island in the future: improve power grid, expand LaGuardia Airport, waste management, green infrastructure, parks, ferry system, sell to real estate developers and housing.

LESPP advocates for a portion of any revenues generated by utilization of land on Rikers Island be used to fund Community and Therapeutic Programming associated with the four borough based jail sites and distributed equally.

A MORE JUST NEW YORK CITY Independent Commission on New York City Criminal Justice and Incarceration Reform states, “We are recommending, without hesitation or equivocation, permanently ending the use of Rikers Island as a jail facility in any form or function.”

LESPP advocates for a deed restriction placed on Rikers Island to permanently ban its use for any criminal justice or incarceration (jail, prison, etc.) purpose.

Reform: Oversight & Safety

At the March LESPP Meeting a LES resident spoke of the pain of seeing a relative in court whose face had been battered and bruised while being detained on Riker Island.

METROFOCUS Justice Week: “After Rikers: Justice by Design” which aired on May 20, 2019 includes showing the design of a facility in San Mateo, Ca which shows a clear view inside all the rooms from the possible vantage point of a staff member assigned to observe. This design looks safer for the detainees as well as the workers.

According to an article entitled Rikers Island closure explained: Plan to shutter the complex and open borough-based jails “the cells where inmates are housed would be designed to bring in more sunlight, offer guards better observation points and include space for programming.”

LESPP advocates for a design similar to the Maple Street Correctional Facility in San Mateo, Ca. that has a clear view inside all the rooms by staff and no built structure (poles, columns) that obstruct the view of staff assigned to observe.

LESPP advocates that all detainees who require an infirmary visit be reviewed by a panel that includes Health + Hospitals staff (ie. Social Workers, MDs, RNs). All cases of altered skin integrity i.e. bruising, bleeding or abrasions should have an in face interview with an interdisciplinary team.

LESPP advocates that Health + Hospitals staff should be part of an interdisciplinary team that develops and updates policy. This interdisciplinary team would also review statements concerning tapes for health and safety.

LESPP advocates for at least an annual class on de-escalation skills for all workers. Our understanding is that detainees are assessed for risk. LESPP advocates that high risk detainees (ie mental illness, older, substance abuse, etc.) receive regular counseling.

Advisory Board

LESPP advocates for an Advisory Board with a majority of community members. The board should also have representation of service providers i.e. Department of Corrections and Health + Hospitals. The possible composition i.e. eight community members, one representative of department of corrections, one representative of Health + Hospitals, one representative of the NYC Department of Education, one mental health expert, one substance abuse expert, one Corrections Officers Benevolent Association representative and at least one former detainee or family member of a detainee.

Reform: Therapeutic Programming & Services

According to the Fortune Society web page:

“Approximately 35% of people in prison do not have their high school diploma or high school equivalency diploma...”

“One study conducted in New York City found that a criminal record reduced the likelihood of a callback or job offer by 50%”

“Given their poor access to education and employment, it is no surprise that homelessness is 7.5 to 11.3 times more prevalent for formerly incarcerated people than it is for the general public..”

According to the closerikers website fact sheets:

“More than 40% of individuals detained at Rikers have a diagnosed mental health issue.

“Over 600 women reside inside the walls of the Rose M. Singer Center, the women’s jail on Rikers Island..”

Brooklyn Borough President Eric Adams recently included in a July 9, 2019 Press Release “Additionally, as a means to achieve a reduction in recidivism rates, he called for advanced integration of general wellness initiatives for post-release success, such as nutrition education, plant-based diets, and yoga”

Brooklyn Borough President Adams also stated in the July 9, 2019 Press release that “he has been very vocal about the high rate of people with learning disabilities such as dyslexia among the City’s incarcerated population. Studies have shown that investing in education programs for people with learning disabilities can reduce recidivism rates. In his recommendation, Borough President Adams emphasized that the City should screen all inmates for learning disabilities and introduce educational programs for all individuals, regardless of age, that is tailored to their needs”

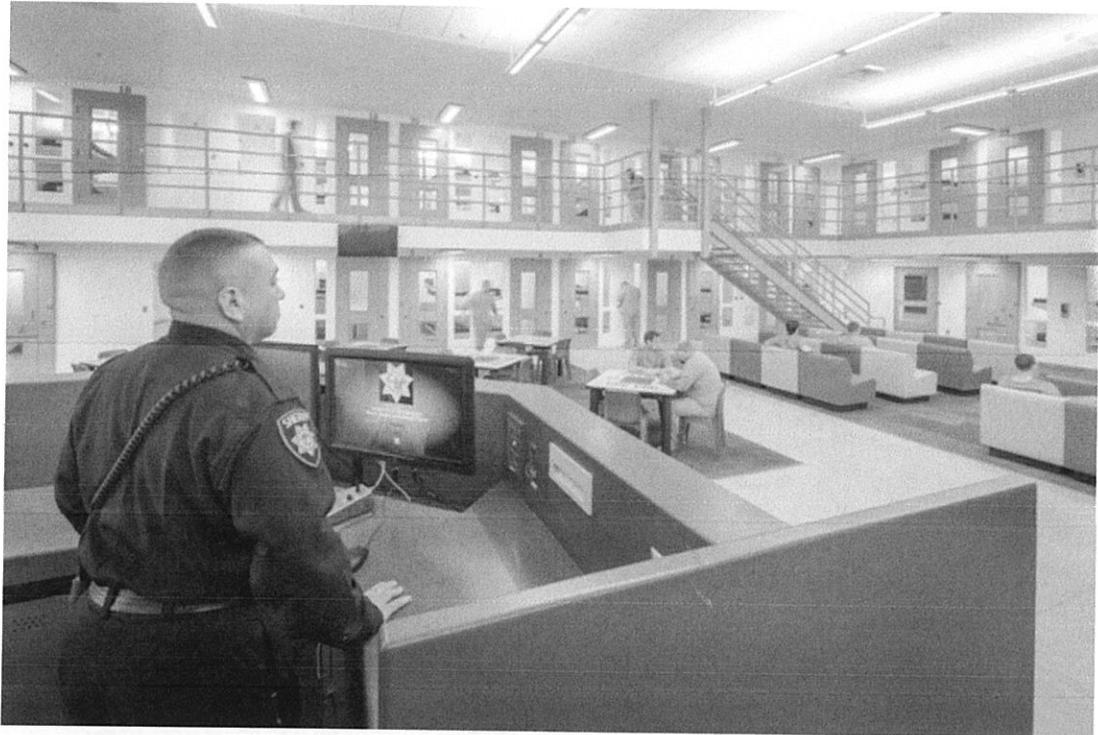
LESPP advocates for ongoing services for at least 18 months after release from the Manhattan Detention Center addressing Addiction, Mental Health, Life Skills, Education, training, job placement, affordable housing, healthcare.. .etc..`

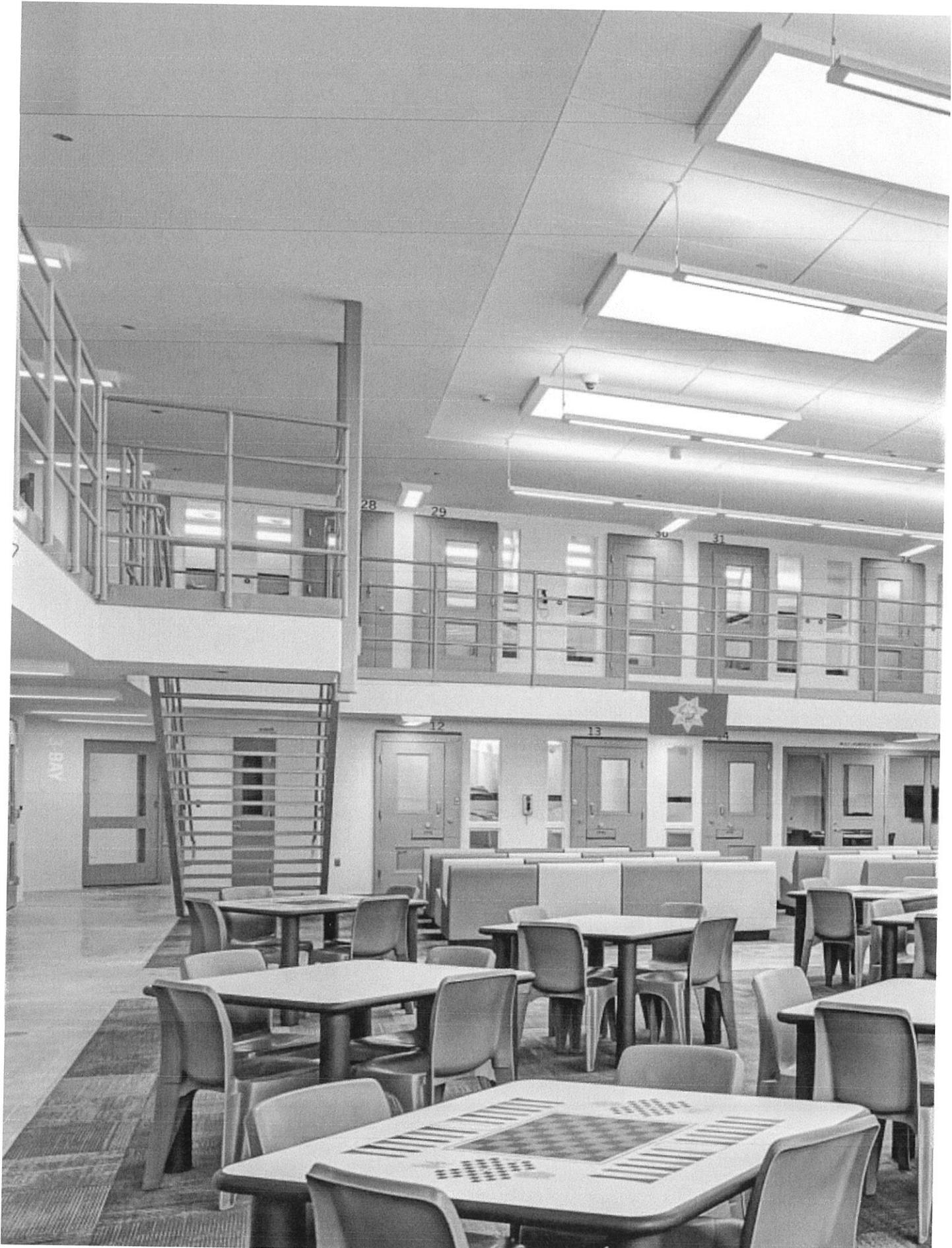
LESPP advocates for increase funding to programs that provide services i.e. Fortune Society, Greenhope Services for Women, Osborne Association and Women’s Prison Association, etc.

2017 Justice Facilities Review

San Mateo County Maple Street Correctional Center

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**City Council Testimony re: Borough Based Jail System
September 5, 2019**

My name is Veronica Echeverri. I am a Social Worker and Career Manager at Getting Out and Staying Out, also known as GOSO. Our mission at GOSO is to empower young men ages 16 to 24-years-old who have been involved in the criminal justice system to avoid recidivism by reshaping their futures through educational achievement, meaningful employment, and financial independence. Our aim is to promote personal, professional, and intellectual growth through goal-oriented programming and comprehensive social support services.

GOSO has been working at Rikers since 2004 to provide early reentry services to young men including offering court advocacy, career counselling, mental health services and reentry preparation. We speak not only from the perspective of service providers, but also on behalf of our participants. Right now, we work with almost 200 young men who are currently detained in the New York City jails. The hazardous and unclean conditions of Rikers are not only a human rights violation but can affect the physical and mental well-being of individuals. These jails are unsafe for anyone - officer, civilian, or detained person. Additionally, these jails, as they historically have been structured, do not have rehabilitation in mind. Though more programs and opportunities have been offered by DOC in recent years, many people in NYC jails do not have equal access to school, work, and programs.

For these reasons, GOSO asks you to vote yes on the City's plan to replace Rikers with smaller, borough-based facilities. It is imperative that people who become incarcerated remain connected to family, friends, community members, as well as program opportunities. People, regardless of justice status, do better when they have ample support behind them as they work towards their goals. Facilities that are clean with natural light, fresh air and with rehabilitation and community connection in mind will make it easier for participants to transition back to their neighborhoods and will improve communities throughout our City.

We appreciate the steps that have been taken toward increasing diversions from jail to community-based programs and ask that you build on this good work. GOSO has a 10% recidivism rate because young men who are offered opportunities for reentry services are significantly less likely to return to jail. We are asking to see less people forced into jails, and more people encouraged to attend these valuable programs. Those that do become incarcerated need a humane place to live. GOSO asks for your continued partnership in creating a justice system in our city that values human dignity and worth.

Testimony for the City Council Hearing for the "New York City Borough-Based Jail System"
September 5, 2019

I am Sandy Balboza, representing the Atlantic Avenue Betterment Association, an advocacy group for Atlantic Avenue, from Forth Avenue to Hicks Street.

I have lived half a block from the Brooklyn Detention Complex for fifty years.

The City has failed the stakeholders, civic leaders, area residents, and local business owners. The plan to close Rikers, and build borough jails, was conceived behind closed doors. Today there are more questions than answers. There are still no details about how this experiment will work.

Mayor DeBlasio has manipulated the public process to bypass any real community input.

By lumping the four boroughs together, into this unprecedented one-size-fits-all, land use application, the Mayor and the Speaker have evaded the ability of each neighborhood to voice serious concerns. Each community has a very different built environment, and different land use expectations and needs, and in many cases are in conflict with the selected site.

Furthermore the MOCJ controlled the NACs, and did not provide a platform for our communities.

The City Council must listen to the recommendations of the four Community Boards. In response to the flawed process, and citywide outrage, the four CBs voted against the City's plan to build enormous out-of-scale jails in their districts.

Borough President Adams, has recommended a significantly smaller facility, with many fewer beds, for the Brooklyn site.

Councilman Levin has recently said of the proposed Brooklyn jail, "The scale doesn't make sense, the facility that has been proposed is too big", and "We should not build excessive capacity".

If this proposal is implemented, the Brooklyn and Manhattan facilities will be the tallest jails in the world.

Instead the City should build smaller jails that reflect the Criminal Justice reforms passed in Alban, and plan for 3,000 beds citywide.

These new reforms (and other City policies), will make the large scale jails unnecessary.

The imperative to close Rikers, must be balanced with the needs of the residential communities surrounding these new jails, and must assure that funding jails, includes funding communities.

The City Council can support closing Rikers, and can also vote against this Landuse application.

The people who may be incarcerated in the future, and the residential communities surrounding the jails will be impacted for generations by decisions made now.

Therefore the City Council must not approve this application.

c190333 PSY

Ladies and Gentlemen:

My name is Charlotte Picot and I'm on the Board of a 7-building apartment complex, 2 blocks from the proposed jail in Queens.

Something's going on here, and it's not Criminal Justice Reform. The Mayor and his team have conflated closing Rikers with approval of this plan, as if one cannot be accomplished without the other. The Planning Commission and Council members have bought into this misguided ideology and decided that this purported "higher purpose" gives them the right to dismiss the "No" votes of 5 Community Boards and Borough Presidents and betray their own constituents. If this happens, it is the epitome of a system gone awry.

The City Council was not set up to act in a vacuum independently of the citizens they were elected to represent. The residents of all the affected communities feel abandoned because the Council members of the 4 impacted districts have inexplicably aligned themselves with the Mayor. They know that the Council traditionally defers to the wishes of the member in the affected district. But this is the first time in NYC history that a design/build ULURP for all boroughs is subject to a single vote. This massive project impacts far too many people for you, Honorable Council Members, to forfeit your sound judgment and independent vote.

There are better, faster and cheaper ways to close Rikers without building Yankee-stadium-sized structures in residential communities. We have 14 existing jails that can be renovated in one year versus eight at a fraction of the cost. If the incarcerated numbers are going down, why build these massive jails? The detainees will not benefit from experimental towers with little outdoor recreation. In Queens most detainees will not be closer to relatives and still have to be transported to different courts.

Remember your charge to represent the people who elected you. We urge you to vote against this ill-conceived project.

Thank you.

Email: cbpsoprano@gmail.com

Phone: 718-263-0558

FOR THE RECORD

Noelle on behalf of Amir

My name is Noelle Fries and I am [FILL IN THE BLANK, i.e., a student, a longtime New Yorker, etc.] and an organizer with No New Jails NYC. I support the immediate closure of Rikers Island without building a single new jail in NYC. In this vision, I am guided by the analyses of incarcerated organizers with No New Jails, who oppose the city's violent, oppressive, and racist jail expansion plan.

Today, I am going to read the testimonial of Amir, who has been locked up for 28 years, and who summarizes his experiences of abuse while incarcerated as "too lengthy to recount."

"De Blasio's jail expansion plan is an irresponsible way to utilize the city's time and resources. Reshuffle the deck and the cards are still dealt and played accordingly: move the jails around, they still jails. The prison expansion boom exposed the inherent torture and dehumanization of profiting from cheap labor and exposed 'Corrections' as a means of warehousing America's poor and disenfranchised.

Prisons degrade the humane nature of both the incarcerated and the staff. If one finds a moment of clarity to comb through the wreckage of one's past -- then finds the inspiration to repair old wounds -- then 'correction' is possible. However, more often than not, the mental anguish, brutality to the body + soul become barriers too thick for one to overcome without extraordinary help -- help that the system does not, and is not equipped to provide.

Every crime in America has a sociopolitical subtext that necessitates pardoning and correcting by wholesome rehabilitative efforts. Most participants in criminal exploits are born into poverty. Had the richest and militarily mightiest country spent a fraction of its budget on war for peaceful nurturing -- providing for and protecting its weak and poor families -- the "Department of Corrections" would be obsolete. The insatiable appetite of capitalists gives rise to crime because the 'rich' and 'powerful' cannot relate to the man with no shoes or the woman driven mad by the hunger cries of her child.

When we see a person who has wronged another, we must see with the vision of hindsight, foresight, and acute sight to apprehend the social, political, and economic cause and effect -- and measure out justice that produces benefit to both the victim of harm and the perpetrator of it. We should close Rikers Island and invest \$11 billion in a new transformative justice center, where each person who has caused harm will be empowered by a team of community members responsible and accountable to each other and guiding each other's healing and development, to create healthy individuals and communities. Power to the people!"

Josselyn Atahualpa
No New Jails Testimony

My name is Josselyn Atahualpa and I've been a leader with Queens Neighborhoods United (QNU) since 2014. We are a grassroots volunteer-run collective of community members fighting displacement understanding that displacement is a product of the commodification of housing, mass criminalization and over-policing in communities of color. I've done work across the borough from the Rockaways to Jamaica and from Bellerose to Long Island City. Council Member Koslowitz: I've waited on line for the Q46 outside of your office for most of life in the States, I hope you are listening closely to my testimony.

Malcolm X once said: If you stick a knife in my back nine inches and pull it out six inches, there's no progress. If you pull it all the way out that's not progress. Progress is healing the wound that the blow made. And they haven't even pulled the knife out much less heal the wound. They won't even admit the knife is there.

Let's be blunt: if you care about New Yorkers, you will not approve this \$11 billion jail expansion plan. I say expansion plan because this has nothing to do with closing Rikers, there is no legal guarantee in the jail plan to close Rikers. I'm sure you know that 80% of people in Rikers are awaiting trial so why then would we need new jails in every borough? By approving this plan you are sentencing many more black and brown New Yorkers to a life behind bars. As the saying goes: "if they build it, they will fill and then they will claim over-population to demand more funds for expansion". This is not the healing our communities need. For our City to thrive, we need everyone contributing to the best of their abilities, and people can't do that if they're locked up.

We're confused about what jails do. Jails don't rehabilitate people, punishment doesn't make people better. Year after year we continue to perpetuate this idea; that bad people must go to jail, but all we've seen come out of that is more black and brown people behind bars. Where's this energy for police officers who murder unarmed black men like Eric Garner? People do bad things, yes, but people are also capable of change and growth. When you want a plant to grow, you water it and give it plenty of sunlight, you don't throw it in solitary confinement. If we want people who have done bad things to become better people we must meet them where they're at and address the reasons why they do bad things. This requires addressing poverty, housing insecurity, mental and physical health needs. This requires creating community accountability practices and educating the community about harm. This requires the hard work of creating an alternative path that doesn't continue the same patterns of harm that has been brought on by mass incarceration. It's 2019 and the world is literally burning, why not take a chance and create a better New York?

In Queens Neighborhoods United, we have a policy not to turn to the police when we have issues. It's been a hard and lengthy process, but not impossible to address issues internally and to think of alternatives that center transformative justice. I have friends that have been stopped and frisked, friends who have been harassed and assaulted by the NYPD. I love people who

have been deported and who have been detained by ICE. I wonder if you've ever felt that helplessness? Seeing people you care about mistreated and dehumanized, wanting to burn it all down but knowing there's nothing you can do to change it. This is what you uphold by approving these \$11 billion dollars to go to the expansion of these jails. However, unlike me, at this moment in time you have the power to change this. I hope you act on the right side of history.

FOR THE RECORD

My name is Sara and I am a resident of Elmhurst, Queens. I work at a community organization which works to build the power of immigrant workers in NYC. I am writing to oppose the NYC jail expansion proposal.

Immigrant construction workers spend their lives building the structures in which we all live, work, and study. They work in substandard safety conditions and are frequently not paid for their work. However, immigrant workers, both undocumented and documented, are often unable to move freely through the city, as racial profiling and overpolicing increase their risk of interacting with the criminal justice system, which can result in detention or deportation, severely undermining their own health and stability as well as that of their families and communities. I am concerned that expanding the city's jails will harm already disadvantaged communities, including people who have immigrated to the US.

The US incarcerates people at a significantly higher rate than any other country in the world does. Eighty percent of the people in Rikers Island are there awaiting trial. Those in pre-trial detention can either pay bail or can be released through a remand hearing. The bail system allows wealthier people to be freed immediately, while those who cannot afford to pay are forced to wait in detention, and often end up pleading guilty to their charges in order to be released sooner. By granting lower bail amounts and remand review hearings, judges could release many people who are currently detained pre-trial in NYC. It is clear that the borough-based jail expansion plan would only serve to continue incarcerating people of color, people who are immigrants, and low income people- communities that are already over policed and under resourced. Instead of investing in jail expansion, NYC should invest in affordable housing, community health services, and alternatives to incarceration.

History has shown us that new jails built to be supposedly more “humane” are never successful in doing so- there is no such thing as a humane jail. Changing the building will not change the system. This city’s and country’s systems of detention and incarceration only serve to perpetuate racial injustice and ethnic cleansing, as many detained and incarcerated individuals are targeted simply because of their race. As an American Jew with relatives who were forcibly removed from their homes and killed in the Holocaust, I know what these systems of injustice can lead to. New York provided a safe haven-- education, community resources, and more-- for the rest of my family who made it here alive. Growing up in Brooklyn and the Bronx, my grandparents were able to survive and thrive thanks to the city’s investment in community resources such as public schools. Because they were white, they were not targeted for detention or profiled by the police. I asked them what they thought about the proposed plan. The idea that new jails could be built just a few blocks from where they grew up, with the purpose of incarcerating people who could be their neighbors, is absolutely abhorrent to them.

Continuing to invest the city’s money in jails will only further racial profiling, broken windows policing, and other practices that perpetuate inequality. New York City must create the conditions in which ALL people can live free of fear of detention, and with access to the resources necessary to live healthy and safe lives.

FOR THE RECORD

Rohit Chandan Testimony
City Council Hearing on Borough-Based Jail Plan

(I cannot speak in person because I, like many others am working at this hour). I strongly oppose the creation of these jails. For any city council member that ever plans to run for any elected office, know that New Yorkers will remember during election time that you had the opportunity to use \$11 Billion dollars to fund NYCHA, expand fair fares and expand other social programs, but you choose instead to promote mass incarceration and waste \$11 Billion on creating new jails.

Testimony from Ekaterina Bezborodko
City Council Hearing on Borough-Based Jail Plan

My name is Ekaterina Bezborodko. I lived in Queens for a number of years and recently moved to south Brooklyn. I want to express my deep disapproval and concern about the plan to build new jails in New York.

I am a Russian-American whose grandfather was arrested, detained, and tortured as a teenager on flimsy charges and with no due process in the Soviet Union of the 1930s. I am neither exaggerating nor minimizing the situation when I say that New York's treatment of some of its residents, including some very young ones, reminds me of this history.

In particular, I am extremely troubled that currently, Riker's Island is mainly used for pre-trial detention, sometimes for long periods of time and with many documented abuses. This practice must end, Riker's Island must be closed, and no new jails are necessary to implement this reduction in the detained population. In fact, building new jails creates incentives to *maintain* pre-trial detention and other jail-filling practices, and is an unrealistic proposal for ending abuses. The cynicism of making the closure of Riker's Island conditional on new jails is all the more obvious when we remember that closing Riker's Island is *not even guaranteed under the new jails plan*.

Building new jails is unethical, extremely costly, and neglects the many, many needs that could be addressed with the monetary and administrative resources that the city is wasting on the new jails plan. I ask you not to approve it.

FOR THE RECORD

To Whom it May Concern:

My name is Taylor Baker, and I am a lifelong resident of Elmhurst, Queens. I am writing this letter partly because I cannot be present the day of only public hearing City Council is hosting on Thursday, September 5, 2019. I have work, and it is undemocratic to hold this kind of important hearing during a day and time at which most people are unavailable, including me, because our voices should be heard when it comes to this plan.

I am also writing to say that this plan for 'community jails' is simply wrong. Jails and prisons are inhumane and any attempt to make 'more humane' jails has failed. The few existing neighborhood jails were also meant to be 'more humane' yet are sites of deep harm. Earlier this year, community members were protesting outside of MDC Brooklyn because there was no heating in the jail during some of the coldest days New York experienced – those who were imprisoned were left to freeze. How is that humane? There is no guarantee for 'humane' jails because they are inherently inhumane.

Within the plan, there is also no explicit guarantee that Rikers will close – de Blasio has promised it, but once he is out of office, there is nothing holding the next mayor accountable to this promise. What this tells me is that the plan to open community jails is an attempt to expand incarceration throughout the city without actually helping communities be safe and flourish. More jails means more surveillance and police presence throughout our communities, which has only ever lead to more arrests and broken windows policing. What our communities need are investments in social services, health care, education, and public housing – by investing in these things, communities will truly be safer.

But make no mistake, Rikers must close, but this does not mean building new spaces for the same unjust practices to continue. 80% of people in Rikers are there awaiting trial, and do not need to be locked up. End cash bail, and allow for more remand hearings. Rikers must close, furthermore, because many are unjustly arrested. We need to decriminalize sex work, poverty, homelessness, drug use and mental illness. No one should be arrested for simply trying to survive, especially as social services continue to be cut. The city must take responsibility for those that are struggling and help them, not incarcerate them.

Do the right thing and reject this proposal. It will only further harm communities, and does not address any of the root causes of incarceration. There has been little opportunity for input from the community, and approving this proposal would be completely undemocratic and denying the voice of the people, of whom you swore to represent.

Sincerely,
Taylor Baker

Statement to City Council re: Borough Based jail plan

My name is Marco Barrios. I'm a resident of Queens, and a member and leader of JustLeadershipUSA and the #CLOSErikers campaign.

I urge the City Council to pass this plan to create community-based facilities, so that we can set a real plan in place to close Rikers. In the course of my incarceration, on two occasions I was sent to Rikers Island to protect my rights to see my daughter. On both occasions the conditions of Rikers Island were so horrific, that I wanted to get back as soon as possible to the maximum security prison that I came from. I could not believe the treatment of a human being by our criminal justice system.

I am well aware that new buildings will not fix all of the problems in our criminal justice system. But they can be the start of progress - by bringing people closer to their lawyers, families and services; by moving the facilities into places where real oversight is possible; and by creating physical spaces for the kinds of programs and care that are needed. For the past few months, I have been engaged as a member of the Mayor's Justice Implementation Task Force, as part of the subcommittee on programming. In that role I have advocated - and will continue to advocate - for a comprehensive and effective rehabilitative model for anyone who is still detained, with transparency and accountability to see this approach is correctly implemented. When "anyone who is still detained," I say that because our focus is decarceration and shrinking the criminal justice system. Due to the reforms we've already achieved and the further changes we know are possible through our advocacy in the next few years, the City has reduced the planned capacity for the facilities from 5,000 to 4,000, and we know they can be planning for less than 3,000 in the next few years.

Last and not least, closing Rikers Island and shrinking our jail system will put us on a path to save over \$500 million annually. The City can invest those savings in the kinds of community resources outlined in our #buildCOMMUNITIES platform. And we will be there to advocate for that.

Thank you,

Marco Barrios

STATEMENT RE: BOROUGH BASED JAILS PLAN – September 5, 2019

#CLOSErikers campaign

by Anna Pastoressa

My name is Anna Pastoressa. I am speaking in support of building borough-based facilities to make sure that Rikers closes as quickly as possible. There are also a number of ways that the Mayor's Plan needs to be improved – **improvements that you all, as City Council, have the power to make.**

I have been living in Lower Manhattan, District 1 for over 35 years. My son was incarcerated on Rikers Island from 2010 to 2016 while waiting for trial. 6 years on Rikers Island became a daily torture for my son and for the whole family and our only hope were visits.

Visits did not come easily at all because we had to travel so far and for so many hours and for so many years to Rikers Island to face timeless mistreatment and abuse by correction officers before being able to visit him for one hour.

I do not believe that anyone should be locked up waiting for trial for years and years, and as a member of JustLeadershipUSA and a leader of the #FREEnewyork campaign, I helped win State reforms that passed in Albany this year, which will keep tens of thousands of people out of jail across New York State. But my son, for example, was remanded before his trial. While anyone is still detained, people must be given the opportunity to be near home, near their community, near their family and friends and near their attorneys, who can visit without enduring abuse and excessive travel.

I also ask that the City of New York commit to replacing City sentences with alternatives to incarceration, and to diverting people with serious mental illness to appropriate programs. By doing that, you can plan for a more reduced jail population of less than 3,000 in the next few years.

I do have a great concern about the Department of Corrections running any facilities where people would be housed. **While we move forward with shrinking the jail system, we must also move forward with a plan for the Department of Corrections be removed from running the new facilities. DOC is too corrupted, and, like Rikers, is beyond repair.**

My son is no longer on Rikers, but the 6 years of abuse on that infamous island have left deep scars on him and the whole family. I know what a difference it would have made to have had him closer to home and without the disgraceful abuse by DOC.

Let's move forward with real change: "Close Rikers NOW" and remove the Department of Corrections so that any new facility constructed can focus on healing and restoration. Thank you!!

TESTIMONY

My name is Beth Cheverie and I'm a New York City resident employed by the New York State Laborers LECET, a Labor Management Cooperation Trust Fund. We represent over 3,000 construction companies that employ more than 40,000 union laborers in New York City and throughout the State. I am here today to express their support for the building of four new Borough based jails.

Building these new facilities will bring New York taxpayers close to closing Rikers Island – an out dated, inhumane, massive jail complex with a violent history.

80% of the people held at Rikers are awaiting trial and deserve to be treated humanely while incarcerated. Because of its location, a trip to Rikers Island for one hour can take an entire day. Borough based jails would put an end to traveling to an inaccessible island while creating an easy cost-effective way for both family members and lawyers to visit those being held. In addition, three of the four proposed sites for the replacement jails will be built on the sites of existing detention centers located near court houses.

These new facilities will have a safer, more humane design with space allocated for treatment of health issues. Specifically, these facilities would recognize the shift in policy by treating substance use disorder and mental illness with health based solutions.

In addition, these facilities will provide re-entry services designed to help integrate those released from prison back into society, thereby reducing the chance of being re-incarcerated. These programs provide a direct benefit to the community by improving public safety.

Construction of the new facilities will also create opportunities for residents from each of the four boroughs to work in good middle-class jobs. Thousands of our union members live in the Bronx, Brooklyn, Manhattan, and Queens and would welcome the opportunity to work in the neighborhoods where they live.

If the jail closes, Rikers Island has great potential for development. For example, the land could add additional runways for LaGuardia Airport or be transformed as a site for green infrastructure that would benefit the entire City and create thousands of green energy jobs.

In closing, you have an unprecedented opportunity to end mass incarceration and in its place, create a humane, community-based correctional system.

Thank you for your time.

Statement to City Planning Commission

Re: borough based jail system

My name is Victor Herrera, and I am a member of JustLeadershipUSA and the #CLOSErikers campaign. I am lifelong New Yorker, and a resident of Brooklyn.

Rikers must close on the fastest possible timeline. Rikers must close because of the history of violence and brutality which I personally experienced on Rikers Island, and the fear and the traumatic stress that resulted from it. Those of us who have been there are still affected by it. The brutal assaults I experienced and the conditions I was subjected to on Rikers Island have affected my health, both physically and mentally. Thankfully, the last time I was on Rikers was years ago. But within the last year, my brother was on Rikers Island, and my nephew was on the floating extension of Rikers Island - the Boat, another facility unfit for humans. The only way to heal from all the trauma that many of us have experienced in these sites of torture is to begin the process of closure.

I support building borough based facilities as a first step toward reducing the jail population and taking a new approach. Because of the advocacy of people who've survived Rikers, we will soon see historic pre-trial reforms implemented, and the Mayor's office has reduced the planned capacity of the borough based facilities to 4,000. The City Council must also include investments in mental health resources and alternatives to incarceration in this plan, so that NYC can plan for less than 3,000 people in detention in the near future.

For anyone who is still detained, we need to make sure they are housed in much better conditions that support progressive rehabilitation rather than punishment, and are located centrally, where the community can be involved. We have no illusions that new facilities will solve all of the problems. Changes are also needed in favor of something more like a case management type of approach, but nothing about the current jails encourages that or provides space for that. As a lifelong advocate, I'll be there to fight for those changes too.

The time to close Rikers is now, and we cannot delay. At this very moment, thousands of people are sitting there, on a penal colony, suffering. We have to start somewhere, and we have to move now. I ask you to vote yes, so that we can ensure that no one is left behind on Rikers Island, and include this important improvements.

*THE ONLY GUARANTEE OF NO NEW JAILS IS THE SAME
OLE JAILS.*

Statement to City Council
Re: Borough-Based Jail Plan

FOR THE RECORD

My name is Tina Tinen. Prior to going upstate to Bedford Hills, I must've been in and out of Rikers Island at least 20 times. I urge the City Council to waste no more time in making sure that Rikers closes. Please vote yes on this proposal, to shrink New York City's jail system from 12 to 4, and ensure the end of Rikers Island. I was fortunate enough to get occasional visits during my time on Rikers Island, which slowly dwindled because it was an all-day experience for the visitor. Women - and anyone in detention - need to be housed in a building where they are more accessible. Family support is crucial, and Rikers Island is not easily accessible. People are isolated and forgotten on Rikers Island.

The conditions on Rikers Island almost guarantee that people will come out worse than they went in. Rikers Island created a savage because every time I was in there, it was for drug related offenses, and the conditions were so horrific that I would just tell myself, 'Don't worry as soon as you get released from here you will shoot a bag of dope.'

With the new bail reform laws that advocates fought hard for, I would mostly likely not be held pre-trial for a drug-related offense. And if the City Council responds to calls from advocates to make a commitment to fully fund alternatives to incarceration - along with this plan - people dealing with addiction can be offered treatment instead of serving a City sentence. That could make New York City's jail system even smaller - with space for less than 3,000 people.

But I also spent time on Rikers with women who were facing much more serious charges. While judges still have the power to detain or remand anyone, we need facilities where people can live in conditions fit for humans. Rikers does not offer that.

Also, I never had problems with the women I was locked up. I was always arguing with officers. The Department of Corrections cannot continue business as usual. People who run the new facilities must have the training and desire to provide a supportive environment, so that our family and neighbors come back to us better than when they left.

Thank you for your time.

Tina Tinen

Hello! My name is Dipina Chhetri. I'm living in New York for 2 years. And I am a leader of DRUM- Desis Rising Up and Moving. We organize low-income South Asian and Indo-Caribbean communities.

I want to ask the City Council, why are we spending \$11 billion for new jails, but we are not using that money on really needed places like our schools, on extra classes and free tuitions for colleges? My school doesn't have money to buy equipment for our activities. For the last two years when I was in astronomy class we had to ride the train for 1 hour to another location just to use telescopes. As an immigrant kid I also want to go to a better college but I am worried about paying higher tuitions.

New York City is 65% people of color, which includes immigrant communities. It is a huge problem for black and brown people that the city wants to use \$11 Billion dollars to build 4 new jails. We need to use that money so we can have counselors in our schools not more police and more prisons. As immigrants, when we see police we don't feel safe. We get worried that we are going to get our bags searched and get sent to a detention center or be sent to jail. If there will be new jails, they will try to fill up those empty jails and as we know cops mainly target black and brown people. We deserve better than more jails. We should be ending the root causes of problems, not putting money into more jails.

My name is Janaki Rai. I live in Elmhurst, Queens. I am 15 years old, I came from Nepal 3 years ago and I go to International High School. I am a member of DRUM-Desis Rising Up and Moving. We organize low income South Asian and Indo-Caribbean communities on immigrant, worker, racial, education and gender justice.

I am a survivor of domestic violence. In the past few years, I have been physically, emotionally, and verbally abused by my parents. Three weeks ago, I was on the verge of becoming homeless. Looking for a shelter, finding the resources to support me when I was unstable to take care of myself was close to impossible. As a 15 year old, I am not eligible to stay in a shelter, there was not a single foster family that speaks the language I do. I was sent from one agency to another looking for housing, legal and mental health support. I am still looking for mental health counselor. If there were resources in my school or my neighborhood, that could help mediate what I was going through with my parents, maybe I would not be knocking on doors of shelters and foster care system. Why are we not talking about physical and mental health of people like me? Why are there not enough resources spent on people like me for our future?

Many of the people who want to vote for this plan to build new jails, always like to say they want to protect domestic violence victims and survivors like myself, but do not seem to care about what I actually need in the community to be protected. I need you to vote No on spending 11 billion dollars to lock up our people. I need you to spend the \$11 Billion Dollars on preventing domestic violence from happening in the first place. I need you to spend the \$11 Billion Dollars on preventing homelessness of young women escaping violence at home. I need you to spend the \$11 Billion Dollars on more interpreters and translations in all languages for all the immigrant women who are seeking city services. I need you to spend the \$11 Billion Dollars on building more schools instead of jails.

Our city's focus needs to be on Prevention not Prisons.

My name is Farhana Akther. I am a high school student from Flatbush, Brooklyn.

Today, I stand here to demand no new jails in our community.

My school has only 1 college counselor for 1000 seniors. We have to wait for months to meet with our college counselor. The \$11 billion should be used to hire more counselors in our schools, build more research labs, computer labs, and fund more art classes. The \$11 billion should be used to hire more therapists and provide mental healthcare in every school. The \$11 billion should be used for job programs for students.

No one in our community wants more jails to imprison more black and brown people. Why spend \$11 billion in building new jails when we can't even fix our overcrowded, under-staffed, under-resourced school system? Instead of building new jails, why can't we use that money towards our education and empower our youth? We don't need new jails. We don't need more cops in our schools or in our community. What we need is more counselors, more teachers in our school! Building prisons doesn't solve the reasons why someone ended up in prison.

Building prisons only provides the excuse to fill them and nothing more.

Invest in our communities, invest in our future, don't invest into locking us up.

My name is Tsering Choedon. I am an immigrant from Nepal and I am a student at International high school for health sciences.

I am also a youth member of DRUM - Desis Rising Up & Moving, which organizes 4500 South Asian and Indo-Caribbean immigrants, workers and youth in New York City.

I want the city to spend 11 billion dollars on schools, education, and hospitals rather than spending money on jails. I have a couple of friends that do not speak english and struggle to understand what is being taught in school. We should invest in interpreters in our school so,my friend can learn and have the same amount of knowledge like other students. The city should spend the money for free tuition for college, and after class programs. This money can go to so many more things like improving our subways, housing, job programs, hospitals, the list of what our communities need is endless. And if you ask anyone in our city "what do they think the city should spend \$11 Billion Dollar on?", no one would say "4 more prisons". Everyone would list a lot of the things I said today.

I don't want our city council members to help Mayor Bill DeBlasio to build more jails in NYC to lock up immigrants, young people, poor people and people of color. Investing \$11 billion dollars to build four new jails in NYC, is not investing in our communities. It's actually stealing money away from the things our communities need. Investing \$11 billion dollars into 4 new jails is stealing away our communities futures. If you as city council members vote Yes on the Mayor's plan to lock up our communities, then you are just as guilty and as much of a thief of our communities futures.

Greetings:

My name is Israt Audry and I am a member of DRUM—Desis Rising Up and Moving. I am a resident of Brooklyn, more specifically from an area that is densely populated by immigrant folks who would be directly impacted by the jail expansion plans proposed by the city. The proposed plans to expand and build new jails in Brooklyn is disastrous and would cause direct harm to the Black and brown people in the communities where these jails would appear. NYC is one that prides itself on being a “Sanctuary City,” but how can it provide “sanctuary” when these new jails would create more opportunities and physical space for marginalised, Black and brown, undocumented, and immigrant people to be targeted and locked up? How can this city and its officials claim NYC to be an “immigrant friendly” city when billions of dollars are and will continue to be funneled into criminalising and locking up Black & brown folks?

The City chooses to invest billions of dollars into the prison system and into building jails in our cities, instead of investing money into the public housing system to provide resources and adequate living conditions to the poor, working-class, people of colour that often occupy these buildings. The City invests billions of dollars into criminalising and locking away people for minor offenses, instead of investing in our schools so that teachers and students have access to more resources. The City and the Brooklyn Community board, who voted for the proposed jail expansion plans, chooses to cause direct harm to working-class, communities of colour.

My name is Abdul Rabbani, I am a member of DRUM- Desis Rising Up and Moving. I am currently a US Citizen but I grew up here in Queens as an undocumented immigrant. And as someone who has faced the impact of policing and racial discrimination, I wanted to share my perspective.

Rikers should be shut down, and it should not be replaced with 4 new jails. 79% of the inmates at Rikers are there because they couldn't afford to post bail, because they are too poor. There have been many reports of inmates facing abuse and torture from staff. The result of this broken system is why our communities have demanded a shutdown of Rikers. The plan to use \$11 Billion of our taxes to build 4 new prisons that will just multiply into 4 new Rikers in the city.

Shutting down Rikers island is a step forward, but opening up 4 new prisons is at least 10 steps back. We can use the \$11 Billion to start solving the problem of better schools, ending homelessness, affordable housing, mental health services, better subways, more jobs. Solving problems at its roots instead of just wasting all that money on locking people up. Why is it, that when our communities want money for all the things I've just said, the city always says there isn't enough money. But suddenly, the same city can find \$11 Billion for 4 new jails that will not do anything for this city except cause more pain, suffering and stolen futures?

Every City Council Member must vote No to 4 new jails!

You must vote No to destroying Black and Brown communities!

Hello everyone!

My name is Nusrat Zeba. I am a member of DRUM-Desis Rising Up and Moving. We are a membership-led organization of 4500 South Asian and Indo-Caribbean immigrants, workers, youth and adults in New York City.

I live in the Bronx, which is a majority low-income, immigrants, people of color borough. So it is disturbing to me that our city is planning to build 4 new jails in our communities with \$11 Billion dollars. My neighborhood, just like the other places throughout the city needs better schools, public transportation, affordable housing, hospitals, mental health services, and jobs. Those are the things the \$11 Billion needs to go to! There is already enough money being spent on jails but these jails do not provide the real, transformative changes we need to succeed. Contrary to authority figures' beliefs, jails do not decrease crime but rather increases crimes, because they bring in more policing and criminalize innocent community members to fill the jails they build. The \$11 Billion needs to go to actually preventing people from landing in prison in the first place.

Building a whole jail in the Bronx and in other boroughs would mean that innocent lives, especially young people of color, would be criminalized, sent to jail and lose the opportunity to make positive changes in the community. People in my community want to succeed in life. We want to see our young people go to school, become leaders and make change in the community.

Many of the City Council Members who are thinking of voting yes to this terrible plan are in their last term in City Council. But your decision to build these 4 new jails will have consequences long past your term ending. This decision cannot be undone. Each of you need to ask yourselves, is criminalizing people of color, young people, immigrants, in our neighborhoods, what you want to be remembered for?

9/4/2019

Testimony on Rikers

From Wendy Pincus

PINCUS W @ AOL.COM

I've read that NYC is about 119 billion in debt. And I've also read that building mega-jails and closing Rikers will cost anywhere from 11 billion dollars to 30 billion dollars. I don't know if the 11 billion dollars includes interest if the city issues bonds to pay for this. Does it?

I am sure that taxes would have to be raised somewhere to pay for this. My real estate taxes have gone up already recently. I live in a one bedroom coop apartment in a middle class neighborhood in Queens and I pay a tax rate that is already three times what a homeowner who owns multi-million dollars houses in an affluent neighborhood such as Park Slope pays. I am sure that my property taxes would go up even further to pay for a project like this so I feel this "project" places a heavy tax burden on the middle class people like myself.

I also understand that Rikers is run down, I don't dispute that. But I have also read that Rikers is run down in the same way that NYCHA is run down through neglect over many years. Therefore wouldn't it be a better use of money to fix the jails on Rikers by doing such things as installing adequate heating systems and air-conditioning systems. Also if they wanted to truly change the system wouldn't the government pay for better training for corrections officers, and have more classes and mental health treatment for inmates and other programs for inmates so that they are less likely to lapse into a life of crime and/or drugs again once they are out of Rikers?

I am also worried about safety for several reasons.

First - If you build mega-jails in the boroughs once in awhile an inmate escapes. On Rikers they are found before they can leave the island. In a congested area (because all the jails would be in congested areas) it would be much easier for an inmate to escape via bus, subway or just walking and blending with the crowd. Therefore, this would pose a threat to the population of New York City.

Second- a lot of these inmates have associated and been influenced by friends, people from their neighborhood and sometimes even family members which may be one reason why they committed crimes in the first place. Some of these influencers in their lives would probably be visiting them in jail and in some cases would be trying to smuggle in drugs or guns or knives. These visitors who are influencers would make the neighborhood where the jail is less safe.

Third, if there is a fire in the building and the inmates have to be evacuated onto the street it would be hard for the correction officers to contain them in an open environment and this would be a great risk for the public.

City Council Jail ULURP Testimony 9-5-2019

My Name is Dave Ehlke, living in the neighborhood of the Brooklyn Detention Center. I am a member of the Justice Ministries Committee of the Presbytery of NYC. I urge our City Council to vote Yes to this plan that will enable the closure of Rikers, and to commit to improving that plan in several ways.

1. Closing the remaining 9 active jails on Rikers island is a moral imperative and human rights crisis. Action needs to be taken **immediately to close and demolish at least 4 of the remaining Rikers Island jails**, which are not needed due to reduced population and excess capacity. This can create **immediate cost savings to provide funds for alternative programs to incarceration. It also frees up the land for more productive use.**
2. Because of recent criminal justice reform in the State, the total capacity for borough-based jails should be **3000 people instead of the 4000** planned. This reduced population should be distributed to the 4 proposed borough-based jails. In line with this, **the planned capacity of the new facility at 275 Atlantic Ave, Brooklyn and the other 3 borough-based facilities should each be reduced to 750 people.** This would also **significantly reduce the height and mass of the building.**
3. **In a separate ULURP application, the City should provide for a separate Women's facility for 100 people and a separate facility on Staten Island, so that Staten Islanders as well can be close to their family, services, and the court when they are detained.**
4. The design should be flexible to enable jail floors to be converted to drug or mental health treatment facilities in the future.
5. **Operation of the new Facility:** The City must create facilities with the least restrictive conditions that support a **restorative and rehabilitative approach** to incarceration as opposed to the punitive approach currently in use. **The people managing and running the new facilities must be capable of and willing to provide a healing environment. This requires a different Social Services oriented staff & management with new job descriptions that must run the facility.** It is imperative that the punitive environment of Rikers jails not be transferred to the new facilities.
6. **Current Correctional officers and staff:** They should be offered training in a new training facility to compete for these radically different positions and also be offered positions in other city departments since the new facilities will require a much smaller and different staff.
7. **Closing Rikers Island jails is an urgent human rights issue that we cannot delay closing. It is an embarrassment to our city. We must continue this fight but do it in a way that respects our local community as well as the people incarcerated and the employees being displaced.**

Statement to City Council re: Borough Based Jail Plan

My name is Natasha White. I am a Bronx native, and I have been detained and incarcerated on Rikers Island approximately 26 times.

Unless you've been there, you may not realize that Rikers is built on a landfill. It is literally a cesspool of filth and a real health hazard for all parties involved. In 2010, myself and every female in my unit was treated for being exposed to TB. Rikers must be shut down now. And, the fastest and clearest way to do so is to vote to yes to this plan to shrink the system and improve conditions. But you can do even better than what the Mayor has proposed. You can make the system even smaller, with less than 3,000 people detained, by investing in more treatment and alternatives outside the system.

For anyone who is still detained, we need a completely different environment, more focused on rehabilitation. While on Rikers, I have been beaten and maced by correctional officers, illegally stripped searched, and treated inhumanely on a daily basis. Not once was my core problem (addiction and homelessness) addressed. The majority of women detained and incarcerated on Rikers are either addicted to drugs or survivors of domestic abuse. Where is the support for us? Why do we not receive trauma-informed care that addresses the root causes of incarceration that are unique to women? Where are the parenting workshops and narcotics anonymous meetings on Rikers? Rikers has never been equipped with the programs needed to rehabilitate, or assist people in breaking the cycle of crime and reentering society. Correctional Officers are security and not mental health workers, case managers, credible messengers, or educators, which are the staff we need to address our untreated mental health and substance use. Instead, we spend over \$300,000 annually per person detained on Rikers – costing taxpayers billions of dollars each year – to employ correctional officers who abuse, dehumanize, neglect and harass our brothers, sisters, mothers, fathers, friends, and community members on Rikers. Bringing these facilities out of isolation will make it harder for their abuses to continue, but the next steps must be to create a new agency or a new structure to manage these facilities. DOC cannot.

Thank you,

Natasha White

City Council Public Meeting – 9-5-19

My name is Howard Huie. I live about a block away from 124/125 White St. and I am also a member of Neighbors United Below Canal, Neighbors United and also on the Board of Chatham Towers.

Dear Council Members, all through this long ULURP process, it has been emphasized the importance of community engagement. I and many other residents have been thoroughly completely engaged throughout this process. We have attended many of the Community Board 1 and 3 meetings. At both their Land Use hearings as well as the full Board meetings we have provided testimony that has been incorporated in the Community Board decisions.

I have gone to over 100 businesses that surround the jail. Over 99% have readily signed petitions against this massive jail. Their overwhelming comment when speaking to them is "this is a crazy idea, building such a large jail in this neighborhood". This is not a NIMBY response as these same people have are working every day in the shadow of the existing jail on White Street.

So what does community engagement mean if the Community Boards Vote No to this plan, the business's in the neighborhood as well as the residents say No and have signed petitions against this plan. The Manhattan Borough President has stated the scope of this project is too large. Margaret Chin herself has commented herself on the size of this jail.

The City has not revised the scope of this plan; it still calls for a 1.2 million square foot, 495 foot tall skyscraper that exceeds the zoning limits. It required the City Planning Commission to provide special zoning exemptions against the community's wishes. Community engagement has no meaning if this plan is allowed to continue. I ask that the City Council VOTE NO to this plan. I ask that Council Person Margaret Chin, listen to her community boards, listen to her constituents and VOTE NO to this plan.

Howard Huie
170 Park Row
hh.ctboard@gmail.com
NUBC, BOD Chatham Towers

FOR THE RECORD

I am asking you to support the plan to close Rikers and replace it with modern facilities in the boroughs. The racism and culture of violence at Rikers have been profound blots on the City for many years. Rikers cannot and should not be fixed. It needs to be replaced—NOW, and the proposal for borough-based facilities provides a path to do that in the speediest possible way.

The mayor's plan involves dramatically shrinking the jail population, improving conditions and reducing harm for those who remain in detention. NYC's practice of banishing people who are accused of crimes to a toxic island normalizes the idea that people accused of crimes should be punished in harsh ways and isolated from their families and communities. In other cities and counties where there are jails, they are often located in downtown areas and civic centers. This is important so that the people detained there - the majority of whom are not yet convicted - can have easy access to courts and their lawyers, and so loved ones can easily visit them. Rikers Island is an anomaly that intensifies the trauma not only to those jailed there but to all those who care about them.

It will be important as plans for borough-based facilities are drawn up that committees of advocates, formerly incarcerated people, social justice groups, mental health providers and corrections officials reflect together on how these institutions can best address issues of the mental and physical health, education, and reentry of detainees. But it is important that the perfect not become an enemy of the good. Rikers is a humans-rights crisis that needs to be ended, and you can end it by voting yes on the proposal.

Judith Plaskow
779 Riverside Dr

BOROUGH BASED JAILS, CITY COUNCIL HEARING, 9/5/2019

The entire Borough Based Jails Process has displayed some of the most blatantly, shameful abuses of city government power -- under the veneer of progressive reform.

Lack of true community engagement, outrageously flawed process and nontransparent deals have colored and rivaled some of the worst of President Donald Trump's dirty deeds.

Truly progressive cities like Los Angeles and Seattle are boldly reimagining a society where the mentally and medically ill can be treated in smaller, humane community care models and the incarcerated are reintegrated into society in well thought out programs. While New York City's government is racing to ram through skyscraper jails while destroying their neighbor's neighborhoods.

In Chinatown, our location between three existing jails, particularly the Metropolitan Correctional Center, has already put us through the harrowing excesses of 9/11's Homeland Security street lockdowns and takeaway of public spaces.

This collapsed Chinatown's economy, destroyed our surface transportation network and crippled our emergency service access -- taking more than 15 years of street battles, lawsuits and activism to recover.

During this period, Police Headquarters callously called Chinatown 9/11 "Collateral Damage".

Chinatown is again in the crosshairs of city government assault guns

I ask City Council members to treat our impacted communities, fairly, humanely and compassionately by --

halting, rethinking and resetting this outrageously flawed jail process.

What if YOU or YOUR MOTHER lived next door to one of these monolithic, out of scale jails, how would you vote?

Thank you.

Jeanie Chin

jvc1188@gmail.com

180 Park Row

New York, NY 10038

9/5/19

FOR THE RECORD

My name is Eileen Jarrett. I live in Washington Heights and I am a member of The Fourth Universalist Society here in New York City. I would like to urge the City Council to vote YES on the plan to shrink the jail population and to build borough-based facilities to enable the closure of Rikers.

Growing up about an hour north of the city, I had often heard of Rikers and understood it to be a place for the most dangerous criminals. But a few years ago, when I learned of the death of Kalief Browder and of his three years spent at Rikers awaiting trial, I learned that my assumption was incorrect.

As you likely know, in 2016, New York City became the first city in the nation to end solitary confinement for all those under the age of 21. I applaud that action and stand before you today to urge you to continue down the path of criminal justice reform and to lead the nation in a more humane approach for those detained and serving sentences in our correctional facilities. You can do this by building borough-based facilities that focus on rehabilitation and implement programs that help people lead more productive lives.

According to a NY Times article (April 5, 2019) titled *Crime Is Down, Yet U.S. Incarceration Rates Are Still Among the Highest in the World...*

"Some of the states with notable drops [in incarceration rates], including New Jersey, New York and Connecticut, pushed through significant policy changes, such as reclassifying felonies as misdemeanors and giving more discretion to sentencing judges."

This, too, is good news ^{for NY.} It seems that we are headed toward a more just and equitable system.

On a personal note, in 2005, my husband and I, along with our three young children moved to a small rural town on the New York – Canadian border. There were three main employers there -- the hospital, the schools, and the two prisons. The prisons had not deterred us from moving to the town, and while we lived there for five years, we did not feel any less safe, and we did not suffer any consequences from having prisons "in our backyard." However, when we made our decision to move back to the metro area nine years ago, it was shortly after a rally that my husband was asked to attend – basically, required to attend – by his employer (which was not the prisons). It was a rally to keep the prisons open. While we could sympathize with those who feared losing their job, we could not agree that keeping the prisons open for the sake of those jobs was the right thing to do. Why should we have more prisons than we need? And should we continue to incarcerate people to provide an economic engine?

As crime continues to fall and there are better and more humane ways to treat those who do commit crimes, I believe you have a responsibility and an opportunity to be a leader in criminal justice reform and to do the right thing - close Rikers. Build new facilities to house the current population which can transition to community use as the number of incarcerated people continues to decline.

Respectfully submitted,
Eileen Jarrett
140 Cabrini Blvd. Apt 133, New York, NY 10033

Statement to City Council re: Borough Based Jail Plan

My name is Peggy Herrera. I am a lifelong New York City resident, and a mother not only to my own, but to the many young people I work with. They are young men with lots of potential but also with lots of trauma and pain that gets overlooked because of their behaviors.

My 20 year old son also lives with the impacts of trauma. He took a turn and ended up in the criminal justice system. At first, I didn't know where he was. I didn't hear from him for three days. When I finally found out where he was at I made my way to The Rikers Island Barge in the Bronx. He told me he was in the bullpens for three nights, on the floor with roaches climbing on him and he still didn't bathe. No phonecall? No bed? No bath? The jail population in NYC is the lowest it's been in forty years, so there are no shortages of beds or staff in those facilities to explain such inhumane treatment. WE MUST DO BETTER!!!! The fact that Rikers and the Boat are so isolated makes it easier for this abuse to happen with little oversight.

Closing Rikers is URGENT!!!!. The plan proposed is a start, but we urge the City Council to make important modifications to improve it..

The City Council can

- Insist that the City make a targeted \$30 million investment in expanding alternatives to incarceration - the type of programs focused on a therapeutic approach that would really benefit my son,
- Insist that the City agree to a \$100 million investment in mental health resources
- Through these commitments, reduce the jail population to less than 3,000 people in the next five years

And these new facilities must be operated differently. People must be treated as people, and the City MUST detail plans to limit the role and power of the Department of Corrections so that these facilities can actually support rehabilitation. Please, help us to win improvements to this plan, and to close the United States' last penal colony, and the floating jail here in the Bronx where people are suffering right now.

FOR THE RECORD

My name is Janaye McBren. I'm on the Board of Directors of Rikers Debate Project, and I manage a debate class on Rosie M. Singer. I've been teaching debate classes on Rosie for detainees twice per month for the past two years.

Anyone who has been on any facility on Rikers Island can speak to the dilapidated nature of the buildings, the inconsistent heating and cooling systems, the poor water quality and lack of basic human necessities like adequate plumbing and natural light.

Working in the women's facility, I've seen how Rikers changes the lives of detainees and the individuals who depend on them. Many of my students are primary caregivers whose homes have been lost and children or grandchildren have been displaced during their detention. I've seen how being separated from family impacts the detained, but I can only imagine the trauma that this creates for children.

Our students often enter Rikers with their own trauma, addiction and mental illnesses. The culture on Rikers Island exacerbates these issues rather than mitigates them. While civilians do provide programming to detainees to help with these issues, correctional officers often do not encourage participation and at times keep detainees from participating as punishment. The design of Rikers Island and the facilities on them don't allow for the oversight that is needed. Furthermore, the remote location of Rikers Island deters program providers, who are often the only opportunities that detainees have for rehabilitation.

FOR THE RECORD

I am bothered that there is no evidence that those opposing the plan, spent ~~even~~ ^{even} 18 minutes watching "After Rikers: Justice by Design" and yet we ^{supporting the plan, study their argument} testimony of Elizabeth Hovey, Ph.D., resident above 30 Ann Street since 11/1/1991.

I come to this chamber as a consequence of growing up in a family where integrity was the most important thing. I carry on the tradition by being an adjunct professor for students who care about justice. Your City Council's vote on this proposed land use plan is vitally important and we all count on you to act with integrity.

I'm a neighbor to the proposed Manhattan jail and I come to say YIMBY - "Yes, come to my back yard." I live 8-12 blocks away; I also have travelled past the site at Centre and White once or twice every Wednesday night for 27 years.

After I moved to New York City by happenstance in the mid-80s, my pride in this city grew steadily as I learned more about it and as it recovered from its most difficult period and, as you know, hit its stride in many ways. But that pride turned to shame on a November Thursday in 2016. That's when I saw the movie Rikers, and I almost couldn't bear to look in the mirror.

How could I have been a blithe citizen, going about my business? The people in Rikers, by and large, have committed the offense of being poor, losing the lottery of our undeniably racist economy. In our name, and with our exorbitant funds, Rikers serves the dual purpose of extorting high conviction (that is to say forced confession) rates and confirming the pattern that those who are treated behaving far worse than they started. If you talk to an ordinary cross-section of this city, you will hear terrible stories about Rikers.

Good programs within jails and prisons are vital. One could be said to have saved the life one of my dearest friends. But the isolation of Rikers fosters the kinds of corruption, misery, abuse and violence that is incompatible with rehabilitation. And we cannot continue a system where detainees are always subjected to deprivation on the very occasions when they might get a glimmer of due process - a hearing. I don't want to pay \$42 million a year for their exceedingly uncomfortable transit to the courts that may decide their fate - and there are too many stories of detainees who, banished to Rikers, never get to court at all.

I've cared about politics and procedures my whole life and attended many meetings, but I have never testified before this chamber and never will again. As a historian and a citizen who now loves this city, I charge you that this is the most important vote of your careers, and you should always be able to look back at it with pride.

My students at John Jay College of Criminal Justice brought the issue of mass incarceration to my attention. "Rikers: An American Jail," produced by Bill Moyers, made me ashamed to be a New Yorker in the era of Rikers' systematic dehumanization of people too poor to pay bail. The jails as proposed are going to be expensive, but the more reforms we put in place, the less our costs, the greater the humanity & sanity, and research indicates, the lower the crime rate. We already pay \$838 per day per detainee on Rikers, that's a lot of money.

Below is what I wrote to a friend who supported a rally of the opposition that calls instead for "no new jails," which will in effect leave us with Rikers for the rest of my lifetime. I have added below that my

response to the two criticisms I've learned of raised by neighbors who oppose the replacement of the Manhattan current jail by a larger one, with a more humane arrangement, but also big enough to absorb the detainees currently housed far from the courts where their hearings (and their counsel) are.

...

I want the humane new constructions to house detainees near their counsel and nearer their families. I understand that Chinatown feels put upon, but we nearly all must put up with construction noise and few of us would choose a single day really in Rikers over putting up with construction. It has been about 35 years since the prior Manhattan jail was built. I wouldn't be surprised if 350 floors of new construction have been built within two blocks of Fulton and Nassau in the last 8 years.

I've worked hard for all the reforms that will diminish the jail and prison/jail population: raise the age, no cash bail, speedy trials, fair rules for evidence and discovery. Those are extremely important fights that have to be continued, but ultimately *the City Council has control over land use*, and we need to have *some* jails. They need to be where detainees who do have trials upcoming and going on can be housed in a way that promotes their eventual return to the outside world, not humiliation, violence and greater criminality. And we need to replace Rikers with designs that reflect what we know about how to improve the living and working conditions of those in the jails.

Rikers' isolation is a big source of its dehumanization. Those who have been stuck there, and those who for years have been in the forefront of fighting mass incarceration, are also in the forefront of this plan. "No new jails" is not realistic and untenable. Plus, with the current jail configuration, we taxpayers pay \$42 million a year just for the secure yet often excruciating travel of detainees to the jails next to their hearings or trials.

I heard from a public defender who told me and others* in February 2018 about the 'every day' permanent damage and torture of his clients. I believe that this is the golden moment to put Rikers behind us, and I fear that Rikers will outlast me, a healthy 58-year old, if you do not allow this plan to go forward. Who is going to overcome the inertia that lets the least powerful among us suffer the most? That was the moment when I decided that the City Council vote is, for me, the most important political moment of the year, if not for my whole life.

*representing faith-based opponents of racism and mass incarceration

~~~~~

These are my answers to what I first dismissed as NIMBY concerns but are worthy of exploration. (Not in my backyard.) I am saying YIMBY (Yes! In my back yard.)

A friend on my local community board voted, with most or all of our board, against the planned change of the current jail at the intersection of White and Centre streets to a larger facility. She is upset that the ordinary ULURP process has been obviated in this. I am sure that she is correct procedurally. By contrast I accept the notion that the process can be overridden by the City Council (with its ultimate democratic/representation-based land use oversight). Getting jails rebuilt in 4 locations and the loooooong process it will take to do so makes it essential to get do the basics now. It is essential to get started getting the footprint right and the 35-year old court-convenient jails replaced. It is good that

there are so many reforms in the offing (will our Governor co-operate?), like the most important elimination of cash bail; these can reduce the population substantially that needs to be housed before the final height of the new jails are set.

Additionally, the new jails' humane new designs may make some floors suitable for different populations. If all of the efforts, so honorable, to reduce the jailed population are in turn honored by our governor, state house and the execution of policing and prosecuting policies

A family member did some research and told me that the heart of the complaints from the Chinatown neighbors of the construction are that the dust and chemicals involved in the reconstruction will be especially harmful to the aged Asian population that lives nearby. I sympathize completely, guessing that the dust from the destruction of the old Jail may be the biggest threat. Of course, I feel strongly that every health precaution that can be taken should be. It will be important that every cultural sensitivity be respected if people have to be relocated for a time for the protection of their health. I can only hope that arriving in the temporary housing that can be arranged brings a smile of relief to their faces. Some of the people relocated during the potentially harmful phase of the project may find a break in the loneliness and isolation which has recently been identified as epidemic and harmful in our senior population.

For any questions I can be reached best at 646 872-0863 and [hoveyjiler@gmail.com](mailto:hoveyjiler@gmail.com)

# Supporting the Borough-Based Plan for Closing Rikers

I live within 12 blocks of the location of the proposed jail in my borough to replace the use of Rikers. The existing jail there does not threaten my quality of life in any way. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers.

(PRINT)

(Sign)

| Name      | # of Signature | Street Address | Zip Code  |
|-----------|----------------|----------------|-----------|
| 19-1-1    | 9              |                |           |
| 9-1-19-2  | 7              |                |           |
| 9-1-19-3  | 16             |                |           |
| 9-4-19-4  | 15             |                |           |
| 9-3-19-5  | 14             |                |           |
| 9-4-19-6  | 6              |                |           |
| 9-2-19-7  | 15             |                |           |
| 9-3-19-8  | 3              |                |           |
| 9-4-19 9  | 10             |                |           |
| 9-4-19 10 | 16             |                |           |
| 9-4-19 11 | 9              |                |           |
| 9-4-19 12 | 12             |                |           |
| 9-4-19 13 | 3              |                |           |
| 9-1-19 14 | 14             | # 646 956-0283 | + 1 other |
| 9-4-19 15 | 5              |                |           |
| 9-5-19 9  | 9              |                |           |

163 + 115 electronic

(122 responses, 7 of which were "not" in the city - either Confused, NipCode

Things to add

Several emails need.

"experiment"

Construction workers are justice "Satan" involved

Support => 60%

Outside

~~Keep rights~~

SUSPICION

Zoning

Master plan

Now or never. Land use

A question of Time and space

18 mins

We are in a special time = we all agree on closure, & sound programs Attention that was missing for too long.

This is Not Expansion

All step up to do the work

But it is a time

Now or never

Where will they go?

So many people

How about a quotient of justice involved.  
4 in 1

The Bronx placement does seem problematic.

Community involvement

Design build single vote

## Urgent: Declare Your Support for the Plan to Close Rikers!

On Thursday, Sept 5th, the NYC Council will hold the ONLY public hearing before it votes in October on whether to adopt the Mayor's proposed plan to (finally!) close Rikers.

If you live, work, or intern in NYC - please fill out this form & do your part to see that Rikers is shut down!

As most New Yorker's know, conditions at Rikers are grim and at times, inhumane. Yet, the plan to shut it down is in jeopardy as all 4 community board's for the proposed borough-based facilities have voted down the plan, due in large part to NIMBY (Not in My Backyard) concerns. Many are arguing to Close Rikers, but w/out building any new jails.

This is not a workable solution. Mayor de Blasio has held good to his pledge to reduce the population at Rikers (down from ~11k when he took office to ~7k today). His ultimate goal is ~4k. But those ~4k individuals will still need to be held somewhere for Rikers to close its doors! The proposed smaller borough-based facilities will offer many benefits to individuals held there, ranging from improved living conditions to easier access to the courts, their attorneys, and visitors.

In filling out this form, you add your voice to other New Yorker's want to see Rikers closed & support the Mayor's plan. Your signature will be entered into the record by a John Jay professor who lives near the proposed Manhattan site & will be testifying YIMBY (Yes! In My Backyard). She will present as many signatures as we can gather by Wednesday night - so please share this form NOW with everyone New Yorker you know -co-workers, friends, family, classmates, neighbors - everyone!

P.S. If you want more info on conditions at Rikers & the plan being voted on, check out Bill Moyer's two part documentary available for FREE at <http://rikersfilm.org/> & <https://vimeo.com/329111573>. Also, if you haven't heard the full Kalief Browder story, watch this documentary on Netflix: <https://www.netflix.com/title/80187052>

Name \*

elizabeth burrows

Residential Zip Code \*

10033

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

elizabeth burrows 10454

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Name \*

Emily Weinrebe

Residential Zip Code \*

11213

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Emily Weinrebe, 11213, social worker

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Name \*

Lily Moldan

Residential Zip Code \*

10075

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Step Up Program 10003

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Name \*

Mai-Len

Residential Zip Code \*

10023

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Mai-Len Kennedy 10023 iMentor

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## Urgent: Declare Your Support for the Plan to Close Rikers!

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Name \*

Elissa Myers

Residential Zip Code \*

11372

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

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N/A

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Name \*

Erica Caparelli

Residential Zip Code \*

11363

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Erica Caparelli 11363

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Name \*

Brian Kramer

Residential Zip Code \*

10033

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Na

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Name \*

Elena Callahan

Residential Zip Code \*

11226

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Elena 10004

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Name \*

Alexis Rubenstein

Residential Zip Code \*

10028

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Alexis Rubenstein 10460

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Name \*

Ashley Harwood

Residential Zip Code \*

10035

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Ashley Harwood 10451

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Name \*

Fatima Bah

Residential Zip Code \*

11208

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

11201

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Name \*

Tricia Capistrano

Residential Zip Code \*

10034

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

yes, 10010

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Name \*

Kelly Lavan

Residential Zip Code \*

11105

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Kelly Lavan, 10026

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Name \*

Kathleen McIntyre

Residential Zip Code \*

11103

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Kathleen McIntyre, 10032

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Name \*

Kathleen Johnson

Residential Zip Code \*

11231

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

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Kathleen Johnson 11231

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Name \*

Eileen Jarrett

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Residential Zip Code \*

10033

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I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

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275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

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N/A

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Name \*

Adam D Jarrett

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Residential Zip Code \*

10033

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I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

N/A

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Name \*

Jessica Sargent

Residential Zip Code \*

11215

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Jessica 10018

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Name \*

Julie Bock

Residential Zip Code \*

11102

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Yes, 10014

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Name \*

Conner Elliott

Residential Zip Code \*

10032

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

10036

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Name \*

Melanie Van Orden

Residential Zip Code \*

10032

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

10032

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Name \*

Lisa Saltzman

Residential Zip Code \*

11221

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Lisa Saltzman 11375

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Name \*

Sapir Ashkenazi

Residential Zip Code \*

11375

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

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N/A

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Sapir Ashkenazi 11375

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Name \*

Ariel

Residential Zip Code \*

10029

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Ariel 10455

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Name \*

William Kravitz

Residential Zip Code \*

10025

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

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N/A

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Name \*

Erica Sperling

Residential Zip Code \*

10594

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes.

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Yes; 10036

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Name \*

Satya Tabachnick

Residential Zip Code \*

10016

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

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Name \*

stefani jarrett

Residential Zip Code \*

11561

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

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stefani jarrett 10017

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This is not a workable solution. Mayor de Blasio has held good to his pledge to reduce the population at Rikers (down from ~11k when he took office to ~7k today). His ultimate goal is ~4k. But those ~4k individuals will still need to be held somewhere for Rikers to close its doors! The proposed smaller borough-based facilities will offer many benefits to individuals held there, ranging from improved living conditions to easier access to the courts, their attorneys, and visitors.

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Name \*

Emma Beiderman

Residential Zip Code \*

11225

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

N/a

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Name \*

Geneva

Residential Zip Code \*

11212

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Geneva 10012

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Name \*

Jill K Sanders

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Residential Zip Code \*

10467

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I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

N/A

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Name \*

Melissa Judith Montenes

Residential Zip Code \*

07302

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

Melissa Judith Montenes

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Name \*

Ashley Soto

Residential Zip Code \*

11234

I am a resident of NYC and support the plan to close Rikers, including the construction of smaller borough-based correctional facilities \*

Yes

No

I support the plan & live within 12 blocks of one of the proposed borough-based correctional facilities. \*

124-125 White Street in Manhattan

275 Atlantic Avenue in Brooklyn

745 East 141st Street in the Bronx

126-02 82nd Avenue in Queens

N/A

I work or intern in NYC and support the plan to close Rikers. If yes, write your name & the zip code where you work/intern; if no, write N/A. \*

N/A

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|----------------------------|-------------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 2019/08/31 4:43:42 PM AST  | Temma Ehrenfeld         | 10025      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/01 8:22:08 AM AST  | Elizabeth Hovey         | 10038      | Yes                                                                                                                                       | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to                                                                           |
| 2019/09/01 2:05:44 PM AST  | Jessica Brown           | 11201      | Yes                                                                                                                                       | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to                                                                           |
| 2019/09/01 2:39:52 PM AST  | Abby Sinker             | 10023      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/01 3:18:30 PM AST  | Amanda McGarry          | 10301      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/01 3:19:07 PM AST  | Kacper                  | 10306      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/02 10:12:17 AM AST | Arlene Kossoff          | 10024      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/02 4:58:24 PM AST  | Adrienne Gruberh        | 10010      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | I decline to state.                                                                              |
| 2019/09/02 5:59:43 PM AST  | Lawrence Elmer Fuhrmann | 10011      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/02 9:46:06 PM AST  | Ashley Fraser           | 11429      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/02 10:21:31 PM AST | Gabriella Alcindor      | 11422      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/02 10:32:30 PM AST | Andrea Truppinn         | 10024      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/02 10:57:06 PM AST | Pat Johnson             | 10027      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/02 11:54:53 PM AST | Sam Ascencio            | 7307       | No                                                                                                                                        | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/02 11:55:40 PM AST | Harvey Miguel           | 11423      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/03 12:29:55 AM AST | Shannon                 | 11411      | No                                                                                                                                        | N/A - Not applicable.                                                                              | I decline to state.                                                                              |
| 2019/09/03 12:33:50 AM AST | Stefanie                | 11220      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 12:57:18 AM AST | Joel Auguste            | 11234      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 9:49:26 AM AST  | Nadia Gaya              | 11205      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 10:52:54 AM AST | Katrinka-Moore          | 10038      | Yes                                                                                                                                       | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to                                                                           |
| 2019/09/03 12:04:52 PM AST | Emely Garcia            | 10472      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 12:39:35 PM AST | Lourdes Colon           | 10001      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 4:01:20 PM AST  | John Sutter             | 10013      | Yes                                                                                                                                       | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to                                                                           |
| 2019/09/03 4:19:20 PM AST  | carolyn wells           | 11226      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |

| Timestamp                  | Your Name              | Your Zip ( | I am a resident of NYC and support the plan to close Rikers, including the construction of smaller, borough-based correctional facilities | I support the plan & live within 12 blocks of one of the proposed borough correctional facilities. | I, and/or someone in my family, have been directly impacted by the harmful conditions at Rikers. |
|----------------------------|------------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 2019/09/03 4:48:33 PM AST  | Kathryn Funkhouser     | 11216      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/03 5:08:31 PM AST  | Diana Lomask           | 11218      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 5:23:39 PM AST  | Ashley                 | 10030      | Yes                                                                                                                                       | 124-125 White Street in Manhattan                                                                  | Yes.                                                                                             |
| 2019/09/03 5:54:19 PM AST  | Kesiah E. Scully       | 10003      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 6:21:05 PM AST  | Stev                   | 8901       | No                                                                                                                                        | 745 East 141st Street in the Bronx                                                                 | Yes.                                                                                             |
| 2019/09/03 6:28:42 PM AST  | Dana Koplik            | 10021      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 6:34:58 PM AST  | Kathryn Grant          | 10036      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/03 6:37:40 PM AST  | Susan Gallin           | 10019      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 8:48:43 PM AST  | David Seres            | 10003      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 9:26:51 PM AST  | Michael Lawrence       | 10038      | Yes                                                                                                                                       | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to                                                                           |
| 2019/09/03 10:12:59 PM AST | Judah Klingsberg       | 10025      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/03 10:34:06 PM AST | Matthew Vitale         | 11010      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 12:46:30 AM AST | Sarah O'Neill          | 10011      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 6:16:26 AM AST  | Pam Weadick            | 11238      | Yes                                                                                                                                       | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to                                                                           |
| 2019/09/04 7:09:35 AM AST  | Marty Heitner          | 11201      | Yes                                                                                                                                       | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to                                                                           |
| 2019/09/04 8:32:58 AM AST  | Jennifer Houlton-Vinyl | 10024      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 9:12:02 AM AST  | Lily Berman            | 10013      | Yes                                                                                                                                       | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to                                                                           |
| 2019/09/04 9:33:07 AM AST  | Melanie Lee            | 11217      | Yes                                                                                                                                       | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to                                                                           |
| 2019/09/04 10:02:28 AM AST | Yashkumar Shah         | 11040      | No                                                                                                                                        | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to                                                                           |
| 2019/09/04 12:41:05 PM AST | Charissa Gaul          | 11550      | No                                                                                                                                        | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:01:44 PM AST  | Andrea Lopilato        | 11226      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/04 1:02:53 PM AST  | Joanna Maurer          | 10023      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:04:34 PM AST  | Phyllis Kamysek        | 10007      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:15:00 PM AST  | Lydia Andre            | 10011      | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |

| Timestamp                  | Your Name               | Your Zip ( | Resident of NY<br>who wants the<br>borough-based<br>plan | I support the plan & live within 12 blocks of one of the<br>proposed borough correctional facilities. | I, and/or someone in my family, have been<br>directly impacted by the harmful conditions<br>at Rikers. |
|----------------------------|-------------------------|------------|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| 2019/09/02 4:58:24 PM AST  | Adrienne Gruberh        | 10010      | Yes                                                      | N/A - Not applicable.                                                                                 | I decline to state.                                                                                    |
| 2019/09/02 5:59:43 PM AST  | Lawrence Elmer Fuhrmann | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 12:46:30 AM AST | Sarah O'Neill           | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 1:15:00 PM AST  | Lydia Andre             | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 2:11:31 PM AST  | Michael Shaieb          | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 2:42:47 PM AST  | Ann H. Roberts          | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 5:46:19 PM AST  | Barry Munger            | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 6:13:51 PM AST  | Vicki Moss              | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 6:56:32 PM AST  | Elizabeth Whitman       | 10011      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 11:36:05 PM AST | Violet low-beinart      | 10013      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 11:37:43 PM AST | Clifford Beinart        | 10013      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 11:37:52 PM AST | Stephanie Low           | 10013      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 2:23:50 PM AST  | Pat Bates               | 10014      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/03 6:37:40 PM AST  | Susan Gallin            | 10019      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/03 6:28:42 PM AST  | Dana Koplik             | 10021      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 1:29:48 PM AST  | Robert Goldstein        | 10021      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 1:52:03 PM AST  | Catherine Belford Budd  | 10021      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/01 2:39:52 PM AST  | Abby Sinker             | 10023      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 1:02:53 PM AST  | Joanna Maurer           | 10023      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 3:53:02 PM AST  | Denise Kramer           | 10023      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 5:14:01 PM AST  | Joan Coyne              | 10023      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/02 10:12:17 AM AST | Arlene Kossoff          | 10024      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/02 10:32:30 PM AST | Andrea Truppin          | 10024      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 8:32:58 AM AST  | Jennifer Houlton-Vinyl  | 10024      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |
| 2019/09/04 1:24:57 PM AST  | Robin Gottlieb          | 10024      | Yes                                                      | N/A - Not applicable.                                                                                 | No. Even so, I want to end the harmful effects of Rikers' conditions..                                 |

| Timestamp                  | Your Name        | Your Zip ( | Resident of NY who wants the borough-based plan | I support the plan & live within 12 blocks of one of the proposed borough correctional facilities. | I, and/or someone in my family, have been directly impacted by the harmful conditions at Rikers. |
|----------------------------|------------------|------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 2019/09/03 4:01:20 PM AST  | John Sutter      | 10013      | Yes                                             | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 9:12:02 AM AST  | Lily Berman      | 10013      | Yes                                             | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/05 12:51:44 AM AST | Caroline Press   | 10013      | Yes                                             | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 1:25:42 PM AST  | Sandra dipasqua  | 10014      | Yes                                             | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 5:23:39 PM AST  | Ashley           | 10030      | Yes                                             | 124-125 White Street in Manhattan                                                                  | Yes.                                                                                             |
| 2019/09/01 8:22:08 AM AST  | Elizabeth Hovey  | 10038      | Yes                                             | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 10:52:54 AM AST | Katrinka Moore   | 10038      | Yes                                             | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 9:26:51 PM AST  | Michael Lawrence | 10038      | Yes                                             | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 8:46:30 PM AST  | Linda Gerena     | 11375      | Yes                                             | 126-02 82nd Avenue in Queens                                                                       | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/01 2:05:44 PM AST  | Jessica Brown    | 11201      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 7:09:35 AM AST  | Marty Heitner    | 11201      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 10:15:47 PM AST | Matthew Alexion  | 11201      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 10:26:00 PM AST | Gabriel Haddad   | 11201      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 3:45:57 PM AST  | ROBIN BOSSERT    | 11206      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 7:12:07 PM AST  | Shannon Stagman  | 11215      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 9:33:07 AM AST  | Melanie Lee      | 11217      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 10:04:02 PM AST | Gabriel Boyd     | 11217      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | I decline to state.                                                                              |
| 2019/09/04 6:16:26 AM AST  | Pam Weadick      | 11238      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 10:04:03 PM AST | Ellis Crawford   | 11238      | Yes                                             | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 7:42:02 PM AST  | Zachary Valerio  | 10473      | Yes                                             | 745 East 141st Street in the Bronx                                                                 | Yes.                                                                                             |
| 2019/09/03 12:39:35 PM AST | Lourdes Colon    | 10001      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 1:30:03 PM AST  | Sujaan Grimson   | 10001      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 5:54:19 PM AST  | Kesiah E. Scully | 10003      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 8:48:43 PM AST  | David Seres      | 10003      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 10:59:36 PM AST | Sturgis Warner   | 10003      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 1:04:34 PM AST  | Phyllis Kamysek  | 10007      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |

| Timestamp                  | Your Name           | Your Zip ( | Resident of NY who wants the borough-based plan | I support the plan & live within 12 blocks of one of the proposed borough correctional facilities. | I, and/or someone in my family, have been directly impacted by the harmful conditions at Rikers. |
|----------------------------|---------------------|------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 2019/09/04 8:37:44 PM AST  | Carol Van Deusen    | 10024      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/08/31 4:43:42 PM AST  | Temma Ehrenfeld     | 10025      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 10:12:59 PM AST | Judah Klingsberg    | 10025      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 3:36:54 PM AST  | Kate Shaber         | 10025      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 11:32:26 PM AST | Alina Larson        | 10025      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 11:18:35 PM AST | Mohamed Ndiaye      | 10026      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/02 10:57:06 PM AST | Pat Johnson         | 10027      | Yes                                             | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/04 11:48:21 PM AST | Monserate           | 10031      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 9:27:06 PM AST  | Diorca cepeda       | 10032      | Yes                                             | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/05 2:29:35 AM AST  | Ana Rosario         | 10032      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 6:34:58 PM AST  | Kathryn Grant       | 10036      | Yes                                             | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/04 5:38:12 PM AST  | Liz Keefe           | 10036      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 8:58:07 PM AST  | Patricia Franz      | 10036      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 5:16:09 PM AST  | Ellen Bender        | 10128      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/01 3:18:30 PM AST  | Amanda McGarry      | 10301      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 5:19:19 PM AST  | Juiarah Saleh       | 10305      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/01 3:19:07 PM AST  | Kacper              | 10306      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 8:44:03 PM AST  | Michael tenuto      | 10314      | Yes                                             | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/04 8:23:30 PM AST  | Joyce               | 10456      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 8:23:49 PM AST  | Randy               | 10460      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 3:42:20 PM AST  | Theresa Squillacote | 10468      | Yes                                             | N/A - Not applicable.                                                                              | I decline to state.                                                                              |
| 2019/09/03 12:04:52 PM AST | Emely Garcia        | 10472      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 10:34:06 PM AST | Matthew Vitale      | 11010      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 6:14:27 PM AST  | Christopher Vidaic  | 11105      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/05 2:42:48 AM AST  | Jamar Simpson       | 11201      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 9:49:26 AM AST  | Nadia Gaya          | 11205      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |

| Timestamp                  | Your Name                | Your Zip ( | Resident of NY who wants the borough-based plan | I support the plan & live within 12 blocks of one of the proposed borough correctional facilities. | I, and/or someone in my family, have been directly impacted by the harmful conditions at Rikers. |
|----------------------------|--------------------------|------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 2019/09/04 1:32:27 PM AST  | Erin Reese               | 11215      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 10:36:09 PM AST | Melissa walker           | 11215      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 11:36:58 PM AST | Elizabeth Bruna          | 11215      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 4:48:33 PM AST  | Kathryn Funkhouser       | 11216      | Yes                                             | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/03 5:08:31 PM AST  | Diana Lomask             | 11218      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 12:33:50 AM AST | Stefanie                 | 11220      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 7:51:54 PM AST  | Peter Michael Vlismas    | 11220      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 1:15:39 PM AST  | Alexandra Reese          | 11222      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 4:19:20 PM AST  | carolyn wells            | 11226      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 1:01:44 PM AST  | Andrea Lopilato          | 11226      | Yes                                             | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/04 3:44:14 PM AST  | Mary Ellen Kramer        | 11226      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/03 12:57:18 AM AST | Joel Auguste             | 11234      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 5:10:40 PM AST  | Yevgeniy Pastukhov Semch | 11234      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/04 6:29:03 PM AST  | Katerine Svagba          | 11358      | Yes                                             | N/A - Not applicable.                                                                              | I decline to state.                                                                              |
| 2019/09/02 10:21:31 PM AST | Gabriella Alcindor       | 11422      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |
| 2019/09/02 11:55:40 PM AST | Harvey Miguel            | 11423      | Yes                                             | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/02 9:46:06 PM AST  | Ashley Fraser            | 11429      | Yes                                             | N/A - Not applicable.                                                                              | No. Even so, I want to end the harmful effects of Rikers' conditions..                           |

| Timestamp                 | Your Name                | Your Zip | I am a resident of NYC and support the plan to close Rikers, including the construction of smaller, borough-based correctional facilities | I support the plan & live within 12 blocks of one of the proposed borough correctional facilities. | I, and/or someone in my family, have been directly impacted by the harmful conditions at Rikers. |
|---------------------------|--------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 2019/09/04 1:15:39 PM AST | Alexandra Reese          | 11222    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:24:57 PM AST | Robin Gottlieb           | 10024    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:25:42 PM AST | Sandra dipasqua          | 10014    | Yes                                                                                                                                       | 124-125 White Street in Manhattan                                                                  | No. Even so, I want to                                                                           |
| 2019/09/04 1:29:48 PM AST | Robert Goldstein         | 10021    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:30:03 PM AST | Sujaan Grimson           | 10001    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:32:27 PM AST | Erin Reese               | 11215    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 1:52:03 PM AST | Catherine Belford Budd   | 10021    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 2:11:31 PM AST | Michael Shaieb           | 10011    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 2:23:50 PM AST | Pat Bates                | 10014    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 2:42:47 PM AST | Ann H. Roberts           | 10011    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 3:36:54 PM AST | Kate Shaber              | 10025    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 3:42:20 PM AST | Theresa Squillacote      | 10468    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | I decline to state.                                                                              |
| 2019/09/04 3:44:14 PM AST | Mary Ellen Kramer        | 11226    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 3:45:57 PM AST | ROBIN BOSSERT            | 11206    | Yes                                                                                                                                       | 275 Atlantic Avenue in Brooklyn                                                                    | No. Even so, I want to                                                                           |
| 2019/09/04 3:53:02 PM AST | Denise Kramer            | 10023    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 5:10:40 PM AST | Yevgeniy Pastukhov Semch | 11234    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 5:14:01 PM AST | Joan Coyne               | 10023    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 5:16:09 PM AST | Ellen Bender             | 10128    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 5:19:19 PM AST | Juiarah Saleh            | 10305    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 5:38:12 PM AST | Liz Keefe                | 10036    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 5:46:19 PM AST | Barry Munger             | 10011    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 6:06:39 PM AST | Margaret Jacobs          | 11201    | No                                                                                                                                        | N/A - Not applicable.                                                                              | Yes.                                                                                             |
| 2019/09/04 6:13:51 PM AST | Vicki Moss               | 10011    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |
| 2019/09/04 6:14:27 PM AST | Christopher Vidaic       | 11105    | Yes                                                                                                                                       | N/A - Not applicable.                                                                              | No. Even so, I want to                                                                           |

# Add Your Name to the Petition For This Thursday's City Council Hearing on the Rikers Replacement Plan

97 responses

## Your Name

97 responses

Clifford Beinart

Temma Ehrenfeld

Elizabeth Hovey

Jessica Brown

Abby Sinker

Amanda McGarry

Kacper

Arlene Kossoff

Adrienne Gruberh

Lawrence Elmer Fuhrmann Jr.

Ashley Fraser

Gabriella Alcindor

Andrea Truppin

Pat Johnson

Sam Ascencio

Harvey Miguel

Shannon

Stefanie

Joel Auguste

Nadia Gaya

Katrinka Moore

Emely Garcia

Lourdes Colon

John Sutter

carolyn wells

Kathryn Funkhouser

Diana Lomask

Ashley

Kesiah E. Scully

Stev

Dana Koplik

Kathryn Grant

Susan Gallin

David Seres

Michael Lawrence

Judah Klingsberg

Matthew Vitale

Sarah O'Neill

Pam Weadick

Marty Heitner

Jennifer Houlton-Vinyl

Lily Berman

Melanie Lee

Yashkumar Shah

Charissa Gaul

Andrea Lopilato

Joanna Maurer

Phyllis Kamysek

Lydia Andre

Alexandra Reese

Robin Gottlieb

Sandra dipasqua

Robert Goldstein

Sujaan Grimson

Erin Reese

Catherine Belford Budd

Michael Shaieb

Pat Bates

Ann H. Roberts

Kate Shaber

Theresa Squillacote

Mary Ellen Kramer

ROBIN BOSSERT

Denise Kramer

Yevgeniy Pastukhov Semchenkov

Joan Coyne

Ellen Bender

Juiarah Saleh

Liz Keefe

Barry Munger

Margaret Jacobs

Vicki Moss

Christopher Vidaic

Katerine Svagba

Elizabeth Whitman

Shannon Stagman

Zachary Valerio

Peter Michael Vlismas

Joyce

Randy

Carol Van Deusen

Michael tenuto

Linda Gerena

Patricia Franz

Diorca cepeda

Gabriel Boyd

Ellis Crawford

Matthew Alexion

Gabriel Haddad

Melissa walker

Sturgis Warner

Mohamed Ndiaye

Alina Larson

Violet low-beinart

Elizabeth Bruna

Monserrate

## Your Zip Code

97 responses

10011

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10013

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11201

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11215

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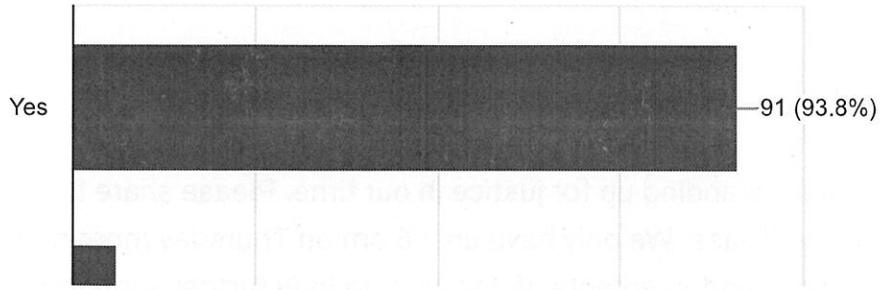
10032

10026

10031

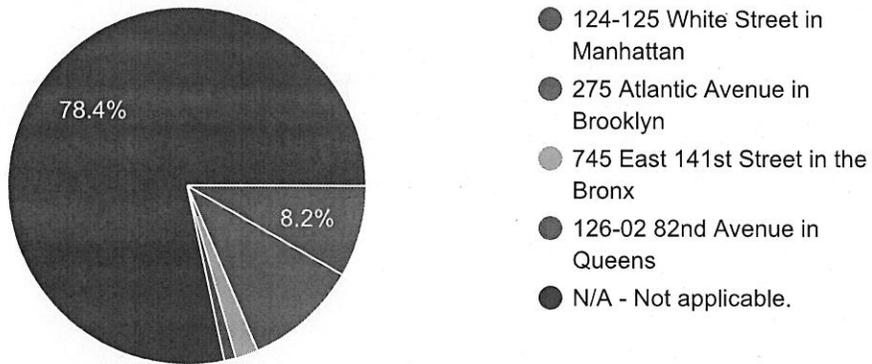
I am a resident of NYC and support the plan to close Rikers, including the construction of smaller, borough-based correctional facilities

97 responses



I support the plan & live within 12 blocks of one of the proposed borough correctional facilities.

97 responses



I, and/or someone in my family, have been directly impacted by the harmful conditions at Rikers.

97 responses

Thank you for standing up for justice in our time. Please share the link to this page widely. Please. We only have until 6 am on Thursday morning to collect and print out these endorsements. If you want to lend further support by coming to the hearing, text your name to Liz Hovey at 646 872-0863. Indicate if you want to testify (2-minute limit) and she'll send you a general schedule and guidelines. [This is a petition at <https://tinyurl.com/NYCCouncil-CloseRikers> ]

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## Google Forms

# Supporting the Borough-Based Plan for Closing Rikers

I live and work in NYC and I understand the need for the borough plan to replace using Rikers. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers.

(PRINT)

(Sign)

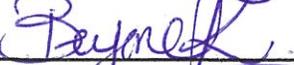
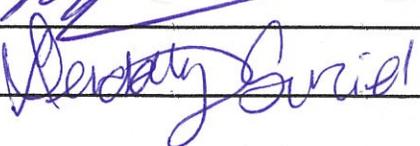
| Name                | Signature           | Phone # for links to petition & "After Rikers" video | Zip Code |
|---------------------|---------------------|------------------------------------------------------|----------|
| Jaylene Irizamy     | Jaylene Irizamy     |                                                      | 10473    |
| Laura Penden        | Laura Penden        |                                                      | 117047   |
| Brittney Williams   | Brittney W          | 929-227-8810                                         | 10468 T  |
| Ada Mendez          | Ada Mendez          |                                                      | 10460    |
| Mairani Alvarez     | Mairani Alvarez     |                                                      | 10463    |
| Austin Andrews      | Austin Andrews      |                                                      | 11238    |
| Sam Silos           | Sam Silos           |                                                      | 11102    |
| Vanessa Valverde    | Vanessa Valverde    |                                                      | 11215    |
| Jose Mejia          | Jose Mejia          | 516 343 0350                                         | 11590 T  |
| Michelle Garcia     | Michelle Garcia     |                                                      | 10458    |
| Josie Flores        | Josie Flores        |                                                      | 11590    |
| Andrea Cioriano     | Andrea Cioriano     | 973 945 3851                                         | 11103 T  |
| Nicholas Sanifacio  | Nicholas Sanifacio  | 732 789 8181                                         | 11373 T  |
| Lily Alonso-Aguirre | Lily Alonso-Aguirre | 917 891 9359                                         | 10462 T  |
| Erika Zuniga        | Erika Zuniga        | 929-309-7265                                         | 11368 T  |

# Supporting the Borough-Based Plan for Closing Rikers By 9/4/19

I am a student who understands the importance of true justice and I understand the need for the borough plan to replace using Rikers. Any jails near me do not threaten my quality of life in any way. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers. I will remember and oppose any City Council member who shoots down the plan. Delivery of petitions 646 872-0863  
Hearing at City Hall 9/5/19 10am

(PRINT)

(Sign)

| Name             | Signature                                                                            | Street Address                      | Zip Code |
|------------------|--------------------------------------------------------------------------------------|-------------------------------------|----------|
| Kadian Gibson    |     | 503 E 56 St Brooklyn, NY            | 11203    |
| Lawrence Sanchez |     | 263 Palisade Ave Yonkers, NY, 10703 |          |
| Justin Romero    |     | 6714 11 Ave Brooklyn, NY, 11219     |          |
| Kareem Johnson   |     | 155-52 116 DR Jamaica, NY           | 11434    |
| Beyonce Keuben   |     | 1473 Popram Av Bronx, NY            | 10453    |
| Loren Lawson     |     | 364 Saratoga Ave Brooklyn NY        | 11233    |
| Tayance Clark    |     | 516 787 + 101 Queens NY             | 11421    |
| Leslie Pinto     |   | 917 Sterling Ave White Plains NY    | 10606    |
| Josmaryn Lora    |   | 26 First St Yonkers NY              | 10704    |
| Heidy Ortiz      |   | 1051 Boston Road Bronx, NY          | 10456    |
| Raxan Ahlouche   |   | 69-31 Alderton Street               | 11374    |
| Giselle Alanis   |   | 345 Convent Ave                     | 10031    |
| Flavio Boasso    |   | 436 East 59th St                    | 10022    |
| Dedrick Surriel  |  | 2430 Morris Ave                     | 10468    |



This petition is at  
<https://tinyurl.com/1NYCCouncil-CloseRikers>

# Supporting the Borough-Based Plan for Closing Rikers

I live and work in NYC and I understand the need for the borough plan to replace using Rikers. Any jails near me do not threaten my quality of life in any way. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers. I know who my Council Member is and will be angry if s/he does not approve the proposed plan.

(PRINT)

(Sign)

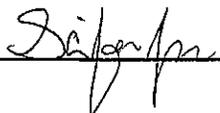
| Name                      | Signature | Street Address                        | Zip Code |
|---------------------------|-----------|---------------------------------------|----------|
| Eugenia Duckworth         |           | 16 Waverly Ave, apt 2-1 BK, NY, 11205 |          |
| ANSONYI ANDRUCZYK - NAJZI |           | 755 Liberty Ave.                      | 11208    |
| MICHELE DE VING           |           | 1132 Coring Ave                       | 11208    |
| Spring David              |           | 475 Locke, St                         | 11239    |
| Edward Ward               |           | 110 Bleeker, NY, NY                   | 10012    |
| Stephanie Taveras         |           | 466 Marcy Ave                         | 11206    |
| Hannah Tenadu             |           | 2 Adrian Ave                          | 10463    |
| Came Snel                 |           | 301 W. 110th St., Yonkers             | 10026    |
| BRIAN ROSE                |           | 213 Nagle Ave #11K                    | 10034    |
| ESAN SEITISLEAM           |           | 145 E 23 ST. NY, NY.                  | 10010    |
| Holly Effin               |           | 10 W 66th St. #8B NY, NY              | 10023    |
| Sue Winal                 |           | 250 Mercer St NYC                     | 10012    |
| Renny Ostreicher          |           | +                                     | 10024    |
| Lily Brown                |           | 24 Monroe Pl. Apt. 1A Brooklyn NY     | 11201    |
| MARK LAVINSKI             |           | 380 Riverside Dr 6J NYC, NY           | 10025    |

# Supporting the Borough-Based Plan for Closing Rikers

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(PRINT)

(Sign)

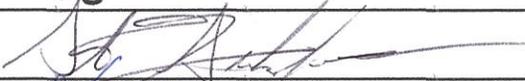
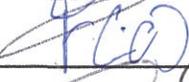
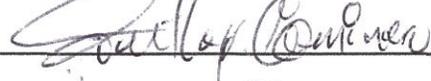
| Name            | Signature                                                                         | Street Address                | Zip Code |
|-----------------|-----------------------------------------------------------------------------------|-------------------------------|----------|
| Janet Astudillo |  | 36-28 31 <sup>st</sup>        | 11106    |
| Nicole Petrov   |  | 1526 181 <sup>st</sup>        | 10033    |
|                 |                                                                                   | Phone # if interested         |          |
|                 |                                                                                   | in links to informative video |          |
|                 |                                                                                   | & Petition on line            |          |
| Se'fae Jones    |  | 124 Carlton ave               | 11205    |

# Supporting the Borough-Based Plan for Closing Rikers

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(PRINT)

(Sign)

| Name              | Signature                                                                           | Street Address    | Zip Code |
|-------------------|-------------------------------------------------------------------------------------|-------------------|----------|
| Steven Sullivan   |   | 29 33 32 rd.      | 11103    |
| Fernando Cuervas  |    | 1339 142nd St     | 11357    |
| Gunther Cominero  |   | 995 East 167th St | 10459    |
| ERNESTO RODRIGUES |    | 1402 UNION ST     | 11213    |
| Juan Gonzalez     | Juan G                                                                              | 1417 Parker St    | 10462    |
| Romy Forbes       |   | 12 59 Greene ave  | 11221    |
| Abdul Rany        |    | 8819 171 street   | 11435    |
| Jaymy Pachilla    |   | 22 mercy place    | 10452    |
| Tianhua Xie       |  | 132-09 maple ave  | 11355    |
| Michael C. Indo   |  | 524 59th          | 10019    |

signature  
 Send Images to  
 646 872-0863 by 7am  
 to support.

# Supporting the Borough-Based Plan for Closing Rikers

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| (PRINT)                | (Sign)    | Phone # for links to petition & "After Rikers" video | Zip Code |    |
|------------------------|-----------|------------------------------------------------------|----------|----|
| Name                   | Signature |                                                      |          |    |
| Joshua Orozco          |           | 347-842-8613                                         | 11419    | T  |
| Enkhat Buena           |           | (929) 374-8876                                       | 10028    | T  |
| Rakshya Ghimire        |           | 202-997-4960                                         | 11373    | TT |
| Shanji Shrestha        |           | 347-421-8212                                         | 11373    | T  |
| Talha Ansari           |           | 347-856-0045                                         | 11412    | T  |
| Joginder Kaur          |           | 347-806-9588                                         | 11420    | I  |
| Paul Verdi             |           |                                                      | 10025    |    |
| ZOLAND MORALES         |           | 929-258-6256                                         | 10460    | ✓  |
| Malaysia Knowles       |           | 917-239-3655                                         | 11213    | ✓  |
| Matt Lopez             |           | 973-238-2265                                         | 07843    | ✓  |
| Mite Moore (not in NY) |           | 936-204-5447                                         | 25845    | ✓  |
| Jose Rodriguez         |           | 347-506-9567                                         | 11417    | ✓  |
| Sindrella masak        |           | 347-744-4524                                         | 10312    | ✓  |
| Rohan Alamari          |           | 929-355-9312                                         | 11204    | ✓  |
| Asmaou Dallo           |           | 347-701-5271                                         | 10002    | ✓  |
| Ngawang Ngawang        |           | 979-360-9429                                         | 10467    | ✓  |

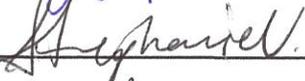
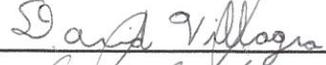
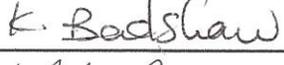
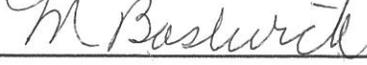
Send images to  
646 872-0863

# Supporting the Borough-Based Plan for Closing Rikers

I live and work in NYC and I understand the need for the borough plan to replace using Rikers. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers.

(PRINT)

(Sign)

| Name              | Signature                                                                            | Phone # for links to petition & "After Rikers" video | Zip Code |
|-------------------|--------------------------------------------------------------------------------------|------------------------------------------------------|----------|
|                   |                                                                                      | 347-837-7512                                         |          |
| Roger Mojica      |     | 347-701-6087                                         | 10461    |
| Ashley Zapata     |     | 917-495-2081                                         | 11233    |
| Stephanie Vazquez |     | 347-819-9606                                         | 10467    |
| Kayla Armaniaco   |     | 201-838-3916                                         | 10029    |
| David Villagra    |     | 718-517-0212                                         | 11356    |
| Centk Cafar       |     | 347-768-3391                                         | 11235    |
| Samuel Denis      |    | (646) 600-3301                                       | 07084    |
| Kareemah Badshaw  |   | (908) 240-2203                                       | 11420    |
| Margaret Bostwick |  | (619) 806-2602                                       | 11414 T  |
|                   |                                                                                      |                                                      |          |
|                   |                                                                                      |                                                      |          |
|                   |                                                                                      |                                                      |          |
|                   |                                                                                      |                                                      |          |
|                   |                                                                                      |                                                      |          |

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Return to  
646872-0863  
by 7am for inclusion  
at the hearing.

(PRINT)

(Sign) *Phoo #*

| Name                | Signature                  | <del>Street Address</del> | Zip Code |
|---------------------|----------------------------|---------------------------|----------|
| Parmjit Kaur        | <i>Parmjit Kaur</i>        | 646-500-1188              | 11354    |
| Mandeep Kaur        | <i>Mandeep Kaur</i>        |                           | 11354    |
| Joga Singh          | <i>Joga Singh</i>          |                           | 11354    |
| Gobind Singh        | <i>Gobind Singh</i>        | 9293/00001                | 11354    |
| Narinder Kaur       | <i>Narinder Kaur</i>       |                           | 11354    |
| Gurdev Singh Sahota | <i>Gurdev Singh Sahota</i> |                           | 11354    |
| Harpreet Kaur       | <i>Harpreet Kaur</i>       | 646-707-2238              | 11354    |
| Kulwant Kaur        | <i>Kulwant Kaur</i>        |                           | 11354    |
| Gurdev Singh        | <i>Gurdev Singh</i>        |                           | 11354    |
| SHARANJIT SINGH     | <i>Sharanjit Singh</i>     | 609-481-9364              | 11354    |
| Parminder Kaur      | <i>Parminder Kaur</i>      | 347-656-0894              | 11354    |
| Sarbjit Singh       | <i>Sarbjit Singh</i>       | 646-399-8620              | 11354    |

Return to 646 872-0863  
646 872-0863

# Supporting the Borough-Based Plan for Closing Rikers

by Tam for inclusion at  
the hearing.

I live and work in NYC and I understand the need for the borough plan to replace using Rikers. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers.

(PRINT)

(Sign)

Phone # for links to petition &  
"After Rikers" video

Zip Code

Name

Signature

Druiden Collins

Brendan Collins

(516) 660-0879

10001

Taylor Sadur

Taylor Sadur

(862) 208-0079

07110

Michael Baldo

Michael Baldo

~~(201) 208-0863~~

1206

# Supporting the Borough-Based Plan for Closing Rikers

I live and work in NYC and I understand the need for the borough plan to replace using Rikers. Any jails near me do not threaten my quality of life in any way. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers. I know who my Council Member is and will be angry if s/he does not approve the proposed plan.

(PRINT)

(Sign)

| Name                 | Signature   | <del>Street Address</del>      | Zip Code         |
|----------------------|-------------|--------------------------------|------------------|
| Gol Noreen Tabal     |             | <del>118 E 11th St</del>       | <del>10019</del> |
| Adrienne Margolis    |             | 332 E 9TH ST (212) 228 1931    | 1931             |
| Charles Falk         |             | 378 E 22nd St, #4k 10010       | 10010            |
| Marian Lobudice      |             | 840 CPS NYC 10019              | 10019            |
| Kristin Bugge        |             | 77 7th Ave #12 NYC 10011       | 10011            |
| Eleanor Holtzman     |             | 290 E 72 St NYC 10021          | 10021            |
| <del>Corey Fox</del> | <del></del> | 100 Beekman St. #22k 10038     | 10038            |
| <del>Pat Brown</del> | <del></del> | 45 5th Ave NY NY 10017         | 10017            |
| Pat Brown            |             | 64 Brick Pt Ossing, NY 10062   | 10062            |
| Jane Friedman        |             | 16 W 77th St 10024             | 10024            |
| Loren Kingsberg      |             | 650 W End 10025                | 10025            |
| Edna L...            |             | 80 PARK AVE NY NY 10016        | 10016            |
| Cheryl Greenberg     |             | 850a Dumont Ave Orange Park NY | 1191             |
| Phoeb Thomas         |             | 43 W 12th St NY, NY 10011      | 10011            |

COMING ->

# Supporting the Borough-Based Plan for Closing Rikers By 9/4/19

I am a student who understands the importance of true justice and I understand the need for the borough plan to replace using Rikers. Any jails near me do not threaten my quality of life in any way. I enthusiastically support the plan's elements that promise a more humane and successful setting for people detained, a much smaller jail system overall, and greatly improved potential for justice by eliminating the isolation and other problems of Rikers. I will remember and oppose any City Council member who shoots down the plan. Delivery of petitions 646 872-0863

(PRINT)

(Sign) *Phone #*

Hearing at City Hall 9/5/19 10am

| Name          | Signature            | <del>Street Address</del> | Zip Code |
|---------------|----------------------|---------------------------|----------|
| Leslie Pinto  | <i>Leslie Pinto</i>  | (914) 525-0367            | 10606    |
| Gionnah Hicks | <i>Gionnah Hicks</i> | (631) 294-3365            | 11967    |

NYC Residents Below this line

|                  |                        |              |                    |
|------------------|------------------------|--------------|--------------------|
| Roha Khan        | <i>Rohan Khan</i>      | 845-380-9000 | <del>11201</del> T |
| Chelsea Leddick  | <i>Chelsea Leddick</i> | 917-519-0766 | 11379 T            |
| Hadesha Allen    | <i>Hadesha Allen</i>   | 718-304-3912 | 11435 T            |
| Steve Murren     | <i>Steve Murren</i>    | 347-246-4101 | T                  |
| Jonathan Epstein | <i>Jon Epstein</i>     | 718 522-7526 | 11201 T            |

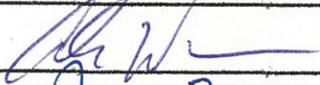
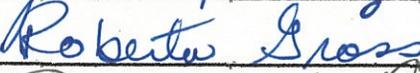
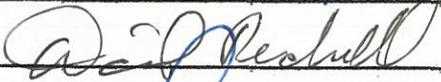
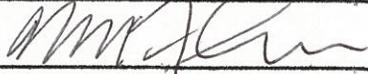
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(PRINT)

(Sign)

(Not necessary)

| Name             | Signature                                                                           | Street Address   | Zip Code |
|------------------|-------------------------------------------------------------------------------------|------------------|----------|
| Alan Warren      |    | 50 West St, NYC  | 10006    |
| Joan Monowitz    |   | 27 Bayview Walk  | 10006    |
| Roberta Gross    |   | 38 Ivy Walk      | 10360    |
| David Rockwell   |   | 3 Athletic Ave   | 11706    |
| CHARLES MONACO   |   | 30 Bayview Walk  | 10006    |
| PETER SANTON     |   | 11 Bayview Walk  | 10006    |
| Deborah B. Alter |   | 20 Surfview Walk | 10006    |
| Michael Sukin    |  |                  | 10025    |
| Yashkumar Shah   | @Yashy.cony.edu                                                                     |                  | 11040    |

\* Every filled in line helps!

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| Name             | Signature          | Phone#                                                   | Zip Code |
|------------------|--------------------|----------------------------------------------------------|----------|
| Katharine Mills  | <i>[Signature]</i> | Only <del>to share info</del> If you want to share info. | 11215    |
| RONALD CUMBO     | <i>[Signature]</i> |                                                          | 10023    |
| Emily J. Raphael | <i>[Signature]</i> |                                                          | 11215    |
| Fred Raphael     | <i>[Signature]</i> |                                                          | 11215    |
| Debbie Kim       | <i>[Signature]</i> |                                                          | 11215    |
| Marjorie Marvian | <i>[Signature]</i> |                                                          | 11218    |
| Dan McElhinney   | <i>[Signature]</i> | 347.463.2404                                             | 10014    |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |
|                  |                    |                                                          |          |

\* Every filled in line helps!

9-1-1953

# Supporting the Borough-Based Plan for Closing Rikers

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(PRINT)

(Sign) forward petition & documentary

to you <sup>on time</sup> ~~Street Address~~ give #. I want share.

| Name | Signature | Street Address | Zip Code |
|------|-----------|----------------|----------|
|------|-----------|----------------|----------|

|       |  |                |                        |
|-------|--|----------------|------------------------|
| Steve |  | 845 729 2030 ✓ | <del>11215</del> 11215 |
|-------|--|----------------|------------------------|

|                  |  |               |       |
|------------------|--|---------------|-------|
| Alessia Dannuzzi |  | 917 9933253 ✓ | 10024 |
|------------------|--|---------------|-------|

|           |  |  |       |
|-----------|--|--|-------|
| Jan Altan |  |  | 10013 |
|-----------|--|--|-------|

|               |  |  |       |
|---------------|--|--|-------|
| G. P. Faleiro |  |  | 11238 |
|---------------|--|--|-------|

|       |  |  |       |
|-------|--|--|-------|
| Brian |  |  | 11238 |
|-------|--|--|-------|

|                  |  |   |       |
|------------------|--|---|-------|
| S. Blain Bennett |  | - | 10029 |
|------------------|--|---|-------|

|            |  |                |       |
|------------|--|----------------|-------|
| Dean Ringe |  | 917 270 5429 ✓ | 11201 |
|------------|--|----------------|-------|

|          |  |  |       |
|----------|--|--|-------|
| S. Bartz |  |  | 11215 |
|----------|--|--|-------|

|                |  |                |       |
|----------------|--|----------------|-------|
| Michael Pfeitz |  | 718 684 3219 ✓ | 11104 |
|----------------|--|----------------|-------|

|              |  |                |       |
|--------------|--|----------------|-------|
| Hyunhee Park |  | 201-293-2819 ✓ | 07047 |
|--------------|--|----------------|-------|

|              |  |                |       |
|--------------|--|----------------|-------|
| Kamal Haruns |  | 646-483-3777 ✓ | 10069 |
|--------------|--|----------------|-------|

|              |  |                |       |
|--------------|--|----------------|-------|
| Norman Ringe |  | 917-544-9686 ✓ | 10956 |
|--------------|--|----------------|-------|

|                |  |              |         |
|----------------|--|--------------|---------|
| Malaine Clarke |  | 347-676-5725 | 11413 T |
|----------------|--|--------------|---------|

|                    |  |                |         |
|--------------------|--|----------------|---------|
| Kimberly Rounarine |  | (718)-850-5452 | 11418 T |
|--------------------|--|----------------|---------|

|                 |  |                |         |
|-----------------|--|----------------|---------|
| Jayastory Suhit |  | (718)-850-5452 | 11418 T |
|-----------------|--|----------------|---------|

|             |                           |                |         |
|-------------|---------------------------|----------------|---------|
| Venai Adams | venai.adams@jjay.cuny.edu | (929) 928-6631 | 10466 T |
|-------------|---------------------------|----------------|---------|

\* Coming \*

## JAIL PLAN

Thank you for the opportunity to submit a statement regarding the proposed closure of Rikers Island and the construction of four borough-based jails, **a plan to which I am vehemently opposed.** In my estimation, the plan to close Rikers has no merit for either the citizens of New York City or the inmates incarcerated there. The \$8.7 billion allocated for the new jails would go a long, long way towards reforming the criminal justice system, training corrections officers, and improving the plant of the existing jail. On the other hand, building brand new, towering jails which don't accord with the neighborhoods in which they will be placed, will be expensive and will do nothing to change the underlying problems and culture of the NYC jail system. Decentralization will lead to duplication of infrastructure and services, less oversight, and more waste. Transportation to and from Rikers could be improved for family members and inmates and the physical plant could be modernized with a far less expenditure of funds. Money spent on training and the addition of staff at the existing facility would be more effective at changing the culture of violence that exists at Rikers than creating four new jails, and would cost less than major construction projects that have proven to be poorly managed and notorious for cost-overruns. We are confronting another major economic downturn and the City has lots of other needs; money could be used in myriad other ways that don't include scraping a perfectly good physical plant. Finally, if the jail population is truly going to be reduced, cut almost by half, it is senseless to build huge mini Rikers in four boroughs until there is some sense of what will be needed.

Thank you, Nina Jody

nbslj@aol.com

Borough Based Jails - Brooklyn Detention Center

Dear Members of the ULURP Review Committee,

I'm writing to express my opposition to the current plan to expand the Brooklyn Detention Center. The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This "skyscraper of detention" would be inoperable and wildly out-of-scale with its immediate surroundings.

The Boerum Hill Association holds the following views:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that is meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility *now* and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

Thank you for your attention.

Sincerely,

Diane Wachtell  
Dean Street  
Brooklyn, NY 11217

[dwachtell@thenewpress.com](mailto:dwachtell@thenewpress.com)

Borough Based Jails - Rooklyn

I live in the community and am involved in public affairs.

I support the moral imperative to close rikers.

Bail reform and other legislative items will decrease the number of people who are incarcerated.

People with severe mental health issues need special treatment in another facility.

People who are incarcerated need educational and vocational programs so they can succeed in the community.

We welcome more humane treatment of people who are incarcerated.

We ask that the building be integrated into our community in terms of shape and size.

It is not necessary to plan beds for hundreds of more.

Please develop a compromise that allows for more humane treatment of people who are incarcerated while considering the community density issues.

Sincerely,  
Betty Feibusch  
Pacific Street

bfeibusch@gmail.com

## Borough Based Jails - Brooklyn Detention Center

Dear Sir/Madam,

I oppose the new Brooklyn Detention Center as being out of scale with its Boerum Hill neighborhood.

I cannot understand why the City plans to tear down the existing Rikers Island Center rather than modernizing and rebuilding it, one piece at a time. The present location is far from all the outlying boroughs so as not to cause them any disruptions.

Rikers may not be perfect. It can be made a lot better. And it would certainly be a lot better solution than building prisons in all the other boroughs.

Thank you for your consideration of this matter.

Yours truly,

George Nader

cng2@earthlink.net

## Borough based jails--Brooklyn Detention Complex

1. Strongly disagree with the housing of Staten Island detainees--defeats a central aim of local jails.
2. Ninety year old criminal court AND Bklyn facility must be relocated elsewhere in our City. Both require reengineering and now is the moment. There is room in Brooklyn—keeping them downtown is unjustified, expensive...fresh thinking is required here people!
3. Fire safety mandates shorter and smaller envelope--even so-called fireproof buildings can burn.
4. As proposed, our neighbors will suffer unnecessarily owing to shortsighted Boro Hall planning. Swampy delusional backward and no foresight in evidence as shown to date.

William Harris, Boerum Hill  
Downtown Brooklyn

[brownstones@gmail.com](mailto:brownstones@gmail.com)

## Borough Based Jails-Brooklyn Detention Center

To it may concern:

I am a resident of Boerum Hill and live literally right around the corner from the Brooklyn Detention Center. Here are some of the reasons why I oppose the current plan for by the City Planning Commission:

The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This “skyscraper of detention” would be inoperable and wildly out-of-scale with its immediate surroundings.

The Boerum Hill Association holds the following views:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility *now* and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

We are not alone in our opposition to the current plan.

Remember Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building. Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.

The main goal of criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the smallest detainee population.

The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, "**We shouldn't be building for a bigger system than we anticipate.** If anything, we should be building for **smaller** than we anticipate and then putting some pressure on ourselves to **continue to implement reforms.**"

I completely agree!

Sincerely,  
Susan Jo Shapiro  
Pacific St  
Brooklyn NY 11201

~Be kinder than necessary because everybody is fighting a battle. ~Plato

~And in the end, it's not the years in your life that counts. It's the life in your years. ~Abraham Lincoln

suejoshappy@msn.com

## BOROUGH BASED JAILS--BROOKLYN DETENTION CENTER

As a person who has lived in Boerum Hill for decades; I am writing to protest the ULURP application which would allow a building completely out of scale with the neighborhood. This is a neighborhood in the middle of the "brownstone belt" consisting of homes primarily no more than four stories high; classified as two-family homes. A building which would consist of 1140 beds; which is what the City is seeking; allowing 395 feet; is inappropriate for our neighborhood. When I first moved here; we had to fight to prevent demolition of these 19th century brownstones; the neighborhood was considered run-down and not worth preserving. After much hard work; the neighborhood has improved greatly and now is seen as a good spot to maximize the income of developers by erecting tall buildings. We want to preserve the quality of life which we have in Boerum Hill and not allow the neighborhood to become simply a spot for developers can erect tall buildings which will change completely the tenor of the neighborhood. We thank you for hearing the voices of the actual residents of Boerum Hill.

patriciastegman@earthlink.net

## BROOKLYN Based Jails - Brooklyn Detention Center

The residents of Boerum Hill are not opposed to a new jail at [275 Atlantic Avenue](#), however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This “skyscraper of detention” would be inoperable and wildly out-of-scale with its immediate surroundings.

The Boerum Hill Association holds the following views:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility now and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

We are not alone in our opposition to the current plan.

Remember Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building. Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.

The main goal of criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the smallest detainee population.

The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, "**We shouldn't be building for a bigger system than we anticipate.** If anything, we should be building for **smaller** than we anticipate and then putting some pressure on ourselves to **continue to implement reforms.**"

I completely agree.

Sincerely,  
Katia Lief

[katialief.com](http://katialief.com) | [karenellisbooks.com](http://karenellisbooks.com)

**The Searchers**

A new series by Katia Lief  
writing as Karen Ellis

[A Map of the Dark](#)

[Last Night](#)

A "riveting series launch...The tight plotting will keep readers turning the pages."  
—Publishers Weekly

"a far-from-ordinary FBI novel... elegant, haunting."  
—Lit Hub

Borough Based Jails - Brooklyn Detention Center

To Whom it May Concern:

I write this email for consideration in connection with the ULURP Hearing on the Four Borough Jail Proposal on September 5 at 10 AM at City Hall.

As an individual who owns a home and operates a small business in Boerum Hill, I am not opposed to a new jail at 275 Atlantic Avenue. However, I do oppose the current plan for a 1,140 bed, 395-foot building at a FAR of almost 17. This immense building would be wildly out-of-scale with its immediate surroundings (largely low-rise residential neighborhoods) and would add to the already existing traffic and congestion problems in the neighborhood.

These are my views:

- I support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recently passed legislation meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to be moved to an appropriate facility now and the city must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math, because these basic skills are fundamental to any successful recidivism prevention initiative.
- I support the Boerum Hill Association's request for a proposal for a building shape and size that would be appropriate for a new 800-bed, state-of-the-art facility, one that can be integrated into our community.
- A FAR of 8 -10 would be acceptable.
- We should not be building for a bigger system than we anticipate needing.

Thank you for your consideration.

Best regards,

**Maureen W. McCarthy**  
Pacific Street  
Brooklyn, NY 11217

maureenwmccarthy@gmail.com

## Borough Based Jails - Brooklyn Detention Center

I sit on my board of my condo - diagonal to the jail at 275 Atlantic Avenue, representing close to 100 residents. We oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This "skyscraper of detention" would be inoperable and wildly out-of-scale with its immediate surroundings.

While what happens at Rikers is terrible, it is not the buildings that make it so. It is the culture at Corrections that creates the environment. Closing Rikers will not address the problems. The problems will come with reassigned Corrections employees who foster and contribute to a terrible culture. They will also park with impunity in our neighborhood and take up spots. We oppose this plan.

Fix Rikers.

Teepoo Riaz

Pacific St

triaz1@gmail.com

## Borough Based Jails - Brooklyn Detention Center

To Whom It May Concern:

I am a resident of Boerum Hill and am writing regarding the Brooklyn Detention Center Proposal. The scope of the proposed jail is completely out of sync with the aesthetic and scale of Downtown Brooklyn-- it will be a blight on our skyline-- and with the goals of reducing inmates throughout NYC. Building a 395 foot, 1140 bed jail is a terrible idea, which I vehemently oppose. I am in complete agreement with the statements of the Boerum Hill Association on this matter, which I've included below.

The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This "skyscraper of detention" would be inoperable and wildly out-of-scale with its immediate surroundings.

The Boerum Hill Association holds the following views:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility now and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

We are not alone in our opposition to the current plan.

Remember Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building. Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.

The main goal of criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the smallest detainee population.

The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, "**We shouldn't be building for a bigger system than we anticipate.** If anything, we should be building for **smaller** than we anticipate and then putting some pressure on ourselves to **continue to implement reforms.**"

Thank you and sincerely,

Noah

[nokapmusic@gmail.com](mailto:nokapmusic@gmail.com)

## Borough Based Jails - Brooklyn Detention Center

The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This "skyscraper of detention" would be inoperable and wildly out-of-scale with its immediate surroundings.

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I completely agree.

In Community,

Wendy Rossmeyer Van Patten

wendyvanpatten@me.com

## Jail Plan

Dear Council Members,

Please send the boro jail plan back to the drawing board. Council needs to provide some oversight on this multi-billion dollar jail plan and not just rubber stamp it. It's not a nimby issue, all of your constituents will get stuck paying off the construction bill over decades. It's too expensive at 11 billion which will probably come to 30 billion financed over time. The design plans are too large- almost 1.5 million square feet Queens alone. That's over a 1,000 square feet per prisoner. A lot bigger than the average apartment.

How about designing economical jails with the minimum space necessary and using the money saved for housing, transportation and education. Lame duck Mayor DeBlasio may not care about wasting NYC resources but you should think ahead. Don't lock the future Mayors (who could be one or more of you) into this extravagant spending plan.

Mega jail towers are certainly not the progressive solution to mass incarceration. Next generation politicians like Tiffany Caban oppose the current boro jail plan as they know if we build it we will fill it. They know the smaller the better. Those councilmembers in the affected districts are negotiating to reduce the facility sizes, or at least that's what they tell their constituents. Please help them in their efforts to shrink the mega jail plan down to a reasonable size.

It is also not explained how mega jail towers with ground floor retail space will eliminate violence in the prisons when the same mismanagement and cast of characters will be in place. Elevators inevitably break down and fire danger will increase dramatically in a high rise jail. The confined space elevators will be prone to violence.

All the features suitable for a large state penitentiary with unlimited land don't belong in a city jail. Most inmates only stay for a short time. With criminal justice reform the only inmates left will be the incorrigible who violate terms of release and parole and the accused violent felons and those serving short sentences. Keep services and amenities to the legal minimum to all except those nearing release.

For more information on this issue, our opposition rally video is attached. People from all over the city and of diverse backgrounds stand in opposition to the boro jail plan. We need your help by voting no and speaking out against this misguided plan. Thanks.

[https://www.youtube.com/watch?v=5POCLWt\\_m8o](https://www.youtube.com/watch?v=5POCLWt_m8o)

Yours truly,

Scott Avidon  
Austin St  
Kew Gardens NY 11415  
avidonwclj@aol.com

## Borough Based Jails - Brooklyn Detention Center

The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This "skyscraper of detention" would be inoperable and wildly out-of-scale with its immediate surroundings.

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- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

We are not alone in our opposition to the current plan.

Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building. Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.

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The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, "**We shouldn't be building for a bigger system than we anticipate.** If anything, we should be building for **smaller** than we anticipate and then putting some pressure on ourselves to **continue to implement reforms.**"

I completely agree.

Regards,

*Cheryl Gelbs.*

Resident of Boerum Hill.

CMGelbs@msn.com

Borough Based Jails - Neighbors United Below Canal Testimony to City Council (with attachments)

Dear Council Member Salamanca,

Neighbors United Below Canal represents thousands of residents, small business owners and employees in Lower Manhattan, who are DIRECTLY impacted by the Mayor and Speaker Johnson's jail plan. Our concerns over the devastating impact to our health and neighborhood have not been addressed, despite having participated in meetings with the Mayor, BP Brewer, and CM Chin. More importantly, we submitted comments on the DEIS, which were not addressed in the FEIS.

We ask you to please distribute the attached letters, including one from our legal counsel to all members of the City Council for your and their consideration, prior to this important vote. Here are a few highlights:

- There ARE alternatives to ending mass incarceration that does NOT include building massive new jails in residential neighborhoods. Crime rates are UP in Chinatown (as confirmed by the CO of the 5th Precinct last month) and building bigger jails is NOT the answer. LA just rejected building a new \$2 billion jail in favor of investing in community based mental health facilities and Seattle opted to send people to drug treatment programs instead of jail.
- Investments in education, mental health facilities, drug addiction treatment programs, diversion programs, housing and education, for this low-income community of color and other communities of color are critically needed. **PEOPLE SHOULD NOT HAVE TO GO TO JAIL TO GET THE SERVICES AND HOUSING THEY NEED.**
- *NYU Langone's Center for the Study of Asian American Health* submitted testimony noting that the long-term affects of the demolition and construction must be considered, as it will absolutely have severe and negative health impacts to the thousands of seniors living near the site, especially the seniors residing next door, in Chung Pak.
- *Valerie Imbruce, Director, Binghamton University*, submitted testimony that the disruption to vehicular and pedestrian traffic will impact the current food distribution channels and by extension the food security in our community, which includes having affordable, nutritious and culturally appropriate foods. Food security is a basic human right.
- Registered architects noted that the DEIS is severely deficient and the the zoning variances far exceeds what is allowable, by nearly 31%. Not only is this not in scale and character of the neighborhood but the impact of the demolition to the tenements built in the 1800's that are located directly across the street have not been addressed. The City noted that there are hazardous materials, contaminates, and toxins found at the site, yet has not completed the required Phase II testing (in over 10 months) nor provided a mitigation plan.

We need leaders who have courage and a bold vision for the city, not leaders who are pushing an outdated and archaic plan. NYC must lead the country in ending mass incarceration - yet we are clearly falling short, well behind LA, San Fran and Seattle. You can do better. You must do better.

Please review the evidence we are providing to the Council that shows this is not a well thought out or effective plan.

Respectfully,

Neighbors United Below Canal --  
Jan Lee, Christopher Marte and Nancy Kong

nancywkong@yahoo.com

janccrc@gmail.com

chrismarteles@gmail.com

## **VOTE NO to Tribeca/Chinatown White Street Jail**

Dear City Council Members,

We are concerned residents, small business owners and workers, directly impacted by the Mayor and Speaker Johnson's borough-based jail plan for Manhattan. The City and other electeds have said there would be community involvement, yet our concerns about the devastating impact to our health and livelihood continue to be ignored. Additionally, our formal comments to the DEIS (attached), as crafted by our legal counsel remain unaddressed.

Before you vote, we implore you to understand why we are providing testimony.

We recognize the urgency and need to address the inhumane conditions within Rikers Island, and across ALL New York City jails, including the Manhattan Detention Center (MDC). These conditions are not confined to Rikers, rather they are pervasive. The Mayor and his administration must act to change culture and take accountability today, not solely focus on building 4 skyscraper buildings to further incarcerate and endanger people.

While we support criminal justice reform, including the new state legislative changes underway, we demand that the Mayor and Speaker Johnson take a closer look at investing the \$11 billion estimated for this plan in alternative programming and communities in need instead of imposing mega jails in those affected communities. Los Angeles and Seattle both are leading the country in modeling effective programs and providing blueprints for investing in community-based mental health and drug treatment facilities instead of building new jails. We demand that New York City/State leadership do the same.

Judge Lippman said that if you oppose his plan, you support mass incarceration. It is this type of racially charged and fearmongering rhetoric that has suppressed many of our voices. Please STOP and LISTEN.

**We object to the Mayor, Speaker Johnson and Council Member Chin's plan for building** a mega jail in our minority and low-income community, without a proper hearing and understanding of our concerns and what people of color struggle with here. Speaker Johnson has NOT visited our community or any of the affected communities, despite repeated invitations. Before you vote, please consider the following:

1. **Community Boards VOTED NO.** All affected Community Boards from Boerum Hill, Mott Haven, Kew Gardens, Briarwood and Tribeca/Chinatown voted no due to the moving targets, the severe deficiencies in the Draft Environmental Impact Statement (DEIS) and the concerns raised by local residents and small business owners who are directly impacted. The plan, as currently submitted, is too flawed and uncertain to be allowed to proceed.
2. **Outdated and archaic plan.** The plan before you will NOT be the plan going forward. On 05/10/19, the City announced that the number of beds was revised downward by 1,000, nearly 20%. This comes on the heels of the change in the number of beds announced on 03/25/19. This results in a 30% change, in less than 3 months. This plan was based on the original estimate of 5,000 beds with 20% efficiency and the Lippman report, which are both completely and totally outdated. Moreover, this plan lacks the ability to scale up or down and must be redone with more realistic information.

If a private developer made these many changes in as many months, they would be required to reapply. The City must be held to the same standards.

**VOTE NO to Tribeca/Chinatown White Street Jail**

3. **Fair Share.** Alternatives, as required by the DEIS, must be submitted and must include Staten Island, as well as, alternative sites that factor in the fair share criteria. Currently, lower Manhattan has 3 jails, with more than 1,600 beds (800+ in MDC and another 800+ in the federal correction center), more than any other community in the city. To add another 700 beds, totaling 2,300 beds or detainees, is EXCESSIVE. We currently house 34% of Manhattan's detainees. Clearly, there is a disproportionate location of city facilities, including detention centers in the Chinatown communities, a low-income community of color. A fair share analysis must be done.
4. **Care first, jails last.** To truly end mass incarceration and end the horrid abuses that are now pervasive in all NYC jails, including Rikers and here in MDC, the Mayor and Speaker Johnson must invest in progressive but basic plans like investing in education and affordable housing, strengthening diversion programs, providing alternatives to incarceration for pre-trial detainees, supporting mental health and drug treatment programs and ensuring speedy trials.

Other major cities are leading the charge with real progressive criminal justice reforms and embracing investments in mental health care and drug treatment facilities rather than building massive new jails. The City of Los Angeles, with its recent decision to cancel a nearly \$2 billion jail and invest in mental health facilities, is providing a progressive model and blueprint. In Seattle, drug addiction treatment programs are favored, not incarceration.

We need bold new leaders. We need investments in our communities, NOT new jails.

*PEOPLE SHOULD NOT BE GOING TO JAIL TO GET THE SERVICES AND HOUSING THEY NEED.*

5. **NYU Langone's Center for Asian American Studies provided testimony to the Mayor, Borough President Brewer, Council Member Chin and Speaker Johnson** that the impact of long-term demolition, construction and possible relocation on the health of older adults in Chinatown must be taken into consideration due to the extremely harmful and detrimental impact to seniors. The Construction Site Emissions Particulate matter (PM) can cause and exacerbate chronic diseases. Exposure to such particles has been associated with the following acute and long-term health conditions: Cardiovascular disease; Lung cancer; Increased blood pressure; Aggravation of respiratory diseases, such as asthma; Decreased lung function; Irritation of the respiratory system, eyes and skin; Early onset dementia; and Premature death in people with heart or lung disease. Our community suffered through 9/11. We are acutely aware of the health impacts. You will be complicit and aiding the Mayor, Speaker Johnson, BP Brewer and CM Chin, in passing a death sentence on this vulnerable community.
6. **Valerie Imbruce, PhD Director from Binghamton University submitted testimony to the Mayor, Borough President Brewer, Council Member Chin and Speaker Johnson** that the impact of long-term demolition, construction and possible relocation on the provision of fresh fruits and vegetables and resultant food security of residents in Chinatown must be considered. Disruption of pedestrian activity and transportation due to the demolition and construction will impact the food security of

## VOTE NO to Tribeca/Chinatown White Street Jail

Chinese and other residents who depend on **affordable, nutritious and culturally appropriate foods**. Food security is considered a basic human right.

7. **Tallest Experimental Jail in the World.** We requested from the City, examples of successful vertical jails similar in height to the proposed 490' (including 50 feet for mechanical) tall one for Manhattan to counter experts who contend that horizontal jails are more effective and safer to operate. **We have gathered more feedback from former Department of Corrections employees, engineers and architects that conclude a vertical jail will endanger not only the detainees, but also DOC staff and the general public, in the event of a fire or evacuation.** We urge you to consider their testimonies and the safety of everyone involved. We requested from the City, examples of detention centers with approximately 1,500 people incarcerated that are successful to counter experts, including Judge Lippman, who have stated that the optimal number of people incarcerated in one facility is 300. None have been provided. You will be passing a vote on building a death trap for detainees, DOC staff and social workers.
8. **DEIS Deficiencies.** The City's DEIS acknowledge there are hazardous materials found at the current site but the City has not further tested (required Phase II testing) or provided a mitigation plan. Other potential contaminants are also present. The public health analysis is woefully deficient and does not address the "water and air quality". It also makes no mention of solid waste disposal and management. These deficiencies were noted, yet the FEIS did not address our comments.
9. **Zoning.** The city is seeking a FAR that is 31% over the current zoning stipulations and an additional 466,000 square feet. This will give the City the ability to build a facility that will be 1.3 million square feet and 490' tall. This is grossly out of scale with tenements built and streets designed in the 1800s and being imposed on an already densely populated and neglected neighborhood. The current proposed building cannot be supported by the fragile infrastructure and network that is in place. If a private developer submitted this application containing such drastic violations and deficiencies, it is certain, the plan would not be approved as is. The City must be held to the same standards.
10. **Uniform Land Use Review Process (ULURP).** The Mayor and Council Speaker Cory Johnson agreed to an unprecedented single ULURP, inexplicably, for a project of this scope, size and costs. The current ULURP includes the proposed sites in Manhattan, Queens, Brooklyn and the Bronx. Each site possesses unique factors and separate applications should be filed for the 4 sites, so that each proposed zoning change is ensured independent assessments and undue pressure. It is unorthodox, confusing and irresponsible to combine four enormous projects into one ULURP process. This sets a dangerous precedent for future "bundled" building projects that have the potential to do immense harm to a neighborhood without proper due process and engagement. If a private developer would have proposed this, it is certain, their plan would have required to file four separate ULURPs. The City must be held to the same standards.
11. **Inhumane proposal.** The demolition of MDC will require building new jails on Rikers Island and the transport of 800+ people currently incarcerated at MDC to Rikers Island for the duration of demolition and construction. Irrespective of the costs and by admission from the Mayor and City officials themselves, the conditions at Rikers are deplorable and "is not fixable". Moving people

## **VOTE NO to Tribeca/Chinatown White Street Jail**

incarcerated in MDC to Rikers, given the conditions cited by the City is inhumane. This solution must be rethought.

12. **Due Process.** A fundamental requirement is a public scoping meeting to solicit comments on the draft scope from all affected and interested parties to ensure appropriate and thorough assessment. The City denied our community the opportunity for a public scoping meeting when the site changed from 80 Centre to 124/125 White Street, despite our repeated requests.
13. **Lack of community engagement.** Our community did not have one opportunity to meet prior to the announcement that the Mayor and Council Member Chin had unilaterally decided on 124-125 White Street as the one and only site for the mega jail for Manhattan. Decisions, false promises and deals were made behind closed doors. That is not democracy and it must stop. The process needs to restart with transparency and engagement from the residents and small business owners who are directly impacted, not by outsiders and organizations and individuals situated to financially benefit from this proposal.
14. **Fiscal Transparency and Responsibility.** At the Mayor's meeting on December 18, 2018, we formally and continue to request transparency on how the projected cost of \$11 billion and now \$8.7 billion was calculated. We consulted with experienced builders and most consider these projections too low and does not even factor in financing. These are costs that we, the taxpayers, will shoulder and we have the right to know and have a say in how these funds are to be spent.

If the Mayor and Speaker Johnson's jail plan is passed as is, it will be death sentence to our seniors and a life-sentence of guaranteed respiratory issues for our children. Please consider the concerns we raised.

**We ask you to VOTE NO to this rushed, outdated and ill-conceived plan and instead invest in our communities of color to truly address the social and criminal justice issues at hand.**

Respectfully,

*NUBC*

Neighbors United Below Canal, on behalf of our residents, businesses and organizations  
Jan Lee, Christopher Marte, Nancy Kong

Attachment: NUBC Comments to DEIS



Matthew J. Acocella  
David J. Cooper  
Jody T. Cross ◦  
Marsha Rubin Goldstein  
Helen Collier Mauch ◦  
Zachary R. Mintz ◦  
Daniel M. Richmond  
Kate Roberts  
Timothy B. Rode ◦  
Brad K. Schwartz  
Lisa F. Smith ◦  
David S. Steinmetz ◦  
Michael D. Zarin

July 22, 2019

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◦ Also admitted in DC  
◦ Also admitted in CT  
◦ Also admitted in NJ

**By Electronic Mail ([boroughplan@doc.nyc.gov](mailto:boroughplan@doc.nyc.gov))**

Howard Judd Fiedler, A.I.A.  
Director of Design Unit  
New York City Department of Correction  
75-20 Astoria Boulevard, Suite 160  
East Elmhurst, NY 11370

**Re: Comments On Draft Environmental Impact Statement:  
Borough-Based Jail System: Manhattan Site**

Dear Mr. Fiedler:

This firm represents Neighbors United Below Canal (“NUBC”) in the above-referenced matter. NUBC is a coalition of residents and small businesses that live, work and play in the communities below Canal Street in the Borough of Manhattan that would be deeply affected by the New York City Department of Correction’s (“DOC”) proposal to demolish the existing buildings located at 124-125 White Street (the “Site”) and to construct and maintain a new detention facility (the “Manhattan Detention Center,” “MDC” or the “Project”) thereon. This letter supplements the oral and written comments presented by members of NUBC at the Public Hearing held by the New York City Planning Commission (“CPC”) on July 10, 2019, with respect to the purported Draft Environmental Impact Statement (“DEIS”) for the Borough-Based Jail Project (“BBJ Project”), with particular emphasis on the Manhattan Detention Center.<sup>1</sup>

Given the inchoate and evolving character of the BBJ Project, it is unfortunately unsurprising that the DEIS completely fails to identify and take the requisite “hard look” at the intense and severe significant adverse environmental impacts that it poses both in the short term and the long term. With all due respect, it is misleading to even refer to the document as a DEIS,

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<sup>1</sup> In preparation of this comment letter, NUBC retained George M. Janes & Associates (“GMJ Associates”). A copy of the Technical Memo prepared by GMJ Associates is attached hereto as Exhibit “A.”

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since it is so lacking in the essential elements that would allow the lead reviewing agency and the public to rationally identify, consider, assess, and comment upon all potential significant adverse environmental impacts resulting from the Project. Many of the adverse impacts that would result from the Project, moreover, completely negate benefits given to the Chinatown community to make up for burdens imposed upon it when the existing structures at 124-125 White Street were constructed over thirty years ago. The notion that the City would nullify these benefits by siting a Project that would remove sunlight, cast shadows, increase air pollution, disrupt use of recreational rooftop space, displace tenants, cause loss of revenue, and subject the community to long-term construction impacts, without any acknowledgement that they are doing so, is unjust and unlawful.

As discussed herein, the DEIS does not satisfy DOC's basic legal obligations pursuant to the State Environmental Quality Review Act ("SEQRA") and/or the City Environmental Quality Review Act ("CEQR")<sup>2</sup> to identify and study the potential significant adverse cumulative impacts associated with the overall BBJ Project, as well as the site-specific impacts relating to construction of the proposed nearly 50-story MDC, which would contain approximately 1,270,000 gross square feet above-grade floor area, and require demolition of two existing buildings, de-mapping of streets, and additional parking. The purported DEIS is devoid of basic supporting environmental studies and scientific data, which are necessary under the law to satisfy the "hard look" requirement. Failure to prepare, consider, disclose, and to make available for public review and comment this information and studies is a fundamental and fatal flaw.

Moreover, the information that is provided in the DEIS makes clear that the document's overall conclusions with respect to the Manhattan Detention Center are unsubstantiated, lacking in empirical foundation, irrational by any standard, and cannot be supported by law or fact. By way of example, the DEIS discussion and analysis of public health impacts is threadbare, at best, and fails to take into account the baseline condition of the Manhattan study area, which continues to suffer from poor air quality after the terrorist attack on September 11, 2001, the significant adverse health impacts on the vulnerable elderly population of Chung Pak, or the residents of the tenement buildings on Baxter Street, Centre Street, Lafayette Street, Walker Street, Canal Street, Mulberry Street, Mott Street, Bayard Street and Worth Street, or the fact that DOC lacks any information on the hazardous contaminants that the DEIS recognizes under the Site, much less a plan to remediate that contamination.

Ultimately, as one CPC Commissioner aptly noted, the various detention facilities included in the BBJ Project are "moving targets." In fact, in violation of SEQRA's mandate for strict compliance with its procedural requirements, the Scoping session for the MDC considered a completely different location (80 Centre) than the site proposed for Manhattan in the DEIS (124-

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<sup>2</sup> Except as specifically stated otherwise herein, all references to SEQRA shall be deemed to also refer to CEQR. See *Akpan v Koch*, 75 N.Y.2d 561, 567, 555 N.Y.S.2d 16, 18 (1990) (noting that CEQR "implements SEQRA in the City of New York"); *N.Y.C. Coalition to End Lead Poisoning v Vallone*, 100 N.Y.2d 337, 347, 763 N.Y.S.2d 530, 534 (2003) ("As relevant here, the challenges made under CEQR are indistinguishable from the state law [i.e., SEQRA] claims.").

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125 White). Moreover, at the CPC work session held on July 8, 2019, DOC announced that the number of detainees to be relocated as part of the BBJ Project would drop by 1,000, from 5,000 to 4,000 detainees. When asked what this change meant to each of the respective facilities, DOC responded that the impact was still being “worked out.” At the July 10, 2019 Public Hearing, the City admitted that it still did not know the space requirements for the new projected population of 4,000. The City’s inability to define the BBJ Project and the Manhattan Detention Center prevents reasonable assessment of both projects’ likely effects, and is contrary to the fundamental purpose and intent of SEQRA. It is manifest that in order to assess environmental impacts, a project must first be defined. (See N.Y.C. Mayor’s Office of Environmental Coordination, CEQR Technical Manual at 1-11 (March 2014) (emphasis added) (“CEQR Technical Manual”), at 2-3).

The “DEIS” is severely deficient and, at a minimum, must be supplemented to include additional critical information and analysis, which must be considered by all involved agencies<sup>3</sup> and subject to public review, before any government action may be taken with respect to the BBJ Project.

**Failure To Hold Scoping Session for the Actual Manhattan Site  
Violates Both SEQRA’s Mandate for “Strict Procedural Compliance”  
As Well As Basic Precepts of Environmental Justice**

The entire DEIS for the MDC is fatally flawed by DOC’s failure to strictly comply with SEQRA’s procedural requirements with respect to issuing a Positive Declaration and Scoping. The Positive Declaration requiring the preparation of the DEIS and the Draft Scope of Work for the DEIS concerned a different location for the Project than the Site. (See DEIS at 1-16 (“The Manhattan Site at 80 Centre Street was identified in the Draft Scope of Work, but was subsequently removed from consideration after further evaluation and public review.”) As such, the Positive Declaration and the Draft Scope of Work fail to rationally “address[] the interplay between the proposed [P]roject *in its particular location* and conditions in the surrounding area.” (See CEQR Technical Manual at 4-14 (emphasis added).)

Moreover, in violation of SEQRA, the Scoping Session here did not actually cover the proposed action that is the subject of the DEIS. See 6 N.Y.C.R.R. § 617.2(ag) (defining “scoping” as the “process by which the lead agency identified the potentially significant adverse impacts related to the *proposed action* that are to be addressed in the draft EIS” (emphasis added)). In fact, the Draft Scope of Work circulated to the public violates the basic objective of a Draft Scope of “describ[ing] the proposed project with sufficient detail about the proposal *and its surroundings* to allow the public and interested and involved agencies to understand the environmental issues.” (See CEQR Technical Manual at 1-11(emphasis added.)) The Site that is

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<sup>3</sup> All agencies with discretionary authority over the BBJ Project and the MDC Project (*i.e.*, the involved agencies), such as the City Council, must issue their own written SEQRA Findings Statements before making any determinations on the Project. See 6 N.Y.C.R.R. § 617.11(d). If their concerns are inadequately addressed in the EIS, each involved agency “may take such deficiencies into account in making its own decision regarding the action which could result in negative SEQR Findings and a denial.” N.Y.S. D.E.C., SEQR Handbook, at 67 (3d ed. 2010)

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the subject of the DEIS poses distinct potential significant adverse impacts from the site that was the subject of the Positive Declaration and Draft Scope of Work, and DOC failed to identify these impacts because of its effort to engage in an improper procedural short cut.

It is axiomatic that “SEQRA’s policy of injecting environmental considerations into governmental decisionmaking is ‘effectuated, in part, through strict compliance with the review procedures outlined in the environmental laws and regulations.’” N.Y.C. Coalition to End Lead Poisoning v Vallone, 100 N.Y.2d 337, 348, 763 N.Y.S.2d 530, 535 (2003), citing Coca-Cola Bottling Co. v. Bd. of Estimate of City of N.Y., 72 N.Y.2d 674, 679, 536 N.Y.S.2d 33 (1988) & quoting Merson v McNally, 90 N.Y.2d 742, 750, 665 N.Y.S.2d 605 (1997).

The judicial mandate for “strict compliance” with SEQRA is not a “meaningless hurdle,” but instead is intended to “insure that agencies will err on the side of meticulous care in their environmental review” and not be tempted to “cut corners”:

[T]he requirement of strict compliance and attendant spectre of de novo environmental review insure that agencies will err on the side of meticulous care in their environmental review. Anything less than strict compliance, moreover, offers an incentive to cut corners and then cure defects only after protracted litigation, all at the ultimate expense of the environment

N.Y.C. Coalition to End Lead Poisoning, 100 N.Y.2d 337, 348, 763 N.Y.S.2d 535-536, quoting King v. Saratoga County Bd. of Sup’rs, 89 N.Y.2d 341, 347, 653 N.Y.S.2d 233, 235 (1996)(“The [statutory] mandate that agencies implement SEQRA’s procedural mechanisms to the ‘fullest extent possible’ reflects the Legislature’s view that the substance of SEQRA cannot be achieved without its procedure, and that departures from SEQRA’s procedural mechanisms thwart the purposes of the statute.” (quoting N.Y. Envtl. Conserv, L. § 8-103(6).)

Here, by holding a Scoping Session on the wrong location, DOC violated its most basic obligation to present the location of the project. (See CEQR Technical Manual, at 2-8 (stating that for “site specific” actions, “[t]he location and physical dimensions of the project must be presented, including the blocks and lots affected (or, if relevant, GIS shapefiles may also be provided)”; see generally CEQR Technical Manual, at 2-1 (stating that “site specific” projects “are those proposed for a specific location, where approvals specific to the site are required to allow a particular project to proceed.”).

DOC’s procedural noncompliance in this regard has caused it to fail to fulfill its fundamental SEQRA obligation of identifying the relevant areas of environmental concern. See, e.g., Akpan v. Koch, 75 N.Y.2d 561, 555 N.Y.S.2d 16, 20 (1990) (holding that “[i]n assessing an agency’s compliance with the substantive mandates of the statute, the courts must ‘review the record to determine whether the agency *identified the relevant areas of environmental concern*, took a ‘hard look’ at them, and made a ‘reasoned elaboration’ of the basis of its determination” (citation omitted, emphasis added). By way of example, unlike the 80 Centre Street site, the Site that is discussed in the DEIS is immediately adjacent to the Chung Pak Senior Centre, which

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houses over 100 low income seniors. We understand that NUBC made several requests that another Scoping Session be held on the correct location, all of which were ignored.

Due to the DOC's failure to hold a Scoping Hearing for the actual Manhattan Site that is under consideration, the DEIS provides little, if any meaningful analysis, on how the Project would affect the tenements on and around Baxter, Bayard and Mulberry Streets, Columbus Park, Transfiguration School, Chatham Towers and other residential buildings, or the seniors who reside at Chung Pak, including but not limited to, how these residents, children, and seniors would be impacted by the effects of this massive demolition and construction project. The DEIS's failure to seriously consider the potential air, noise, hazardous materials exposure and other impacts that could foreseeably result from the construction of the Project is particularly egregious with respect to the vulnerable seniors who reside in Chung Pak. Moreover, as the result of the DOC's procedural violation, the DEIS also fails to consider the potential impacts to Chung Pak and other affected residents once the Project is constructed. Chung Pak residents, for example, have access to and regularly use a roof garden, which the Project would place in shadows for much of the year.

Similarly, as the result of the lack of Scoping for the subject Site, the DEIS fails to fully identify and rationally consider the Project's potentially significant impacts on the residents, business, and buildings right across from the Site on Baxter Street. The DEIS fails to consider the impacts of Project construction on these residents, businesses, and buildings, as well as the impact of the Project on them following construction. The DEIS, for example, fails to identify and rationally address the potential construction vibration impacts to these buildings, which are in the Chinatown and Little Italy Historic District, notwithstanding the specific protections afforded to these defined Adjacent Historic Structures. Indeed, the DEIS also does not rationally address how pile driving on the Site, which is located on the former Collect Pond and is affected by "unstable soils," (see DEIS at 4.5-8), could be conducted in compliance with Department of Buildings Technical Policy and Procedure Notice ("TPPN") #10/88, or how, if pile driving is prohibited by TPPN #10/88, the Project could be constructed.

The DEIS concedes that it lacks basic required analyses, including "a Phase II Investigation, and the resulting Remedial Action Plan (RAP), and Construction Health and Safety Plan (CHASP)" because the "Manhattan Site was changed." (See DEIS at 4.7-1.)

DOC's procedural failing also violates basic Environmental Justice precepts, which are aimed, in significant part, in overcoming "the lack of meaningful public participation by minority and low-income communities in the permit process, the unavailability or inaccessibility of certain information to the public early in the permit process, and the failure of the permit process to address disproportionate adverse impacts on minority and low-income communities." (See N.Y.S. D.E.C., Commissioner Policy 29, "Environmental Justice and Permitting" (March 2003) ("DEC Environmental Justice Policy"), at 1); see also <https://www1.nyc.gov/site/sustainability/onenyc/environmental-justice.page> (explaining that the City's strategic OneNYC plan aims to promote Environmental Justice, stating that "it is imperative that we empower communities through public dissemination of data and the creation of venues for participatory planning. We need the help of community stakeholders to identify at-risk

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populations, toxic ‘hot spots’, research gaps, and effective implementation strategies. Only through the joint deployment of scientific expertise and local knowledge will we achieve clean, healthy, livable, and sustainable communities across the city.”).

To the extent DOC would contend that its so-called “Neighborhood Advisory Committees” (“NACs”) substituted for the required public Scoping process, it should remember that the DEIS makes clear that the NACS were not open to the public, but, rather, were limited to select “community leaders” as a sort of ill-defined task force. (See DEIS at 1-15.) In fact, NUBC members who tried to attend NACs Meeting regarding the Site were shut out. We understand that even reporters were asked to leave because these were “not public meetings.” This sort of invitation only process violates SEQRA. See Williamsburg Around the Bridge Block Assn. v. Giuliani, 223 A.D.2d 64, 67, 644 N.Y.S.2d 252 (1<sup>st</sup> Dept. 1996) (rejecting City’s use of a “Task Force” to develop a protocol for measures to contain lead dust from bridge project, and characterizing this process as “something of an ersatz EIS” that “only allowed limited public participation and scrutiny”).

Finally, we note that even the Scoping conducted for 80 Centre Street was flawed. We understand that many members of the public were prevented from attending and otherwise denied the opportunity to meaningfully participate in the Scoping process because the location of that Scoping Session reached overcapacity for fire safety purposes.

It is axiomatic that the “[o]pportunity for public participation and engagement is an essential and mandatory part of the SEQRA process. At each step, the agency must provide for public comment, usually through a written public comment period.” Friends of P.S. 163 v Jewish Home Lifecare, 30 N.Y.3d 416, 426 68 N.Y.S.3d 382, 386 (2017). DOC must issue a new Positive Declaration for the Site, a Draft Scope of Work tailored to the actual Site that is under consideration, and then hold a public Scoping Session on this Draft Scope. See 6 N.Y.C.R.R. 617.8(d) (“Scoping must include an opportunity for public participation.”); Ordonez v City of N.Y., 60 Misc. 3d 1213(A), 2018 WL 3385054, at \*3 (Sup Ct. N.Y. Cty. July 11, 2018) (“The scoping procedure that is permissible under SEQRA is mandatory under CEQR.”), citing 62 R.C.N.Y.).<sup>4</sup>

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<sup>4</sup> The SEQRA/CEQR process for the Site would be subject to the SEQRA regulations as revised effective January 1, 2019 since a new Positive Declaration will have to be issued here. See N.Y.S. D.E.C., SEQRA Findings Statement for Amendments to 6 NYCRR Part 617 (2018), at 26, ¶ VII. Of relevance to this discussion, the SEQRA regulations as amended require scoping for all environmental impact statements. See 6 N.Y.C.R.R. § 617.8(a); see N.Y.S. D.E.C., Final Generic Environmental Impact Statement on the Proposed Amendments to the Regulations that Implement SEQRA, at 122 (accepted June 13, 2018) (stating that regulations would be amended to make Scoping mandatory because “Scoping is a critical step in identifying issues that must be discussed in the EIS”).

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**Supplemental Draft Environmental Impact Statement is Required to Correct Deficiencies In DEIS, Which Cannot Be Corrected in an FEIS**

Where, as here, new relevant information or analyses are developed and/or there are changes proposed for a project subsequent to the filing of a DEIS, a supplemental environmental impact statement (“SEIS”) containing this information must be circulated to provide the public and relevant agencies with the opportunity to review and comment upon it. Horn v. Int’l Bus. Machines Corp., 110 A.D.2d 87, 493 N.Y.S.2d 184, 192 (2d Dept. 1985), appeal denied, 67 N.Y.2d 602, 499 N.Y.S.2d 1027 (1986); 6 N.Y.C.R.R. § 617.9(a)(7). Of particular relevance here, DOC cannot evade public review by inserting the voluminous missing materials into a final environmental impact statement (“FEIS”):

[C]ourts have cautioned that the omission of required information from a draft EIS cannot be cured by simply including the required data in the final EIS since the abbreviated comment period for the final EIS “is not a substitute for the extended period and comprehensive procedures for public and agency scrutiny of and comment on the draft EIS.”

Id. at 192, quoting Webster Assoc. v. Town of Webster, 59 N.Y.2d 220, 228, 464 N.Y.S.2d 431 (1983).

**DOC Cannot Make “Reasonable Assessments” and the Public Cannot Fairly Participate in the Project Review in the Absence of an “Adequate Definition” of the Project**

The City’s own guidance for agency environmental review under CEQR establishes that DOC cannot make “reasonable assessments” about the Project’s potential significant adverse impacts because the Project’s characteristics are inadequately defined. As the CEQR Technical Manual states, “[w]ithout adequate definition of project characteristics, reasonable assessments cannot be made as to the project’s likely effects.” (CEQR Technical Manual, at 2-3 (emphasis added).) Moreover, as the CEQR Technical Manual further establishes, an ill-defined project critically inhibits the public’s opportunity to participate in the environmental review process. (See id. (“The project definition also serves to inform all interested and involved persons and agencies about the proposal and is typically contained in a ‘Project Description.’”)); DOC’s failure to abide by the plain language of the CEQR Technical Manual is, in itself, irrational. Cf. Mid Island Therapy Assocs., LLC v N.Y.S. Educ. Dept., 129 A.D.3d 1173, 1175, 10 N.Y.S.3d 688, 690 (3d Dept. 2015) (“[A]n agency determination arrived at in a manner inconsistent with its own regulations is not supported by a rational basis. Although ‘an agency’s interpretation of its own regulation is entitled to deference,’ ‘courts are not required to embrace a regulatory construction that conflicts with the plain meaning of the promulgated language.’” (citations omitted).

In any event, the DEIS is fundamentally flawed by its inability to define the Project, much less to rationally assess its potential significant adverse impacts, which prevent the public from considering and commenting upon it. See Coalition Against Lincoln West v City of New

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York, 60 N.Y.2d 805, 807, 60 N.Y.2d 805, 807 (1983) (holding that DEIS must “provide an adequate basis for public consideration of [project] impact[s]”).<sup>5</sup>

Here, the entire DEIS is flawed by its inability to provide meaningful details about the Project. As the DEIS acknowledges, “detailed plans for the proposed detention facility and detailed construction logistics” “are not known at this time.” (See DEIS at 4.14-2.) The lack of information about the Project prevents the DEIS from providing reasonable assessments about its potential significant adverse impacts, and also violates the public’s right to informed decisionmaking that incorporates public input. DOC’s decision to initiate public review of a DEIS so lacking in basic information violates the public’s right to Due Process. See CBF Industria de Gusa S/A v. AMCI Holdings, Inc., 316 F.Supp.3d 635, 652 (S.D.N.Y. 2018) (“In this Circuit, ‘[t]he fundamental requirement of due process is the opportunity to be heard’ at a meaningful time and in a meaningful manner.” (citations omitted).)

The only Project characteristic that the DEIS does make clear is its magnitude, and on this point it is extremely misleading. While the DEIS “Project Description” states that “[t]he maximum zoning height for the purposes of analysis would be approximately 450 feet,” (see DEIS at 1-9), as stated elsewhere in the DEIS, the 450 foot reference is to habitable space only. (See DEIS at 4.1-14.) The Project would actually have “a maximum base and building height above the curb level of each street frontage of *490 feet*, for rooftop mechanical bulkheads, parapets, and rooftop horticultural and related spaces.” (See id.)

This lack of an adequate Project description further confirms DOC’s obligation to re-start the SEQRA process for the Project. As the City’s own CEQR Technical Manual makes clear, “the first step in an environmental assessment is to define project characteristics.” (CEQR Technical Manual, at 2-3.) Here, however, DOC has failed to define basic characteristics of the Project, including, but not limited to basic information such as: Project design; Project lighting; the size and manner of the purported street level retail spaces; whether there would be community space at the ground level; the location of vehicular access points to the Project, the number of emergency generators, how much fuel would have to be stored on Site for each generator, the location of each generator and fuel supply source, consistency of fuel storage in a projected flood zone with the New York City Waterfront Revitalization Program, Lower Manhattan Coastal

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<sup>5</sup> See also Glen Head--Glenwood Landing Civic Council v Town of Oyster Bay, 88 A.D.2d 484, 494-95, 453 N.Y.S.2d 732, 739 (2d Dept. 1982) (requiring supplemental environmental impact statement (“SEIS”) where “significant information [was] received by the [reviewing agency] after completion of the environmental impact statement,” noting that SEQRA’s “circulation and comment requirements insure ‘informed decision making by providing procedural inputs for all responsible points of view on the environmental consequences of a proposed \* \* \* action,’ guard against lead agency error or bias, and help the lead agency identify problems, thereby improving its evaluation of a proposed project” (citations omitted)).

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Resiliency Project and other applicable programs, whether variances are required to store the amount of fuel needed, and whether the amount of fuel needed could be safely secured.<sup>6</sup>

With reference to the overall BBJ, DOC should clarify where women and people with mental and physical issues be located, as well as the contagious disease unit, and when the potential environmental impacts of those facilities will be addressed. DOC should also address the potential impacts of its apparent plan to close the Vernon C. Bain Correctional Center, which we understand houses approximately 800 individuals and many employees.

This is not a complete list of all failures of the DEIS to define the Project's characteristics, which trigger DOC's obligation to, at a minimum, prepare and circulate for public comment an adequate SEIS.

**“Mitigation Measures of Undisputed Importance” and other Analyses That are “Essential to an Understanding of the Environmental Impact” of the Project Cannot Escape Public Review under SEQRA**

The Court of Appeals has unambiguously held that “mitigation measures of undisputed importance” and other analyses that are “essential to an understanding of the environmental impact” of a project cannot escape public comment and agency review under SEQRA. Bronx Comm. for Toxic Free Sch. v. N.Y. City Sch. Const. Auth., 20 N.Y.3d 148, 958 N.Y.S.2d 65, 69 (2012). Bronx Committee concerned a proposal to locate public schools on a contaminated site. Id. at 152, 958 N.Y.S.2d at 66. The EIS prepared for the project, however, “fail[ed] to discuss [] the methods [the agency] adopted for long-term maintenance and monitoring of the controls it used to prevent or mitigate environmental harm.” Id. at 153, 958 N.Y.S.2d at 66. The Bronx Committee Court rejected as “without merit” the respondent agency’s argument that “it should not have to describe the long-term maintenance and monitoring measures in a supplemental EIS because (1) it reasonably chose not to decide on those measures before its EIS was filed and (2) it adequately described them in the site management plan approved by the DEC as part of the Brownfield Program.” Id. at 156, 958 N.Y.S.2d at 68.

Rejecting the agency’s argument, the Court of Appeals held that “[w]here important decisions about mitigation can only be made after the initial remedial measures are complete, a supplemental EIS may be called for, as it is here.” Id. at 156, 958 N.Y.S.2d at 69. The Court flatly rejected the agency’s argument, which is similar to statements made by DOC in the DEIS, that “submission of the site management plan to the DEC, or the approval of that plan as part of the Brownfield process” would in any way “justify short-circuiting SEQRA review.” Id. As the Court held, “[t]he Brownfield Program and SEQRA serve related but distinct purposes.” Id.

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<sup>6</sup> The potential dangers from storing what will undoubtedly be many thousands of gallons of fuel for a building of the size proposed are completely ignored. The DEIS only notes that the proposed facilities are intended to “remain fully operational” in the event of a power loss and that “the proposed detention facilities would be equipped with emergency electrical generators and fuel storage to provide power for several days of power outages.” (DEIS at 6-18.)

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Rather, of critical importance for DOC to understand here, “SEQRA is designed to assure that the main environmental concerns, and the measures taken to mitigate them, are described in a publicly filed document identified as an EIS, as to which the public has a statutorily-required period for review and comment.” *Id.* at 156-157, 958 N.Y.S.2d at 69.<sup>7</sup>

Here, the DEIS fails to fulfill DOC’s fundamental “hard look” obligation under SEQRA to take seriously the potential significant adverse impacts posed by the Project. *See Nash Metalware Co. v Council of City of New York*, No. 400331/06, 14 Misc. 3d 1211(A), 836 N.Y.S.2d 487, 2006 WL 3849065, at \*14 (Sup Ct. N.Y. Cty. Dec. 21, 2006) (“While the term ‘hard look’ may be infelicitous, it recognizes the intent of the Legislature in SEQRA that its concerns that environmental issues are serious and that in making decisions which may have the potential to cause a material adverse environmental effect, they should take such concerns seriously. The ‘hard look’ requirement is an attempt to implement such intent.”)<sup>8</sup>

The DEIS on its face admits that critical analyses that are essential for the public and other agencies to understand the environmental impact and that are necessary to the development of mitigation measures of undisputed importance have been omitted, including, but not limited to:

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<sup>7</sup> *See also Merson v. McNally*, 90 N.Y.2d 742, 750, 665 N.Y.S.2d 605, 609 (1997) (“A SEQRA review process conducted through closed bilateral negotiations between an agency and a developer would bypass, if not eliminate, the comprehensive, open weighing of environmentally compatible alternatives both to the proposed action and to any suggested mitigation measures.”); *AC I Shore Road, LLC v Inc. Village of Great Neck*, 43 A.D.3d 439, 442 841 N.Y.S.2d 344, 347 (2d Dept. 2007) (invalidating SEQRA review where “while the DGEIS noted that the soil in the area to be rezoned is potentially contaminated, and referred to an environmental report describing contamination on the petitioner’s property, the DGEIS and the SEQRA findings statement simply concluded that the petitioner’s property will be remediated in accordance with applicable standards and requirements, without examining whether the area can be remediated to residential standards”); *Penfield Panorama Area Community v. Town of Penfield Planning Bd.*, 253 A.D.2d 342, 349, 688 N.Y.S.2d 848, 853 (4<sup>th</sup> Dept. 1999) (invalidating SEQRA review following preparation of an EIS in which a the respondent agency “conditioned its approval of the project on [the applicant’s] agreement to get approval of a site remediation plan from the [the New York State Department of Environmental Conservation and the county department of health] before any construction begins,” holding that “deferring resolution of the remediation was improper because it shields the remediation plan from public scrutiny”).

<sup>8</sup> *See generally Bronx Committee for Toxic Free Schools*, 20 N.Y.3d at 155, 958 N.Y.S.2d at 68 (holding that agency’s SEQRA record must evidence, inter alia, that the agency “took a ‘hard look’ at” at the “relevant areas of environmental concern” (citation omitted)); *see also Halperin v. City of New Rochelle*, 24 A.D.3d 768, 809 N.Y.S.2d 98, 105 (2d Dept. 2005) (holding agency land use determinations must have “some objective factual basis”), *leave to appeal denied by* 6 N.Y.3d 890, 817 N.Y.S.2d 624 (Table), and *by* 7 N.Y.3d 708, 822 N.Y.S.2d 482 (Table) (2006).

1. **Hazardous Materials:** The DEIS forthrightly states that “a Phase II Investigation, and the resulting Remedial Action Plan (RAP), and Construction Health and Safety Plan (CHASP) have not yet been completed for the Manhattan Site.” (See DEIS at 4.7-1.) DOC cannot seriously deny that these analyses and mitigation measures are of critical public importance. Indeed, DOC prepared these studies for the proposed sites in Queens, Brooklyn and the Bronx. Additionally, the Phase I Environmental Site Assessment (“ESA”) for 124-125 White Street “revealed evidence of recognized environmental conditions (RECS),” which signifies “the presence or likely presence of hazardous substances or petroleum products in, or, or at the property.” (See DEIS at 4.7-2, quoting ASTM E1527-13, Standard Practice for Environmental Site Assessments.)

As the DEIS acknowledges, potential contaminants of concern on the Site include volatile organic compounds (“VOCS”), semivolatile organic compounds (“SVOCS”), polychlorinated biphenyls (“PCBs”), pesticides, herbicides, rodenticides, metals, fuel oil, fill material of unknown origin, asbestos, and lead-based paint. (See DEIS at 4.7-3 to 4.7-8.) Other RECs at 124 White Street include its former use as a filling station for thirty (30) years, and the presence of fuel oil storage tanks. The DEIS further acknowledges that the Phase I ESA was incomplete, as certain areas that “could be associated with RECs “were inaccessible,” and that many businesses that formerly operated at the site potentially used hazardous materials, which could also be associated with RECs. Because no Phase II has been conducted, it remains unknown whether and to what extent these prior uses, as well as the “numerous” petroleum spills from Con Edison equipment, have impacted the existing conditions. Further, DOC has not identified the scope of remediation and safety measures that are necessary to protect human health and the environment during both demolition or construction. *Id.* at 4.7-4.

The DEIS provides two reasons for DOC’s failure to document existing conditions and analyze the impact of hazardous materials on human health and the environment, neither of which cures its unquestionable violation of SEQRA. First, DOC claims that it could not complete the requisite studies because, after the Final Scoping Session, DOC changed the location of the Manhattan Site. (DEIS at 4.7-1.) DOC also claims that it needed approval from New York City Transit (NYCT) before it could access and conduct subsurface investigations, and that this necessary approval delayed its investigation.<sup>9</sup>

Excuses aside, the law is clear -- an agency’s failure to assess existing environmental conditions and to disclose for public review proposed plans for remediation and

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<sup>9</sup> DOC’s attempt to excuse these glaring deficiencies in the DEIS is disingenuous. SEQRA cannot be short-circuited because DOC decided at the last minute, *after* the Scoping Session, to change the detention facility location from 80 Centre Street to 124-125 White Street. In addition, the DEIS does not explain what efforts DOC made to obtain access from NYCT (another City agency) for purposes of performing a Phase II investigation, and when those discussions were held. DOC presumably would have needed to commence the same discussions for access from NYCT regardless of the change in the location since subway infrastructure exists in proximity to the former 80 Centre location as well.

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management of hazardous materials, violates SEQRA.<sup>10</sup> See Bronx Comm. for Toxic Free Sch., 958 N.Y.S.2d at 69; see also, Penfield Panorama Area Community, 253 A.D.2d at 349-50, 688 N.Y.S.2d at 853-54 (holding that the failure to conduct a hazardous materials assessment on a project site owned by a municipality was a violation of SEQRA).

As explained above, moreover, due to DOC's failure to hold a Scoping Hearing for the actual Manhattan Site that is under consideration, the DEIS provides no analysis on how exposure to hazardous materials during and after demolition and construction would affect the senior population residing at Chung Pak or other residents in the area. The DEIS, for example, does not discuss the impacts resulting from exposure to hazardous materials on Chung Pak senior residents, whose age and health make them particularly vulnerable to significant adverse impacts resulting from the demolition of the existing structure, which will involve "extensive excavation," and construction of a massive structure. (See "Negative Impacts of Major Construction in Senior Communities and The Building of New York City's Borough-Based Jail System, prepared by Sienna Trice, dated February 2019, annexed hereto as Exhibit "B," which is incorporated herein by reference). Nor does the DEIS discuss adverse impacts on children at nearby schools, or workers in local businesses.

Thus, without any understanding of: a) the extent of hazardous materials present at the Site; b) the remediation that will be required; or c) the effects of hazardous materials exposure on vulnerable populations in the study area, the DEIS remarkably concludes that there are no significant adverse hazardous materials impacts from or following construction. (DEIS at 4.7-6.) This is absurd and fatal to the DEIS. DOC must, at the very least, supplement the DEIS to address the omissions concerning hazardous material conditions and impacts.

2. **Public Health Assessment:** The DEIS's public health analysis is completely deficient. There is no basis for accepting the conclusion that no public health assessment is warranted, which is based solely upon flawed hazardous materials, noise, and air quality analyses.

The DEIS irrationally relies upon the generic statement in the CEQR Manual that "for most proposed projects, a public health analysis is not necessary" where no significant unmitigated adverse impact is found in other CEQR impact areas. (DEIS at 4.12-1; CEQR Technical Manual, 20-2.) This general statement presumes that the technical analysis in the other impact areas took a 'hard look' at the potential significant adverse impacts. Unfortunately, the DEIS in this case falls woefully short of the 'hard look' mandated under SEQRA/CEQR.

For example, despite the fact that DOC has not conducted a Phase II ESA on a site that its Phase I ESA recognizes almost certainly is contaminated, (see DEIS at 4.7-1 & 4.7-3 to 4.7-8), the DEIS audaciously asserts that "the proposed project at the Manhattan Site would not result in unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality or noise)." (See DEIS at 4.12-1.) The

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<sup>10</sup> It is also clear that the failure to complete a Remedial Action Plan for the MDC is inconsistent with the New York City Waterfront Revitalization Program policies 7.1-7.3. (DEIS at 4.1-20-21.)

CEQR Technical Manual however, sets forth a low threshold triggering the obligation to conduct a public health analysis, stating that “[w]hen significant adverse hazardous materials impacts are identified . . . and *may not be fully mitigated*, that hazardous materials impact should be evaluated for its potential impact on the health of the potentially affected population.” (CEQR Technical Manual, at 20-5 (emphasis added)); see also Silvercup Studios v Power Authority of N.Y., 285 A.D.2d 598, 600, 729 N.Y.S.2d 47, 49 (2d Dept. 2001) (“Because the operative word [in SEQRA] triggering the requirement of an EIS is ‘may’, there is a relatively low threshold for the preparation of an EIS.” (citation omitted)). Here, the DEIS recognizes that the Site is affected by multiple RECs, which the DOC has not even begun to evaluate, much less mitigate. (See DEIS at 4.7-1 & 4.7-3 to 4.7-8.) DOC must conduct a public health evaluation, which must be subject to public review and comment. (See CEQR Technical Manual, at 20-5.)

A public health assessment must be conducted for the additional, independent reasons that the proposed MDC may have a potential significant adverse effect on air quality and noise during construction and/or operation. The DEIS, for example, wholly failed to consider the age of the affected population, including, but not limited to, the Chung Pak seniors living directly adjacent to the Site, the children attending Transfiguration and other nearby schools, including PS 1, PS 124, PS 130, St. James/St. Joseph’s, and Murray Bergtraum High School, workers in surrounding small businesses, or the physical and mental health impacts of the air and noise from the proposed Project on a population which has already uniquely suffered the impacts from 9/11. The air quality and noise analyses are flawed, as is the conclusion that the Project would not result in any potential significant adverse air quality or noise impacts. Accordingly, the determination that no public health assessment is warranted has no legitimate rationale or support.

3. **Construction Impacts**: In light of the DEIS’s forthright admission that “detailed plans for the proposed detention facility and detailed construction logistics” “are not known at this time,” (see DEIS at 4.14-2), the DEIS’s entire Construction section has no factual or empirical basis, and generally fails to seriously address the potential significant impacts that the Project’s construction would cause. Moreover, to the extent the DEIS purports to set forth the required Preliminary Construction Assessment (“PCA”) for the Project’s conceded “long-term” (i.e., more than two year) construction, it is extraordinarily deficient. (See CEQR Technical Manual at 22-2 to 22-4.) A legitimate PCA must be produced and be subject to public review.

Other critical analyses and mitigation measures that are absent from the DEIS include, but are not limited to:

a. **Construction Protection Plan**: The DEIS concedes that DOC has deferred consideration of a Construction Protection Plan (“CPP”), which it recognizes is necessary “to avoid inadvertent construction-related impacts, and states that DOC improperly intends to develop a CPP “in consultation with” the Landmarks Preservation Commission (“LPC”) without any opportunity for public review and input. (See DEIS at 4.5-3 to 4.5-4.)

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A CPP must be presented that addresses the potential the impacts of construction activities, including upon portions of the Chinatown and Little Italy Historic District that are within 400 feet of the Site. (See CEQR Technical Manual at 22-7 (“If a project’s construction activities are within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained glass windows, could be impacted by falling objects from an adjacent construction site.”). Portions of the Chinatown and Little Italy Historic District are within 400 feet of the Site, and as the DEIS recognizes, there are thirteen (13) historic buildings within ninety feet (90’) of the Project Site, including three (3) buildings on Bayard Street (104-108 Bayard Street), two (2) buildings on Canal Street (218-220 Canal Street), and seven (7) buildings on Baxter Street (79-93 Baxter Street). (See DEIS at 4.5-18 & Fig. 4.5-1.)

The CPP must also address the extreme engineering practices required for demolition and construction activities for the Project. The DEIS also recognizes that, as evidenced by the construction of the Louis J. Lefkowitz State Office Building, the Site is encumbered by “unstable soils” as the “result of filling in the Collect Pond.” (See DEIS at 4.5-8.) Indeed, photographs of the existing MDC on the Site show evidence of extreme settling, highlighting the precarious nature of subsurface conditions and the need for extreme engineering practices to construct there. (See Photographs annexed hereto as Exhibit “C”.)

The DEIS notes that as the result of the unstable soils affecting the area above the former Collect Pond, “[t]he construction efforts required to complete the [State Office] building’s foundation and ensure stability of the building were extensive and involved excavation to a depth of at least twelve feet followed by the driving of hundreds of piles.” (DEIS at 4.5-8.) The construction of the jail and criminal court at 125 White Street “faced similar engineering difficulties,” such that its support columns . . . were reportedly designed to extend through fill material and unstable soils associated with the pond and marshes.” (Id.) As discussed in further detail below, the DEIS does not explain how pile driving could be conducted in compliance with TPPN #10/88, and does not otherwise address how the Project could be constructed without adversely impact sensitive structures and residents in the affected area.

b. **Disruption of Traffic/Pedestrian Operations From Construction**

**Activity:** The DEIS is forthright that it contains no analysis of “the extent to which traffic operations” and “pedestrian operations would be disrupted as a result of construction activity,” stating:

Because detailed plans for the proposed detention facility and detailed construction logistics, including any necessary street or sidewalk closures, are not known at this time, the level of specificity necessary to quantify the extent to which traffic operations would be disrupted as a result of street network access accommodations requested to facilitate the construction effort cannot be made at this time.

(See DEIS at 4.14-2.)<sup>11</sup> The adverse impacts associated with the disruption of traffic and pedestrian flow as the result of the Project's construction are of obvious public importance. Such disruption could, inter alia, result in substantial residential and/or business displacement. The businesses along Baxter Street, for example, stand to be tremendously adversely impacted by the construction of the Project, and have a right to understand the potential impact and to review and comment upon any measures aimed at avoiding and/or mitigating these impacts. DOC must explain how vehicular and pedestrian traffic along Baxter Street, Centre Street, Bayard Street and White Street will be affected by Project related demolition and construction activities, including, but not limited to, describing any proposed lane closures and their duration.

4. **Phase 2 Archaeological Analysis:** The DEIS recognizes that the Site "would have served as an important resources [sic] to the local indigenous population, (see DEIS at 4.5-8),<sup>12</sup> and concedes that "deeply buried precontact archaeological resources and historic fill may be present within the southwestern corner of Block 198, Lot 1 on the Site, and that the Supplemental Phase 1A Study "recommended that additional archeological analysis in the form of the review of new soil borings," and that this analysis, which "would presumably be completed as part of the project planning and design phase, could warrant "additional archaeological analysis." (See DEIS at 4.5-16 to 4.5-17.) Again, however, the DEIS indicates that DOC improperly intends to undertake this additional analysis solely "in consultation with the LPC," without public review and input. (See DEIS at 4.5-3 to 4.5-4.)

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<sup>11</sup> (See also *id.* ("Because detailed plans for the proposed detention facility and detailed construction logistics, including any necessary street or sidewalk closures, are not known at this time, the level of specificity necessary to quantify the extent to which pedestrian operations would be disrupted as a result of construction activity (construction worker related and due to potential public infrastructure access accommodations requested to facilitate the construction effort) cannot be made at this time."))

<sup>12</sup> The DEIS's failure to adequately address the archaeological resources at risk is irrational in light of the fact that it recognizes the important role the Site played in the lives of Manhattan's original inhabitants, stating:

The Phase 1A Study and Supplemental Phase 1A Study stated that Native American habitation sites in the region are most often located in coastal areas with access to marine resources, near fresh water sources and areas of high elevation and level slopes and are often in close proximity to previously identified archaeological sites. While the majority of the project site was formerly inundated by the waters of the Collect Pond, Native American activity is documented along the shores of the pond, and the Collect Pond itself is known to have been an important source of resources for the local indigenous population. Therefore, while the site was not likely used as a habitation site given the site's inundation, it would have served as an important resource to the local indigenous population.

(DEIS at 4.5-8.)

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Even worse, the DEIS does not even offer the promise of further analysis with respect to the Proposed Demapping Area on White Street, incorrectly stating that no analysis is required because “[a]s currently proposed, the project would not result in subsurface disturbance within White Street.” (See DEIS at 4.5-17.) First, this statement is flatly contradicted by the DEIS itself, which states that the demapping of White Street is required, “to facilitate the construction of the structure above the streetbed and *a cellar below the streetbed.*” (See DEIS at 1-9 (emphasis added).) This statement in the DEIS is also irrational given: (i) the fact that there is no apparent design for the Project yet, and; (ii) the fact that the Site is encumbered by “unstable soils” as the “result of filling in the Collect Pond,” which would likely require “extensive and involved excavation to a depth of at least twelve feet followed by the driving of hundreds of piles,” which may be “designed to extend through fill material and unstable soils associated with the pond and marshes.” (See DEIS at 4.5-8; see also DEIS at 4.7-5 (“Construction of the new facility would require extensive excavation of the Manhattan Site”).)

**5. Solid Waste Management:** Another shortcoming of the DEIS is that it contains no information or analysis with respect to solid waste production. There is no excuse for this lapse, particularly given the number of additional people that would eat and work at each Site, seven (7) days a week, 52 weeks a year, as well as the “extensive excavation” required to build the MDC Project. (See DEIS at 4.7-1). Solid waste and service demand generated by the Project should be disclosed and evaluated to determine whether the Project “may increase a component of the City’s waste stream beyond the projections for that component in the [City’s Solid Waste Management Plan].” (CEQR Technical Manual, 14-6.)

The solid waste impacts that would result from the Project are closely linked to other technical analysis, such as traffic, air quality and noise. *Id.*, 14-9. The DEIS must be supplemented to: a) identify the amount of solid waste (including, but not limited to, medical waste) generated at each proposed BBJ site, b) assess whether additional trucks or other sanitation services would be required, and c) determine whether excavation would generate quantities of solid waste that exceed local and regional disposal capacity. Without this information, there is no way a meaningful evaluation of the potential traffic, air quality and noise impacts could be completed, nor any meaningful conclusions regarding such impacts derived.

This is not a complete list of each and every analysis and/or mitigation measure of undisputed importance that has been omitted from the DEIS, which, again, trigger DOC’s obligation to, at a minimum, prepare and circulate for public comment an adequate SDEIS.

### **Specific Comments on DEIS Impact Analysis**

The comments above reveal several major defects in the DEIS which, in and of themselves, mandate the commencement of a completely new SEQRA review of the BBJ Project and the proposed MDC. In addition to those defects, there are a number of other significant flaws in the analyses contained in the DEIS, which are discussed below in the order of the impact

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categories studied in the DEIS, as well as in the Technical Memo prepared by GMJ Associates, annexed hereto as Exhibit "A," and other Exhibits to this letter.<sup>13</sup>

## **1. Project Description**

In addition to the flaws in the Project Description described above, the DEIS also fails to describe and/or detail the "Zoning Text Amendment" that it states is required for the overall BBJ Project, other than to assert that it would "establish[] a special permit allowing use, bulk, parking and loading modifications for borough-based jails." (See DEIS at 1-1, at Table 1-2.) While the Project itself is "site specific," the Zoning Text Amendment is "generic," and requires a different analysis. (See CEQR Technical Manual at 2-2 (stating that generic actions include "[z]oning changes in or more neighborhoods," and Require Worst Case Development Scenario ("RWCDS") "that captures the upper range of potential development").

Because all four currently proposed detention facility sites would result from the Zoning Text Amendment, their impacts must be cumulatively assessed under SEQRA. Indeed, DOC has presented the BBJ Project as one project under ULURP, and should have considered the cumulative impacts of all four proposed detention centers for purposes of SEQRA/CEQR, in addition to consideration of impacts on a site-specific basis. The BBJ Project is part of a city-wide plan to close Riker's Island Jail. (See *Smaller, Safer, Fairer*, 2017 ). The four proposed jails are being held out as complementary components of the city-wide plan. As such, consideration of the combined effects of the four jails is required. Vill. of Westbury v. Dept. of Transport., 75 N.Y.2d 62, 550 N.Y.S.2d 604 (1980).

DOC must also address issues including other projected or potential sites that are susceptible to development pursuant to the Zoning Text Amendment, and then develop and publicly present a RWCDS. (See CEQR Technical Manual at 2-10 to 2-11.) To begin with, DOC should clarify whether the Zoning Text Amendment could apply to projects other than the four that are under consideration. We understand that DOC has indicated that size of the Project will be "reduced"; in light of this, DOC should clarify whether the Zoning Text Amendment would still allow the additional 3.15 FAR. DOC should also make available to the public a draft of the Zoning Text Amendment, and consider whether the Amendment will create precedent for other zoning actions throughout the City.

## **2. Land Use, Zoning and Public Policy**

### **Overall Irrationality of DEIS Land Use Section**

The DEIS's entire analysis of the Project's potential adverse land use impacts is flawed, in the first instance, by its inadequate description of the Project, (see DEIS at 4.14-2), which prevents reasonable assessments of the Project's land use impacts and prevents the public from meaningfully commenting on those impacts (see CEQR Technical Manual, at 2-3), and its

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<sup>13</sup> All Exhibits to this letter are incorporated herein by reference, and should be treated as comments on the DEIS.

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overall failure to rationally assess the interplay between the Project in its particular location and conditions in the surrounding area. (See CEQR Technical Manual at 4-14.)

The DEIS's land use analysis is also flawed by its assumption that "[t]he proposed detention facility would be approximately 450 feet high." (See DEIS at 4.1-13.) On the very next page, the DEIS acknowledges that the Project would actually have "a maximum base and building height above the curb level of each street frontage of *490 feet*, for rooftop mechanical bulkheads, parapets, and rooftop horticultural and related spaces." (See DEIS at 4.1-14.) This additional 40 feet is significant, and DOC's analysis must take it into account.

### **Irrational Conformance Analysis**

The DEIS also fails to seriously address "the [P]roject's compatibility and consistency with surrounding land uses and zoning as they would exist in the future without the [P]roject." (See CEQR Technical Manual at 4-14.) In conducting this "conformance analysis," DOC must identify the extent to which the Project "would be consistent or inconsistent with existing uses," and "whether the proposed development would alter or accelerate existing development patterns." (See CEQR Technical Manual at 4-18.) As it stands, the DEIS fails to rationally "determine whether the [P]roject would have the ability to generate land use change in the study area," including the ¼ mile and ½ mile study area. (See CEQR Technical Manual at 4-14.) DOC must rationally "address[] the interplay between the proposed [P]roject in its particular location and conditions in the surrounding area." (See CEQR Technical Manual at 4-14.)

The DEIS's suggestion the Project would be "consistent with the higher density uses to the west and the south that characterize the current study area" is flawed on multiple counts. (See DEIS at 4.1-13.) First, it simply ignores the areas to the north and the east, with which the Project is entirely inconsistent. This area contains the Chinatown and Little Italy Historic District. (See DEIS, Fig. 4.5-1.) The DEIS recognizes that "[t]he area to the east of the project site contains five-to six-story tenement buildings on smaller parcels, which form the core of the Chinatown neighborhood." (See DEIS at 4.1-4; see also DEIS at 4.1-3 ("The block immediately to the east of the project site contains mixed-use, five to seven-story commercial and residential buildings, with ground-floor retail".) Similarly, "[f]our- to five-story cast-iron buildings . . . make up the southern boundary of the SoHo District." (See DEIS at 4.1-3.) Moreover, as the DEIS also acknowledges, "lower density residential and retail uses are planned for the northeastern portion of the study area within the Lower East Side neighborhood." (See DEIS at 4.1-10.) DOC must perform a rational conformance analysis, which analyzes the patent incongruity between the 490-foot Project and the low-rise areas in to the north and east of the Site.

This statement also irrationally misrepresents the character of the community to the west, which includes the Tribeca East Historic District. (See DEIS, Fig. 4.5-1.) As the DEIS recognizes, Tribeca contains moderately sized buildings, which are predominantly 7 to 11 stories in height. (See DEIS at 4.1-3.) Again, DOC must rationally assess the clear nonconformance of its nearly 50-story Project with the moderately sized area to the west.

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Ultimately, as shown in three-dimensional models of the Project prepared by NUBC members, which DOC should address, the Project would stand in stark nonconformance to the communities to the west, north, and east. (See Photographs of three-dimensional models, annexed hereto as Exhibit “D.”).

The DEIS’s statement that the Project “would not substantially change the land use character in the With Action condition as the project site already contains an existing detention facility” ignore that fact that the Project is substantially larger than the existing MDC. (See DEIS at 4.1-13.)

### **Failure to Consider Fair Share Analysis**

Although the DEIS recognizes the importance of “Fair Share” analysis “to site [City] facilities in a thoughtful, deliberative manner that takes community input seriously and aims to avoid the uneven distribution of these essential City facilities and services,” the DEIS lacks any consideration of the Fair Share analysis performed by HR&A on behalf of the City for the BBJ Project. (See DEIS at 4.1-9; see generally 62 R.C.N.Y. § 6-07(c) (requiring CPC to consider “the fair share criteria adopted pursuant to § 203 of the City Charter in weighing any recommendation with respect to proposed city facilities”); N.Y.C. Charter § 203 (requiring Fair Share criteria “to further the fair distribution among communities of the burdens and benefits associated with city facilities, consistent with community needs for services and efficient and cost effective delivery of services and with due regard for the social and economic impacts of such facilities upon the areas surrounding the sites”).

“A basic principle of a fair city is that, to the greatest extent possible, all communities should have their fair share of municipal facilities – whether those are schools, libraries, shelters, parks, *prisons* or waste transfer stations.” (N.Y. City Council, “Doing Our Share, Getting Our Fair Share: Reforming NYC’s System for Achieving Fairness In Siting Municipal Facilities” (Feb. 2017), at 3.)

DOC should assess whether the Project exacerbates the disproportionate location of city facilities, including, but not limited to, detention facilities in the area abutting the Chinatown community. (See *id.* (“Unfortunately, in New York City (and most other places as well), facilities that bring environmental burdens to communities like waste transfer stations, sometimes referred to as ‘local unwanted land uses’ or ‘LULUs’ – are disproportionately located in low-income communities of color. At the same time, some wealthier – and whiter – communities often have less than their fair share of such facilities.”).) In addition, DOC should address the disproportionate placement of detention facilities in Manhattan, and Community Board 1, in particular. (See Memorandum prepared by Christopher Marte, Democratic State Committeeman, 65 Assembly District, and New York Director of Arena Political Action Committee, annexed hereto as Exhibit “E,” which identifies numerous deficiencies in City’s Fair Share Analysis). DOC should consider detention facilities regardless of which level of government operates them in its analysis, as well as the disproportionate placement of City run detention facilities in Manhattan. DOC should also:

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- address the fact that the area around the Site is already overburdened with municipal facilities<sup>14</sup>;
- consider whether the entire BBJ concept of locating jails in proximity to existing courthouses constitutes a *per se* violation of basic Fair Share principles by, in effect, overburdening particular areas in the City by design;
- explain the omission of a Staten Island facility from the BBJ sites, and how this corresponds to Fair Share requirements<sup>15</sup>; and
- explain the proposed location of equally-sized facilities in Boroughs that are of different sizes and how this corresponds to the Fair Share requirement.<sup>16</sup>

### **Failure to Comply with ULURP and City Charter**

The combination of four land use actions in four different boroughs into a single Uniform Land Use Review Procedure (“ULURP”) is arbitrary, capricious and an abuse of discretion. The unprecedented consolidation of four land use actions serves no legitimate public purpose, and is prompted solely by political motivations. We understand that Mayor De Blasio and City Council Speaker Cory Johnson are on record admitting that the unusual consolidation was intended to sprint through the ULURP process.

The New York City Charter and implementing regulations do not authorize consolidation of four site specific land use actions in separate boroughs into a single ULURP. See N.Y. City Charter §§ 197-c, 197-d, 62 R.C.N.Y. § 5-01 et seq. This is not how the City handled ULURP in 2006 when it selected sites in each borough to house Department of Sanitation and commercial waste transfer stations. The City-wide Solid Waste Management Plan could only be implemented by the siting of transfer stations in each borough, which each underwent its own ULURP review.

By rushing a project as significant and impactful as the BBJ Project through ULURP (as well as through CEQR), the public is deprived of its right for a full and fair opportunity to provide necessary input to decisionmakers. The haste in which the Project has been handled is

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<sup>14</sup> See Exhibit “F” hereto, from the HR&A Fair Share Analysis, illustrating and listing the city facilities within 0.5 miles of the proposed Project Site.

<sup>15</sup> DOC should clarify the basis for the decision not to locate a facility under the BBJ in Staten Island. Related to this, is the basis for locating a facility in a particular Borough and determining its size based on the residence of detainees or where crimes of committed? If it is the former, DOC should provide data relating to the residence of detainees by Borough throughout the City. If it is the latter, DOC should provide data relating to the volumes of crime leading to detention by Borough throughout the City. DOC should also assess whether there is a correlation between where detainees live and where they commit crimes.

<sup>16</sup> See Exhibit “G,” listing the number of jails by Borough.

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also antithetical to one of the core recommendations in the Lippman Report, which emphasized that the communities within each borough should be integrally involved in the site-selection process. Indeed, in a subsequent report by the Lippman Commission, it rebuked the City, finding that “the City has not been transparent enough about its decision-making process for siting and designing new facilities. (See “A More Just New York City: Progress Report and Legislative Agenda,” December 2018, at p. 5). Throughout this process, DOC has eschewed public review and input, and continues to violate CEQR by putting out Requests for Design Build of the BBJ Project when no approvals for the Project have been granted.

The City also violated the City Charter and its implementing regulations by failing to include Community Boards 2 and 3 in the land use review process. A portion of Block 167, Lot 1 is located in Community Board 3. Even though the Project Site constitutes land in two community districts (1 and 3), Community Board 3 was not given the same opportunity as Community Board 1 to participate in the land use review process. (See City Charter 197-c(e), (f)). Similarly, Community Board 2 is an “affected community” within the meaning of the City Charter, but, like Community Board 3 was not given the same opportunity to hold public hearings.

The City Planning Commission should, respectfully, vote against the BBJ Project, send a clear message that the BBJ Project is not a *fait accompli*, and allow stakeholders, who will have to live with the impacts of this unprecedented development for decades to come, to be heard.

#### **Deficient Waterfront Revitalization Program Assessment**

The DEIS’s assertion that the Project would promote Waterfront Revitalization Program (“WRP”) Policy 1 of “[e]ncourag[ing] redevelopment in the Coastal Zone” ignores the potential adverse impacts that the Project would pose, both in the short-term (during construction) and in the long-term (once constructed), to redevelopment in the area. (See DEIS at 4.1-16.)

WRP Policy 6.2.1(a) requires Flood Elevation Worksheets and future flood elevations, which the DEIS acknowledges “have not been completed.” (See DEIS at 4.1-17.) The “qualitative analysis” provided is inadequate. The DEIS’s evaluation of WRP Policy 6.2.1(b) is also inadequate because, as the DEIS again acknowledges, “development plans for the Manhattan Site under the proposed project are preliminary and conceptual [and] detailed plans with elevations for specific features have not been developed.” (See DEIS at 4.1-18.) This is unacceptable, particularly in light of the DEIS’s “assum[ption] that the building’s lowest floor could contain vulnerable features (enclosed space for building staff, parking) and critical features (water/sewer pump rooms) that could be affected by future flood levels. (See *id.*) Similarly, the DEIS’s inclusion of so-called “adaptive strategies” are irrationally based on unsubstantiated “expect[at]ions” about the Project’s ground floor level and hopes that “to the extent feasible, future design development for the building on the Manhattan Site would account for future flood level.” (See DEIS at 4.1-19.)

The DEIS's analysis of WRP Policy 7 of "minimiz[ing] environmental degradation and negative impacts on public health" from items such as toxic pollutants and hazardous materials is improperly premised on an unseen Phase II ESA and a Remedial Action Plan ("RAP") and a Construction Health and Safety Plan ("CHASP") that do not exist. (See DEIS at 4.1-20 to 4.1-21.) As the DEIS recognizes, "[c]onstruction of the new facility would require extensive excavation of the Manhattan Site" that "could increase pathways for human exposure" to toxic pollutants and hazardous materials. (See DEIS at 4.1-21.)

### **3. Socioeconomics**

The study area selected for the assessment of socioeconomic impacts is flawed. The DEIS states that "the socioeconomic study area boundaries typically are similar to those of the land use study area, which for the proposed project is a ¼ mile radius around the project site." (See DEIS at 4.2-3; see also CEQR Technical Manual at 5-4 (stating that "typically, the socioeconomic study area boundaries are similar to those of the land use study area"). The DEIS Land Use Section actually contemplates a larger study area, stating that it assesses both "the ¼ - mile land use study area as well as within a ½ -mile study area," which it states is "consistent with the study areas for other analyses within this EIS." (See DEIS at 4.1-10.) DOC should explain why it used a smaller study area for its socioeconomic impact analysis and why the ½ mile study area, as used in the DEIS Land Use Section, should not be employed for its socioeconomic analysis.

The DEIS recognizes that "five commercial retail storefronts" would be displaced as the result of the Project, but fails to rationally consider the potential impacts both on these businesses and their employees, as well as on socioeconomic conditions in the immediate area. (See DEIS at 4.2-4.) The DEIS statement that "[t]he City intends to work with affected business on future relocations plans" constitutes improper deferral of an important mitigation measure and also fails to account for the employees of these businesses. (See id.) DOC must consider mitigation measures, including, but not limited to, helping to seek out and acquire replacement space, relocation assistance, moving expenses, payment of brokers' fees, and payments for improvements to replacement space. (See CEQR Technical Manual at 5-22.) Moreover, the CEQR Technical Manual posits as "an example of direct displacement that would warrant additional analysis might be the demolition of buildings on a local retail corridor for a highway or other non-retail use." (See CEQR Technical Manual at 5-6.) The Project here would demolish the retail corridor on the west side of Baxter Street between White Street and Canal Street. DOC must give far more serious public consideration to how the Project would avoid and/or mitigate this adverse impact.

The DEIS's failure to consider potential indirect residential displacement impacts of the Project is also irrational. (See DEIS at 4.2-5.) DOC should address, in the first instance, the indirect residential displacement that would be caused by the adverse, long term noise, air and other impacts associated with the construction of the Project. This analysis should include, but not be limited to, the residents of Chung Pak, Columbus Park, Chatham Towers, and the tenement buildings along Baxter and Mulberry Streets. The DEIS fails to include mitigation measures to assist low-income residents in the study area who would be displaced as the result of Project

construction. DOC should also address how the Project itself, once constructed, would cause indirect residential displacement, including, but not limited to, by saturating the area with LULUs.

The DEIS also fails to rationally address the indirect business displacement impacts that the Project would cause. (See DEIS at 4.2-9 to 4.2-10.) Again, DOC should address, in the first instance, the indirect business displacement impacts that would be caused by the construction of the Project. If, as here, a “project would entail construction for a long duration that could affect the access to and therefore viability of a number of business, and the failure of those business has the potential to affect community character, a preliminary assessment for construction impacts on socioeconomic conditions should be conducted.” (See CEQR Technical Manual at 22-7.) The DEIS recognizes, for example, that tourism provides a major basis for the economy in Chinatown and Little Italy, (see DEIS at 4.2-6), but fails to address how the adverse impacts associated with Project construction would adversely impact area business by deterring “visitors who form the base of existing business in the Study Area” or otherwise “impede[] efforts to attract investment to the area, or create a climate for disinvestment.” (See DEIS at 4.2-10.) The DEIS also fails to address the loss of revenue to Chung Pak, which relies on rental income from thirteen ground floor commercial tenants, and several other units it leases to non-profit organizations. Loss of such revenue from these tenants would threaten the financial integrity of Chung Pak.

Similarly, the DEIS fails to consider how Project construction would impact businesses located on Worth Street or food vendors in Chinatown. These businesses are already adversely impacted by the City’s Worth Street Roadway Reconstruction. DOC needs to consider how Project construction would affect them, including, but not limited to, the cumulative impacts if the Worth Street Roadway Reconstruction is still ongoing while Project construction is taking place. DOC also needs to consider potential adverse impacts from Project construction to businesses on Centre Street and Walker Street, and the impact on the provision of fresh fruits and vegetables and resultant food security of residents in Chinatown. (See Letter from Valerie Imbruce, PhD, dated July 18, 2019, annexed hereto as Exhibit “H”).

Fundamentally, DOC needs to address how small businesses in the area, including would be displaced by Project construction, and discuss mitigation measures. DOC should also address how the Project itself, once constructed, would cause indirect business displacement, such as by deterring tourists through its looming nature or by overwhelming the area with LULUs.

#### **4. Open Space**

The open space analysis significantly underestimates the impact of the Project on public open spaces, and completely ignores the open space along White Street between Centre and Baxter, as well as the impact of the Project on private open space. (CEQR Technical Manual, 7-2, explaining that private open space impacts may be considered in the assessment of open space impacts).

Initially, the DEIS open space analysis is flawed because it includes large open spaces in the study area that are well beyond the ¼ mile specified in the CEQR Technical Manual

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for workers. (CEQR Technical Manual, 7-5). This is significant because two of the public open spaces that fall in between the ¼ mile and ½ mile boundaries (City Hall Park and Dinkins Municipal Building Plaza) *double* the acreage of open space inventory. This results in an artificially low impact of the Project on public open space. The DEIS must be supplemented to accurately analyze the potential significant adverse impacts that the Project would have on the public open space resources in the ¼ mile study area, which includes Columbus Park and Collect Pond Parks, discussed below.

It is important for DOC to remember that, at the time the current detention facility was constructed, the City promised that this portion of White Street would be “a community give-back in the form of a public plaza when the City expanded the existing jail.” (See Manhattan Borough President’s Recommendation dated July 5, 2019 at pp.10-11). DOC took over the public space for parking and has utterly failed to fulfill the promises made to the Chinatown community. Id. at p. 11.

The land where the Chung Pak complex has been constructed was also part of community negotiations in connection with the 1980s expansion of the existing MDC. Id. at p. 17. The complex includes private recreational space on the roof of the building, which should be included in the assessment of potential open space impacts. (CEQR Technical Manual, 7-2). The DEIS must consider whether the Project will result in greater utilization demands of the existing open space resources since Chung Pak elderly residents may be unable and/or disinclined to use the rooftop recreational area due to adverse Project impacts during and after construction, including, but not limited to, significant adverse air quality and noise impacts.

As noted in the Manhattan Borough President’s Recommendation on the BBJ Project, the proposed Project “threatens to undo many of the gains the Chinatown community worked for tirelessly.” The open space analysis must evaluate the Project’s impact on White Street between Centre and Baxter as an open space resource, as well as the impact on the rooftop recreational area at Chung Pak, and avoid significant adverse environmental impacts to the maximum extent practicable.

The DEIS must also consider how adverse noise, air and other impacts caused by the Project’s construction would impact area parks, including, but not limited to Collect Pond Park and to Columbus Park, which is widely used by area residents, is only 56 feet away from the Site. Columbus Park is the only public open space in the ¼ mile study area that has playing fields in addition to tree coverage. Columbus Park, together with Collect Pond, are the closest parks to small businesses and residents living in Chatham Towers, Chung Pak, and tenements along Baxter and Mulberry Streets. As explained above, the DEIS’s conclusion that there would no significant adverse impact resulting from 676 additional workers and visitors to the MDC on a daily basis, is based upon a skewed analysis. Air (including air quality, dust, and odors) and noise can affect or even prohibit the use of such open spaces. (See CEQR Technical Manual at 7-12; see also id. at 7-17 (“If a proposed project results in a significant physical effect on existing open space by increasing shadow, noise, air pollutant emissions, or odors compared to the future No-Action condition, then there may be a significant impact requiring mitigation.”).) If, as appears likely

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here, a “project is likely to have a significant noise impact on open space resources,” specific technical analyses are required. (See *id.*; see generally *id.* at 19-13 to 19-20 (outlining the required technical analyses). These analyses must be undertaken here.

DOC must also explain how it proposes staging for demolition and construction activities, including, but not limited to, identifying where it proposes to conduct staging. DOC should identify what streets in the area might be impacted by construction staging, including, but not limited to, identifying if any streetbeds will be used for staging. DOC should also confirm that it has no intention of using either Collect Pond Park or Columbus Park for construction staging. DOC should also explain where cranes for demolition and construction activities would be located.

DOC must also identify what efforts will be made to maintain and preserve artwork by local artists, including, but not limited to, the brick work that comprises the White Street streetbed, and how it will be restored.

## **5. Shadows**

It is important for DOC to remember that the existing MDC was designed to ensure maximum natural sunlight to Chung Pak and the surrounding Chinatown community. The proposed Project would undo that gain. The shadow impact analysis in the DEIS is deficient because it ignores the impact that the Project would have on Chung Pak, whose residents rely on rooftop sunlight for recreational uses and gardening. (CEQR Technical Manual, 8-24, recognizing that sitting, sunning and gardening are uses that are sunlight sensitive resources). The DEIS also ignores the impact to the former New York City Police Headquarters, located at 240 Centre Street. This building is a New York City landmark and is listed on the National Register of Historic Places. The former Police Headquarters building features a stunning and well-recognized dome that allows light to pour into the structure.

The scale of the building will darken the skies of Chinatown and cast a long shadow extending as far north as Spring Street. Even aside from the DEIS’s deficient shadow analysis, the DEIS fails to assess impacts caused by the Project’s blocking a substantial amount of sky. The DEIS should include day-lighting analysis to demonstrate the impact of the proposal on parks, open space and other publicly accessible areas. For example, we understand that a day-lighting analysis was included in the DEIS for the East 125<sup>th</sup> Street rezoning. If there was ever a project where day-lighting impacts should be studied and disclosed, it is the MDC Project, which will tower over sensitive resources, including, but not limited to Columbus Park directly to the south. The proposed MDC will block a significant amount of sky and will darken the park, which is intensely used and loved by the Chinatown community. (See DEIS at 4.3-6, noting that Columbus Park “experiences heavy usage.”). The darkening of the streets and parks by the proposed Project will impact the character of the neighborhood, which while high density, is low in scale. The Project would impose the scale of Lower Manhattan onto Chinatown, Little Italy, Tribeca, and other impacted areas, and will irreparably and irretrievably change the character of the neighborhood.

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The DEIS also fails to seriously consider how the Project's shadow impacts would adversely affect sunlight-sensitive features, including within the Chinatown and Little Italy Historic District and the Tribeca East Historic District. The DEIS also omits at least four (4) additional shadow sensitive resources: the playground at PS130, the plaza at the Jacob K. Javits Federal Building West, the Most Precious Blood Church and the Eldridge Street Synagogue, some of which have distinctive, light dependent stained glass. See Exhibit "I." The DEIS must be supplemented to disclose shadow impacts on these resources.

The DEIS must be supplemented to evaluate the shadow impacts of the Project on historic and open space resources, Chung Pak residents and the residents and business in the surrounding Chinatown and Little Italy communities. This should include the potentially significant adverse impacts that would result from a loss of sunlight.

## **6. Historic and Cultural Resources**

As discussed in greater detail above, the DEIS's archaeological analysis is incomplete and irrational.

In addition, as the DEIS recognizes, adverse impacts to architectural resources can result from items including "altering the setting of a resource," "introducing incompatible visual, audible, atmospheric elements to a resource's setting," or "introducing shadows over a historic landscape or architectural resource with sun sensitive features that contribute to that resource's significance." (See DEIS at 4.5-6.) The DEIS fails to consider adverse shadow impacts on historic landscapes and/or architectural resources, including within the Chinatown and Little Italy Historic District and the Tribeca East Historic District, and at landmarks including the Eldridge Street Synagogue, which has distinctive, light dependent stained glass.

The DEIS should consider how the Project would affect the setting or visual relationships with the streetscape within the Chinatown and Little Italy Historic District and the Tribeca East Historic District. (See CEQR Technical Manual at 9-17.) The CEQR Technical Manual gives as an example of an action that would alter the setting of a historic resource "a proposed project that would result in a new building at the end of a street so that views of a historic park beyond were blocked." (See id.) Similarly, here, the Project would result in a massive building that would block view and affect the setting of these two Districts. As discussed in greater detail below, the DEIS also need to consider the construction impacts of the Project on historic resources. (See id. (establishing that impacts to protected resources include "[c]onstruction-related impacts, such as falling objects, vibration (particularly from blasting or pile-driving), dewatering, flooding, subsidence, or collapse. Such impacts may occur to an architectural resource adjacent to a construction site if adequate precautions are not taken.")).

## **7. Urban Design and Visual Resources**

An urban design assessment must consider "whether and how a project may change the experience of a pedestrian in a project area." (CEQR Technical Manual, 10-1). The DEIS does not provide sufficient information to conduct a meaningful assessment of impacts on the

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pedestrian experience. As an initial matter, the photo-renderings which supposedly demonstrate the Project's impact on view corridors, visual resources and the urban design of the area are incorrect, as shown in the attached Technical Memo prepared by GMJ&A.

In addition, aspects of the Project, which are necessary to meaningfully evaluate urban design impacts, are not available. For example, given the purpose of the facility, one would expect there to be a security plan, which would manage pedestrian flow around the building, or possibly security structures, either permanent or temporary, on the sidewalk. This information is not provided, and therefore cannot be considered by the Lead Agency or the public as part of the environmental review process.

The DEIS also fails to disclose information on lighting and the *amount* of transparent materials used. While the "goal" is to provide "transparent frontages on the main entrance and the community spaces," the DEIS admits that "materials are subject to change." (DEIS at 4.6-13.. Again, like the rest of the impact areas, impacts on urban design cannot be understood without knowing what the Project actually consists of.

The conclusion that there will be no no significant adverse impacts on urban design or visual resources is entirely speculative because DOC does not know what it is evaluating. At this juncture, it is possible that there will be long stretches of blank walls outside of the main entrances and community spaces, which would have a significant adverse impact on the neighborhood urban design and pedestrian experience. The Project is a moving target; neither the decision-makers, nor the public know what is being proposed.

## **8. Water and Sewer Infrastructure**

While the DEIS indicates that dewatering may be necessary for Project construction, (see DEIS at 4.1-21), the DEIS lacks any analysis of whether area infrastructure is capable of handling the volumes of water that would be associated with dewatering.

In addition, there is no information about DOC's plan to disconnect the 12-inch water main that runs along White Street, or the existing sewer in White Street. (See DEIS at 4.8-5,6). The DEIS also lacks any support for the assumption that "the sewers in Baxter Street and along Centre Street would be available for connection." (Id. at 4.8-6). DOC's attempt to short-circuit the environmental review process is unlawful. Like the hazardous material RAP and CHASP, the infrastructure abandonment plan must be included in the DEIS and available for public review and comment. It is critically important to understand the impact of infrastructure abandonment on the City's distribution systems. The Chung Pak residents may be uniquely impacted by DOC's undisclosed plan. Deferring it to an indefinite later date is a violation of basic SEQRA/CEQR law.

## 9. Transportation

The DEIS fails to take the required “hard look” at the expected traffic impacts both during construction of the MDC and its ultimate operation.<sup>17</sup> The DEIS lacks information to support the conclusion that the Project would result in a potential significant adverse impact at only one intersection (Centre and Walker Streets). (DEIS at 4.9-21.) Not surprisingly, the DEIS disregards this unavoidable adverse impact by claiming, without any rationale or explanation, that it could be mitigated with a signal timing change, which has yet to be evaluated or approved. What, for example, would be the impact of the signal timing change on other intersections? Is the New York City Department of Transportation in agreement that a signal timing change is sufficient mitigation? What mitigation measures will the applicant implement if the DOT does not approve a signal timing change?

Just as baffling is the omission of data or analysis with respect to traffic coming off the Brooklyn Bridge onto Centre Street and then Canal. Canal Street is a receptor of traffic to and from the Manhattan Bridge and also carries traffic to and from the Holland Tunnel. All of this traffic causes back-up into Tribeca long Broadway and Church Street, with cross streets of Leonard, Franklin, White and Walker. These actual traffic conditions must be captured in a supplemental DEIS.

It is remarkable that the DEIS fails to include in its traffic analysis any discussion of impacts resulting from daily deliveries of supplies necessary to operate four jails housing thousands of detainees and staff. Failure of the DEIS to consider this impact area cumulatively, (as well as on a site-by-site basis) presents a classic example of impermissible segmentation under SEQRA. See Village of Westbury v. Department of Transportation, 75 N.Y.2d 62, 69, 550 N.Y.S.2d 604, 607 (1989) (where actions share a common purpose, the design of each is dependent on the other, and each has no independent utility without the other, SEQRA requires consideration of the actions’ combined effects); Town of Coeymans v. City of Albany, 284 A.D.2d 830, 835, 728 N.Y.S.2d 797, 802 (3d Dep’t), leave to app. denied, 97 N.Y.2d 602, 735 N.Y.S.2d 491 (2001) (where one action is a “fundamental and necessary prerequisite” to another, both actions “must be viewed as an integral part of a single project rather than as an independent action”).

With respect to the MDC, the addition of over 500 additional detainees plus staff and visitors will result in a significant amount of additional deliveries to the Site. The DEIS does not analyze the impact on traffic from these deliveries, including idling trucks in streets waiting for one of only two loading berths proposed for a facility housing over 1,400 detainees and nearly 700 additional workers and visitors. (See Recommendation of Borough President, Gale Brewer, at p. 3, requesting additional information on applicant’s request for two berths when four are required under zoning).

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<sup>17</sup> Traffic impacts during construction are discussed in the section of this letter relating to Construction Impacts.

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The DEIS acknowledges that the MDC Site is in both a Priority Area and in the designated Chinatown Senior Pedestrian Focus Area (DEIS at 4.9-4, 4.9-21.) Other than reciting the initiatives to enhance pedestrian safety under the *Vision Zero Manhattan Pedestrian Safety Action Plan*, the DEIS, however, is silent on the question of whether the Project fulfills any of the Plan's measures to increase pedestrian safety.

The DEIS is also silent regarding impacts resulting from the creation of a proposed bike lane along Centre Street. (DEIS, Figure 4.9-6.) For example, will construction of the Project delay the opening of the bike route? Will the bike route need to be modified once construction is complete?

## **10. Air Quality**

Based upon this stale data from a monitoring station over half-mile away from the Site, the DEIS concludes that mobile and stationary sources of air contaminants would not have the potential to result in any significant adverse air quality impacts. (DEIS at 4.10-11 to 4.10-15.) The DEIS should be supplemented to provide actual background conditions, including the adverse health impact of particulate matter and hazardous air pollutants released into the environment after the World Trade Center collapse, as well as the air quality impacts resulting from the on-going infrastructure project, which is expected to continue through Spring 2021.<sup>18</sup>

There is, moreover, a complete dearth of air quality and associated health impacts that the adjacent Chung-Pak senior residents would suffer as a result of the construction and operation of the MDC. There is no meaningful examination of the assessment of the Project's construction or operation on air quality and human health. The DEIS completely overlooks the adjoining and nearby population, and concludes without sufficient empirical basis that potential air quality impacts would not occur at distances greater than 278 feet (DEIS at 4.10-16.)

A group of individuals representing over ten community and academic institutions, including, NYU, Queens College, and Hunter College, recently met to discuss the impact of long terms construction on the health of older adults in Chinatown. The written testimony submitted on behalf of the NYU Center for the Study of Asian American Health (NYU CSAAH) is summarized in Exhibit "K," and will be set forth in a more comprehensive report, which should also be considered by the City Council.

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<sup>18</sup> Attached hereto as Exhibit "J" is a Memorandum dated July 12, 2019 prepared by Pitta & Baione LLC, which lists studies establishing a correlation between toxin exposure from 9/11 and higher asthma rates in Chinatown after 9/11. See also "Asian Americans and Disproportionate Exposure to Carcinogenic Hazardous Air Pollutants: A National Study", Soc Sci Med. 2017; 185:71-80.doi:10.1016/j.socscimed.2017.05.042. (explaining that there are significant environmental health disparities experienced by Asian Americans which have been neglected, resulting in severe environmental injustices).

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The testimony of NYU CSAAH, which is a National Institutes of Health (NIH) National Institute on Minority Health and Health Disparities (NIMHD) funded National Research Center of Excellence based at NYU School of Medicine, is founded upon evidence-based, peer reviewed scientific research. NYU CSAAH identifies physical and mental health risks associated with impacts from long term demolition and construction, and an increased likelihood of harm to the older adults in the Chinatown community. NYU CSAAH concluded, based upon scientific evidence, that older adults are highly vulnerable to particulate air pollution and hazardous air pollutants, and that the standards deemed acceptable for the general population are not protective of the elderly. Indeed, studies show that nearly 3 out of 4 deaths attributable to particulate matter in New York City occur in adults 65 and older. The DEIS must discuss the proven public health impacts caused by the Project on the elderly in the Chinatown community. (CEQR Technical Manual, 20-4, “where concentration-response functions or attributable risks are available in peer-reviewed literature, regulations and/or guidelines, the potential for public health impacts should be quantified.”)

In addition to ignoring background conditions and the adverse impacts to the immediately adjacent elderly community caused by the demolition of the old MDC and construction of the new one, the assumptions in the DEIS also conceal from public review the actual air quality and health related impacts. For example, the DEIS reports air pollutant concentrations, which *assume* that restrictions will be placed upon the type of fuel and location of exhaust stacks. (DEIS at 4.10-16.) The facility has not been designed, and therefore, there is nothing to support this erroneous assumption and conclusion, which lacks a rational basis.

## **11. Noise**

The noise impact analysis is defective, and appears to be drafted in a manner purposefully intended to obfuscate and confuse. Although the City has not yet designed the MDC, the DEIS provides that “any recreational yard less than 145 feet above grade along the proposed detention facility’s north façade would be recessed at least 34 feet from the lot line shared” with Chung Pak. (DEIS at 4.11-8.) The DEIS also promises that the as yet undesignated building will shield any recreation yard above the height of the north-adjacent residential building. (Id.).

DOC’s attempt to avoid disclosure of potentially significant adverse noise impacts by purportedly incorporating design criteria for a building that has not yet been designed, is violative of SEQRA. In addition, there is no data or information regarding how or why DOC believes that the purported setback and shields would actually mitigate noise impacts caused by the Project on Chung Pak or other nearby residents.

Nor is there any analysis of the noise that will be generated by the mechanical systems at the MDC. Instead, the DEIS summarily states that the heating, ventilation and air condition systems “would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any potential significant increase in ambient noise levels.” (DEIS at 4.12-9.) It seems that DOC is under the impression that SEQRA’s mandate does not apply to it, and that the public is simply expected to accept these conclusions without any empirical data. (CEQR Technical Manual, 19-8, explaining that ventilating systems may generate noise that

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could affect adjacent buildings). But a DEIS that is replete with conclusory statements masquerading as facts and assumptions that are completely unsupported will not withstand scrutiny.

The predicted noise levels during construction contained in the DEIS are sufficiently high such that the Project would cause potential significant noise impacts on occupants of Chung Pak, school children and small businesses around the Site. (DEIS at 4.14-21, 22.) Rather than forthrightly identify the magnitude of the significant adverse noise impacts during the lengthy construction period, the DEIS masks the actual impacts by discounting the noise levels based upon construction noise control measures even though those supposed measures are impossible to enforce, and would only be where “practical and feasible” and “logistics allow.” (DEIS at 4.14-20, 21.) How, for example, will DOC ensure that contractors and subcontractors properly maintain their equipment and mufflers? Who determines whether it is feasible and practicable to use electrically powered equipment or diesel? How will the 3-minute idling rule be enforced?

The DEIS further attempts to mask actual noise impacts by tortured reasoning that generically concludes without any empirical data that “demolition activity at a distance further than 45 feet [from Chung Pak] would result in noise level increases that would be considered barely perceptible.” (DEIS at 4.14-22.) This tortured reasoning is the purported basis for the conclusion that a five-year construction period will result in only 8 non-consecutive months of noise impacts that exceed CEQR construction noise screening thresholds, and that noise resulting from construction of the Project would not have the potential to result in a significant adverse impact on Chung Pak. (*Id.*).

As discussed throughout this comment letter, it is impossible to ascertain the true extent of noise impacts given the lack of basic details relating to the Project, including the construction schedule, the type of equipment that will be located at the MDC Site, the extent of excavation required at the Site, and the details of numerous plans that will govern construction but have yet to be prepared.

## **12. Neighborhood Character**

The DEIS gives short shrift to the Project’s potential impacts on neighborhood character, concluding without explanation that the potential significant adverse impacts to historic and cultural resources and transportation, when combined with other “moderate effects would not constitute neighborhood character impacts.” (DEIS at 4.13-2.) The Neighborhood Character analysis relies on the technical analyses presented for other impact areas, such as Urban Design and Visual Resources. (*CEQR Manual*, 21-2). Here, the technical analysis in the Urban Design and Visual Resources, Open Space, Noise and Socioeconomic impact areas are flawed, and cannot support the conclusion in the DEIS that the Project would not have a potential significant adverse effect on Neighborhood Character. Even the Chair of the Independent Commission on New York City Justice and Incarceration Reform and former chief judge of the New York Court of Appeals, Jonathan Lippman, acknowledged that the MDC, and the proposed facilities in other boroughs, are too big, “out of sync” with the neighborhoods, and well beyond the scale of anything else in the

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country. (See, “Jail Towers ‘Way Out of Scale’ Says Head of Commission to Close Rikers,” annexed hereto as Exhibit “L.”).

The photo-renderings developed for the DEIS, for example, are inaccurate (wrong size, wrong location, inaccurate matching). (See Exhibit “A”). The Open Space impact discussion in the DEIS failed to include all relevant open public space. The Noise analysis did not use an appropriate comparison to estimate the “With Action” noise levels. The Socioeconomic impact section did not look at the possibility of seniors being displaced from Chung Pak given the integrated nature of the MDC with Chung Pak’s infrastructure. Before any decision can be made with regard to the potential adverse environmental impacts of the Project, these, as well as other impact areas must be reevaluated so that the aggregate impact on neighborhood character can be properly assessed.

The existing neighborhood character has achieved a balance between the Civic Center and the residential neighborhoods of Chinatown and Little Italy. The scope and size of the proposed jail that places an additional building nearly 500 feet tall within the study area disturbs that balance, affecting the neighborhood character. In addition, the use of passive open space by non-residents is predicated on the assumption that people using the facility would prefer to use passive recreation space within the interior of the jail. There is no empirical support for this assumption, which, if untrue, could impact residents, workers in small businesses and tourists, who may lose access to passive open space during the day, traditionally used by seniors.

The demolition of a S/NR SHPO eligible building at 125 White Street is a major impact on neighborhood character. Despite there being other civic institutions in the area, demolition of 125 White Street would still have a significant adverse impact, especially should other architecturally important resources in the area be impacted during construction.

Further, there is no information provided regarding the security plan, the operational management of the high-rise jail, or how it will integrate into the neighborhood, including security infrastructure that may be located on the sidewalk, in the street, in the area surrounding the jail facility, as well as lighting. If there will be additional semi-permanent structures like guardhouses external to the building, it must be disclosed during public review. When, as here, there is no such plan, the Project is not yet ready for public review.

### **13. Construction Impacts**

Given that the DEIS forthrightly asserts that “detailed plans for the proposed detention facility and detailed construction logistics” “are not known at this time,” (see DEIS at 4.14-2), the DEIS’s entire Construction chapter has no factual or empirical basis. Moreover, the DEIS Construction section ignores critical impacts that the Project’s construction would cause. Because, as the DEIS recognizes, Project construction would last more than two years, (see DEIS at 4.14-8, Table 4.14-3), DOC must prepare a preliminary construction assessment to fully and rationally consider the Project construction’s potential air, open space, socioeconomic, community

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facilities, land use, neighborhood character, infrastructure and other impacts. (See CEQR Technical Manual at 22-2 to 22-4.)

In any event, because basic details relating to the Project are unknown, the construction schedule set forth in the DEIS has no empirical basis. (See DEIS at 4.14-4.) The DEIS, for example, asserts that demolition would take 20 months, (see DEIS at 4.14), but we understand that at a February 27, 2019 meeting, DOC essentially conceded it did not fully understand how demolition would be effectuated, stating that it intended to demolish 124 White Street first, and then use that experience to develop a plan for demolishing 125 White Street. In light of the fact that DOC apparently lacks any plan for demolishing these buildings, it has no basis for giving a timeline for demolition. DOC must give this subject far more serious consideration. DOC should also address how a sequential demolition effort (as opposed to the simultaneous demolition of both buildings) impacts timing.

Similarly, in the absence of a Phase II ESA or RAP, (see DEIS at 4.1-20 to 4.1-21), DOC has no basis for projecting how Site remedial activities would be accomplished or how this would affect demolition and construction activities for the Project. Also of relevance to timing as well as public health, the DEIS fails to address whether DOC will encapsulate the Site for demolition in a tarp system and use negative air. If so, DOC should detail its encapsulation plan, and also explain: (i) how long it will take to emplace the encapsulation, and (ii) how the facades of the existing buildings will be removed while preserving the encapsulation. If encapsulation is not contemplated, DOC should explain how it plans to protect area residents, workers, and visitors from exposure to hazardous levels of particulate matter during demolition. DOC should also address whether any abatement for asbestos or lead-based paint will occur prior to the demolition of the buildings on-Site.

Ultimately, DOC must provide far greater detail on how it proposes to demolish 124 and 125 White Street. DOC should quantify the amount of debris that would need to be removed from the Site, and explain how this debris would be removed (including, but not limited to, the numbers and types of vehicles that would be used and their routing through City streets). (See, "Analysis of effects of projected demolition and construction of new jail facility at 124-125 White Street, prepared by the Walker Street Block Association, annexed hereto as Exhibit "M," and incorporated herein by reference.)

The DEIS indicates in another section that dewatering may be necessary for Project construction, (see DEIS at 4.1-21), but the DEIS lacks any analysis of: (i) how dewatering would be implemented; (ii) how such an effort would affect construction timing; (iii) whether area infrastructure is capable of handling the volumes of water that would be associated with dewatering, and (iv) how dewatering could impact the structural integrity of other sites, streets, and buildings in the area.

Related to this, DOC should also indicate if it has ascertained that there are any underground streams beneath or in the vicinity of the Site. The presence of a natural resource on the Site, such as a stream system, may trigger the need to prepare a natural resource assessment.

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(CEQR Technical Manual, 11-10). Upon information and belief, an historic stream exists under 125 White Street, which flows to the west and north. DOC should consider whether construction of the massive proposed structure is even feasible given the subsurface conditions at the Site, and if it is, how Project construction could affect the underground stream, as well as potential off-site impacts. In addition, DOC should determine whether a natural resource assessment is appropriate.

Similarly, the DEIS's projection of the number of construction workers required for the Project also has no empirical basis. (See DEIS at 4.14-7 to 4.14-8, 4.14-10 & Table 4.14.3.) As such, all discussions regarding the traffic, transit and other impacts that would be caused by construction workers in the DEIS lacks a rational basis. (See DEIS at 4.14-9 to 4.14-10.)

Likewise, the DEIS does not, because it cannot in light of the lack of basic information pertaining to Site Conditions, set forth any rational explanation of construction related traffic impacts. (See DEIS at 4.14-9 to 4.14-10.) The traffic projections provided do not appear to take into account the extensive efforts that would be required to demolish the existing buildings at 124 and 125 White Street. (See DEIS at 4.14-8, Fig. 4.14-3.) DOC should explain how demolition would be effectuated using six (6) trucks a day. (See *id.*) Because, again, DOC has apparently not yet formulated plans for demolition at the Site, it cannot rationally project the impacts of this effort.

Moreover, because DOC has nothing but historic knowledge regarding the "unstable soils" underlying the Site, (see DEIS at 4.5-8), it necessarily contains no analysis of the amount of fill that would need to be removed from the Site, except that excavation would be "extensive." (DEIS at 4.7-1.) The DEIS's lack of information pertaining to the amount of fill that would need to be removed from the Site means that its construction related truck traffic discussion lacks any empirical basis. (See DEIS at 4.14-9.)

The DEIS's statement that "[a]s the design-build process is initiated, an updated assessment of traffic conditions would be made in coordination with OCMC and DOT as necessary in order to identify feasible measures that could mitigate any potential disruptions" is just another example of the DEIS's improper effort to shield critical assessments and discussions of mitigation measures from the public, in violation of SEQRA. (See DEIS at 4.14-10.)

The DEIS also fails to consider the cumulative impacts of Project construction and the construction of other City sponsored construction projects in the area. We understand, for example, that the City is now undertaking the Worth Street Roadway Reconstruction, which has had a significant adverse impact on the traffic in the affected area, including along Worth Street, Centre Street, and Canal Street. The City must consider whether this and/or other City sponsored construction projects will be ongoing simultaneous with Project construction, and what the cumulative impacts will be.

Similarly, the DEIS also improperly seeks to shield from public scrutiny the construction impacts on pedestrian activity, irrationally asserting that "an assessment of pedestrian conditions would be made in coordination with OCMC and DOT as necessary in order to identify feasible measures that could mitigate these potential disruptions." (See DEIS at 4.14-12.) Because the DEIS lacks the information needed to determine "any necessary street or sidewalk closures,"

its entire discussion of construction related pedestrian impacts lacks a rational basis. Because the DEIS lacks basic information, such as construction logistics and any necessary street or sidewalk closures, its entire discussion of construction related parking impacts lacks any rational basis. (See DEIS at 4.14-12 to 4.14-13.) DOC must detail what roads and sidewalks in the area will be closed or otherwise impacted construction and for how long.

The DEIS recognizes that because the Site is almost certainly encumbered by “unstable soils” as the “result of filling in the Collect Pond,” significant pile driving would be required. (See DEIS at 4.5-8.) The DEIS, however, contains no analysis of how long this pile driving would take place, what its noise impacts would be, how these noise impacts would impact vulnerable populations such as those who reside at Chung Pak, how these noise impacts would affect socioeconomic conditions (including, but not limited to residential and business displacement), how pile driving would impact historic and cultural resources), or how it would impact neighborhood character.

“Construction efforts required to complete the building’s foundation and ensure stability of the building were extensive and involved excavation to a depth of at least twelve feet followed by the driving of hundreds of piles.” (DEIS at 4.5-8.) The construction of the jail and criminal court at 125 White Street “faced similar engineering difficulties,” such that its support columns . . . were reportedly designed to extend through fill material and unstable soils associated with the pond and marshes.” (Id.)

The DEIS vibration analysis fails to take into account all historic and cultural resources within 90 feet of the Project Site, which are afforded special protections by Department of Buildings Technical Policy and Procedure Notice (“TPPN”) #10/88. (Compare DEIS at 4.14-26 with CEQR Technical Manual 22-7 to 22-8.) As recognized elsewhere in the DEIS, the 90 foot zone protecting designated Adjacent Historic Structures, (see DEIS at 4.5-6 n. 3 & TPPN #10/88 at 2 (defining protected “Adjacent Historic Structures”)), extends into the Chinatown and Little Italy Historic District, including several buildings along Baxter Street directly across from the Site. (See DEIS at Fig. 4.5-1 & Table 4.5-1.)

The DEIS errs in asserting that “the potential for vibration levels . . . would not be expected to exceed 0.5 in/sec PPV, including during “pile/lagging installation activities” and that these impacts “would occur at least 58 feet from any existing structures.” (DEIS at 4.14-26.) First, on the next page of the DEIS, Table 4.12-9 indicates that the upper range for pile driver impact is 1.518 in/sec PPV, and that the typical impact is 0.644 in/sec PPV, which both exceed 0.5 in/sec PPV. As such, by the DEIS’s own admission, pile driving on the Site would appear to violate TPPN #10/88. (See TPPN ) #10/88, at 3, ¶ 3.1 (“The maximum permissible peak particle velocity shall be 0.5 in./sec (13mm.sec.) with no distance velocity.”). DOC must explain how the Project could be developed on this Site without violating TPPN #10/88. Related to this, the DEIS also fails to disclose how protected Adjacent Historic Structures would be monitored for movements or cracking during construction, much less what actions would be taken if movements or cracking is discovered during construction. (See TPPN #10/88 at 3, ¶ 3.2.)

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Second, the “58 feet” reference is immaterial, again, as recognized elsewhere in the DEIS, the relevant distance is 90 feet, and there are protected Adjacent Historic Structures in this range. As such, its analysis and consideration of mitigation measures is irrational in this regard.

The DEIS also fails to consider the impacts of construction activities on other areas of the Chinatown and Little Italy Historic District that are within 400 feet of the Site. (See CEQR Technical Manual at 22-7 (“If a project’s construction activities are within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained glass windows, could be impacted by falling objects from an adjacent construction site.”). Portions of the Chinatown and Little Italy Historic District are within 400 feet of the Site. (See DEIS at Fig. 4.5-1.)

If DOC determines that pile driving cannot and/or will not be used, it should explain what measures it proposes to secure the long-term structural integrity of the Project, and how this would affect construction timing.

DOC should also address what measure it proposes to protect the residents of Chung Pak during construction. We understand, for example, that the existing MDC North was built with an overhanging encroachment over the roof of Chung Pak. We also understand that there is no seismic separation between these two buildings. DOC must assess and subject to public review how both Project demolition and construction would impact this vulnerable population.

#### **14. Mitigation Measures Are Insufficient**

As set forth throughout this letter, the DEIS is unacceptably conclusory and vague, and is replete with assumptions that have no rational or empirical basis. It is not surprisingly, therefore, that the mitigation measures are also deficient and do not even begin to provide the level of certainty needed for the City to issue approvals for the BBJ Project, including the MDC. In true fashion and classic improper deferral, DOC has not thought through mitigation and states that “[m]easures to further mitigate the potential for adverse impacts will be refined and evaluated between the Draft and Final EIS.” (DEIS at 4.15-1.) The very few mitigation measures contained in the DEIS are half-baked, at best, and supposedly “will be determined” after further investigation and consultation with various agencies and boards, outside of the public eye. (DEIS at 4.15-2-8.)

The omission of actual mitigation is inimical to the purposes of SEQRA, *i.e.*, the full public disclosure of impacts and proposed mitigation and an opportunity for the public to comment thereon. See 6 NYCRR § 617.2(n) (“[a]n EIS provides a means for agencies, project sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation”). DOC must supplement the DEIS to, among other things, provide mitigation measures that will be subject to public review. In addition, the City’s commitment to mitigation must be embodied in a recorded declaration to ensure that such measures will be implemented and not taken back by the City.

### **15. Deficient Analysis of Alternatives**

Alternatives have been described as the “heart of SEQRA,” as a real analysis of alternatives allows the lead agency to determine whether the proposed action is, in fact, the best project. Shawangunk Mountain Env'tl. Ass'n v. Planning Bd. of Town of Gardiner, 157 A.D.2d 273, 276, 557 N.Y.S.2d 495, 497 (3d Dep't 1990). This DEIS contains no real analysis of alternatives for the Manhattan Detention Center, and instead, claims that site requirements “precluded the locating of the proposed detention facility to another site.” (DEIS at 7-18.)

According to the DEIS, “direct adjacency to court facilities is an important factor in site consideration.” (DEIS, Exh. J at J-9.) The Lippman Report does not, however, mandate direct adjacency to the courthouses. Indeed, the preferred location in the Bronx facility is not even near the courthouse. Moreover, many of the reasons that other potential locations in Manhattan were deemed unviable also apply to the Site. For example, tenants at 124 White Street would have to be relocated, and 125 White Street is a historic building. Yet, these are the same reasons that 125 Worth Street and 80 Centre were determined to be unviable alternatives. (DEIS at 7-18.)

The Lippman Report called for the construction of five jails, “one in each borough.” (See Lippman Report at 17). This recommendation is consistent with the reality that a person is detained where he or she commits the crime. A jail in *each* of the five boroughs is also consistent with the underlying policy that *each* borough should carry its fair share of the burden of housing detainees.

It is apparent that the “site requirements” are merely a pretext to force yet another city facility in the already over-burdened Chinatown neighborhood. DOC did not consider any sites outside of the Chinatown community, and none in Staten Island. DOC must consider sites located outside of Chinatown, which already bears more than its fair share of city facilities, and fulfill fair share requirements and Lippman Report recommendations by providing a jail in Staten Island. See NY City Charter § 203 and RCNY, tit. 62 (agencies making decisions regarding city facility must consider the fair distribution of facilities among communities).<sup>19</sup>

### **Deficient State of the Record Prevents Rational Decisionmaking**

The deficient state of DOC's analysis will prevent the involved agencies from making rational Findings on the BBJ and the MDC Projects. All involved agencies ultimately will need to certify that they have factored in the relevant environmental, social, economic and other essential considerations to determine whether the action, from among the reasonable alternatives available, avoids or minimizes adverse environmental impacts to the maximum extent practicable, and has incorporated all practicable mitigation measures required to avoid or minimize

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<sup>19</sup> DOC cannot avoid assessment and public review of the significant adverse impacts of the MDC by simply reducing the height of the building or number of occupants. Ultimately, because the “DEIS” is procedurally and substantively defective, any alternatives to the Project as currently proposed, regardless of their nature, must be subject to public review and comment, including with respect to the potentially significant adverse environmental impacts they may pose.

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July 22, 2019

the actions' adverse environmental impacts. See 6 N.Y.C.R.R. 617.11(c) & (d)(5); see also N.Y. Env'tl. Conserv, L. § 8-103(7) ("It is the intent of the legislature that the protection and enhancement of the environment, human and community resources shall be given appropriate weight with social and economic considerations in public policy. Social, economic, and environmental factors shall be considered together in reaching decisions on proposed activities.").

As set forth above, and in other comments submitted on the DEIS, the DEIS lacks the environmental and social information required for rational decisionmaking. Moreover, because the MDC project's design is, at best, "preliminary and conceptual," (see DEIS at 4.1-18), and the logistics of the demolition of the existing buildings on the Site and Project construction "are not known at this time," (see DEIS at 4.14-2), neither DOC nor any of the involved agencies, including the City Council, can rationally assess the Project's economic costs. None of the involved agencies can rationally assess the Project under SEQRA without the most basic understanding of the Project's likely costs. Moreover, DOC must disclose what the anticipated sources of funding for the Project are.

#### Conclusion

Ultimately, DOC's rush to push through a Project with such obvious significant adverse short and long-term impacts without proper review and opportunity for public input is unseemly and illegal. DOC's effort to cut procedural corners by not holding a Scoping Session on the actual Manhattan Site under consideration has prevented it from identifying all potential significant adverse impacts and taking the required serious hard look at them. While a Scoping Session on the actual Manhattan Site may have inconvenienced DOC, DOC needs to understand that it is considering a Project that will impact lives, businesses and communities that have been built up over generations and whose impacts will be felt for years.

Similarly, while DOC may have to do more homework to produce an appropriate DEIS that adequately defines the Project's characteristics so that reasonable assessments could be made as to its likely effects, this is what the impacted communities deserve, and this is what they are entitled to by law.

The procedural defects, substantive omissions, and other flaws described above and in other public comments necessitate recommencement of the entire environmental review process for the proposed new Manhattan Detention Center.

Very truly yours,

ZARIN & STEINMETZ



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# The Long-Term Impact of Construction on the Health of Older Adults in New York City's Chinatown



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## Foreword

In an ever changing city such as New York, older buildings are torn down only to be replaced by taller ones. There are now towers that exceed the 984-foot limit dividing the mere skyscraper from the “supertall.” Experts are predicting that there could be at least one mile-high skyscraper by 2050. Imagine all the resources required to construct a building a mile high – the millions of cubic feet of cement, the thousands of steel beams and the countless wires cables and piping. We must also consider how these materials get to the site, and how debris is removed to landfills offsite by thousands of diesel-powered trucks, in an endless caravan that often goes on for years. Imagine also the years of demolition and construction, the noise and dust, and the interruptions in power and water. This all happens within the confines of crowded, narrow streets, flanked by small businesses, daycare centers, senior residences, schools and playgrounds. We may not have to consider a building a mile high just yet, but there are buildings that are well in excess of a thousand feet high today, and more being planned.

In dense, urban environments such as Manhattan’s Chinatown, the impact of regular construction on residents living in close proximity is already exacerbated. Long-term construction from large projects lengthens the period in which residents have to endure the noise, air pollution, traffic, sidewalk detours, disruption in services, stress and potential relocation (planned or otherwise) arising from construction. Yet very little is known about the impact of long-term construction on vulnerable populations such as the elderly. Many seniors in Chinatown live in low-income housing or attend senior centers next to development sites and cannot escape the constant construction, hence threatening their health and well-being.

This report calls attention to the health impacts of long-term construction on older adults in Manhattan’s Chinatown and the Lower East Side, and reviews them through the lens of a largely foreign-born, non-English speaking community who may be wary of interfacing with mainstream agencies and resources. The report also summarizes promising, evidence-based approaches to mitigate the health impact of long-term construction on older adults who may have complex health and social support needs. We strongly urge City representatives, private developers, and community-based organizations to take the issues and strategies highlighted in this report into consideration, so that older New Yorkers can receive the support and resources that they need in order to age in place and thrive in their homes and communities.



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## Executive Summary

Various long-term development projects are expected to break ground in Manhattan Chinatown and the Lower East Side. Our objective for this report is to present a review of the scientific published literature on the environmental and psychosocial health impacts of long-term construction on the quality of life and well-being of older adults. This report has been prepared in collaboration with community organizations and leaders to understand the potential health impact of years-long construction and to identify potential mitigation strategies.

Thirty-nine percent of the population in Manhattan Chinatown and the Lower East Side identify as Asian.<sup>1</sup> Nearly 1 in 5 residents in these neighborhoods are over the age of 65.<sup>1</sup> Among the older adult population, nearly 33% live below the federal poverty level<sup>2</sup>, 47% live with a disability<sup>3</sup>, and 37% experience ambulatory difficulties.<sup>3</sup> Long-term construction is associated with the following environmental and social consequences that may yield a greater negative impact on vulnerable and underrepresented populations, such as Asian American older adults:

- Increases in exposure to particulate matter released from construction sites, even in the short-term, can not only worsen co-morbidities, including cardiovascular and respiratory disease, but also result in hospitalizations, acute disease episodes, and/or death.<sup>4,5</sup>
- Asian Americans residing in the Northeast and Mid-Atlantic are exposed to 75% more fine particulate matter (PM<sub>2.5</sub>) compared to white residents in these same regions.<sup>6</sup>
- Nearly 3 in 4 deaths attributed to PM<sub>2.5</sub> exposure are among individuals 65 and older in New York City (NYC).<sup>7</sup>
- Exposure to unwanted noise can exacerbate hearing loss, and elicit a fight-or-flight stress response among humans, leading to the elevated release of stress hormones – an action that is associated with increased blood pressure, cholesterol, and heart rate.<sup>8</sup>
- Long-term exposure to noise is shown to increase a person's risk for hypertension<sup>9</sup>, sleep disturbances<sup>10</sup>, and cardiovascular and cerebrovascular diseases.<sup>9,11</sup>
- Unsafe sidewalk conditions may increase the risk of falling; falls are the leading cause of injury-related hospitalizations and death among older adults living in NYC.<sup>12</sup>
- Fear of falling may force older adults into reclusion, limiting their access to vital services associated with healthy aging.
- Compulsory relocation can threaten an older adult's sense of control and comfort, disrupt social networks, and impede their ability to access affordable goods, necessary services and resources.<sup>13,14</sup>

## Strategies for Mitigation

This report highlights several evidence-informed best practices for mitigating the harmful health impacts of long-term construction. These include:

1. **Engaging Community Members as Stakeholders throughout the Construction Process:** The creation of participatory spaces for community members to offer feedback, suggestions, and concerns regarding the impact of construction activity in their neighborhoods could accomplish this community engagement. These participatory spaces may take the shape of community

forums, focus groups, interviews, or listening sessions as a way to gather community input and identify resources to mitigate any construction-related health impacts.

2. **Creating an Independent Command Center for Construction-Related Activities:** This center could coordinate all construction-related activities and serve as a resource accessible for all community members. In order for services to be accessible by all residents, command center staff should be equipped with language skills specific to the community. The services offered should be culturally-tailored to fit the needs of the residents.
3. **Increasing Monitoring of Environmental Hazards related to Construction:** Routine monitoring and strengthened protocols would ensure that existing provisions to mitigate environmental hazards such as air and noise pollution would be enforced. Third-party monitoring may also help to guarantee that companies remain accountable for their actions and involvement in development projects and certify that construction sites remain compliant with city codes and regulations.
4. **Prioritizing and Adopt Strategies for Healthy Aging:** The preservation of familiar community environments is critical in maintaining key healthy aging factors such as access to health and social services, food sources, and the ability to remain physically active and maintain social relationships. Additional healthy aging factors to consider include: neighborhood walkability; improved and expanded transportation services; preservation of community spaces, social services, and local businesses; and emergency relocation and resilience training.
5. **Adapting Benchmarks related to Uniform Land Use Review Procedure (ULURP) Approval:** The benchmarks used to develop the environmental impact statement (EIS) as part of the ULURP approval should be adjusted for projects planned in neighborhoods containing populations most vulnerable to the harmful effects of major construction, such as older adults. Additionally, the city should consider how the social, economic, and environmental impacts from construction influence the entire neighborhood, compared to only the areas adjacent to construction.

## Introduction

Several long-term development projects are expected to break ground in Manhattan Chinatown and the Lower East Side. These projects pose serious potential health risks for older adults residing in close proximity. Long-term construction has been shown to increase the amount of air and noise pollution in areas surrounding the work site. Construction also disrupts a person's connectedness to their physical and social environment, which are key aspects of healthy aging. Designated by the World Health Organization as the first Age-Friendly City in 2010, New York City has made extraordinary progress in making the city a better place to grow old by promoting an 'age-in-everything' lens across all aspects of city life. Our objective for this report is to present a review of the scientific published literature on the environmental and psychosocial health impacts of long-term construction on the quality of life and well-being of older adults. This report has been prepared in collaboration with community organizations and leaders to understand the potential health impact of years-long construction and to identify potential evidence-based mitigation strategies for government decision-makers at all levels, community-based organizations, and the private sector in order to ensure that older New Yorkers are able to age with comfort and dignity in their communities.

## Background

**Manhattan Chinatown and the Lower East Side Demographics:** Manhattan Chinatown and the Lower East Side are two neighborhoods primarily situated in Community District 3 (CD3) in the Manhattan borough of New York City (shown in Figure 1), however areas of Manhattan Chinatown extend into Community District 1 and Community District 2. Community District 3 is roughly 1.7 square miles and has a population of over 160,000 residents.<sup>2, 15</sup> Thirty-nine percent of the population in this locality identify as Asian,<sup>3</sup> a rate nearly four times higher than that of New York State.<sup>2</sup> Of this population, 90% report being of Chinese descent.<sup>1</sup> Over one-third of residents (36%) in CB3 identify as foreign-born, with 69% of this group immigrating to the United States from an Asian country.<sup>2</sup> Furthermore, nearly 32% of adults in this neighborhood speak an Asian language at home.<sup>2</sup>

The Lower East Side and Chinatown neighborhoods are the third highest gentrifying districts in Manhattan, as seen through a 26.6% rent increase from 2010 to 2014.<sup>16</sup> Despite this increase in rent, over half of all households report making less than \$50,000 annually.<sup>2</sup> In fact, 1 in 4 people in CD3 live below the poverty line, a rate nearly double that of the state of New York.<sup>2</sup> Over 30,000 residents in the Lower East Side and Chinatown reside in public housing<sup>17</sup> and nearly 27% of all public housing units in Manhattan are located in these neighborhoods.<sup>18</sup>



**Figure 1: Community District 3.** Chinatown and the Lower East Side make up Community District 3 in Manhattan, New York. It is bounded by 14<sup>th</sup> Street to the north, Bowery Street to the east, and the East River along its southwest border.<sup>19</sup>

**Older Asian American Adults in Chinatown and the Lower East Side:** Asian Americans and Pacific Islanders are the fastest growing segment of the senior population in New York City<sup>20</sup> (see Figure 2). Within Manhattan Chinatown and the Lower East Side, nearly 1 in 5 residents are over the age of 65.<sup>1</sup> Of these senior citizens, nearly 33% live below the federal poverty level<sup>2</sup>, 47% live with a disability<sup>3</sup>, and 37% experience ambulatory difficulties.<sup>3</sup> Many Asian American seniors rely on social service organizations to meet social, nutritional, and informational needs.<sup>19</sup> CB3 houses 37 culturally sensitive senior centers that fit the needs of the members of the older adults residing in those neighborhoods.<sup>3</sup>

| Race/Ethnic Profile     | 2000 Census | 2016 ACS | % Change 2000-2016 |
|-------------------------|-------------|----------|--------------------|
| White (Non-Hispanic)    | 533,982     | 489,585  | -8.31%             |
| Black                   | 185,088     | 274,210  | 48.15%             |
| Hispanic                | 138,840     | 248,466  | 78.96%             |
| Asian/Pacific Islanders | 59,056      | 145,973  | 147.18%            |
| All Minorities          | 382,984     | 668,649  | 74.59%             |

**Figure 2: Older adults in New York City.** Among all older adults age 65 and over in New York City, the number of Asian Americans and Pacific Islanders older adults has seen a 147% increase from 2000 to 2016.<sup>21</sup>

## Health Outcomes of Long-Term Construction

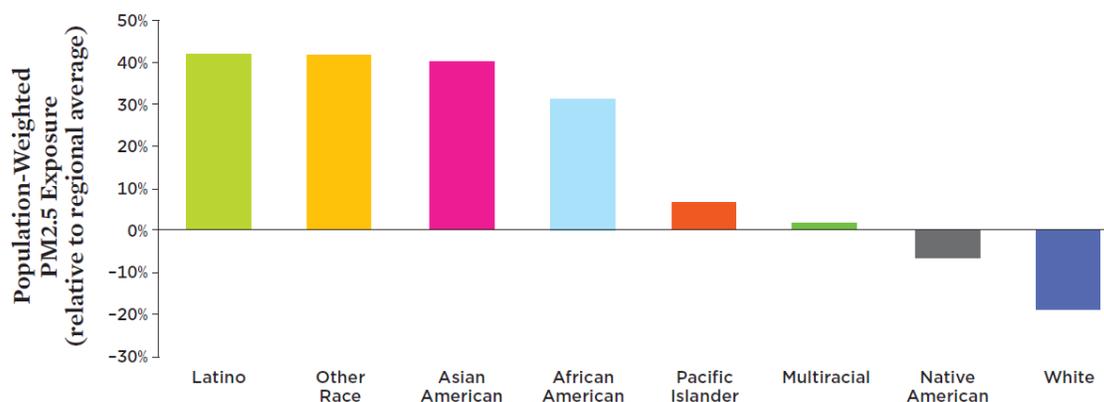
Long-term construction plans and preparations should consider the impact of several key environmental factors on acute and prolonged community and individual health outcomes that result from such development. As the magnitude of the project increases, the timeline needed to complete construction will also be extended, leading to greater emission of environmental pollutants. Several environmental hazards associated with construction are detailed below.

## Air Quality

Air pollution is a leading environmental health concern for people living in urban settings<sup>7</sup>, where air pollutants are most commonly produced through vehicular and industrial site emission.<sup>22</sup> Particulate matter (PM) refers to all air pollutant particles suspended in the air and are typically classified by two sizes: PM<sub>10</sub> and PM<sub>2.5</sub>. PM<sub>2.5</sub> refers to fine particles that can penetrate deep within airways, adversely affecting both respiratory and cardiovascular system functions. PM<sub>2.5</sub> can be emitted from combustion, power plant emissions, vehicle exhaust, and construction activities. The particulate matter output released into the air from construction processes is directly breathable not only by those in direct contact with the construction, but also to individuals who are regularly exposed to construction because they reside or frequent the vicinity. The New York City Department of Health and Mental Hygiene (DOHMH) estimates that nearly 3,000 deaths in NYC are attributed to PM<sub>2.5</sub> pollution.<sup>7</sup>

Older adults are highly vulnerable to the adverse effects of particulate air pollution<sup>4</sup>; preexisting cardiovascular or respiratory conditions and low socioeconomic status can further increase their susceptibility to negative PM-related health effects.<sup>23</sup> Adults older than 65 years old are 4.5 times more likely to be hospitalized for a cardiovascular event resulting from high PM<sub>2.5</sub> exposure as compared to younger adults.<sup>7</sup> A 2011 report from the New York City DOHMH asserted that nearly 3 in 4 deaths attributed to PM<sub>2.5</sub> exposure were among individuals 65 and older in NYC.<sup>7</sup> Exposure to particulate matter is also associated with an increased risk of cardiovascular disease, elevated blood pressure, lung disease, asthma, and premature death<sup>4</sup>, as well as daily cardio-respiratory mortality and acute hospital admissions.<sup>5</sup>

PM<sub>2.5</sub> emitted from vehicles that use fossil-based fuels indirectly affect minority communities; Latinx and Asian American residents residing in the Northeast and Mid-Atlantic experience 75% and 73% more PM<sub>2.5</sub> exposure respectively, compared to white residents (see Figure 3).<sup>6</sup> Additionally, research shows that neighborhoods with high proportions of Asian American residents speaking a non-English language and Asians who are US-born are at high risk of the harmful effects of carcinogenic hazardous air pollutants (HAPs).<sup>24</sup> HAPs refer to all toxic particles that are known or expected to cause cancer<sup>25</sup>; neighborhoods with higher proportions of Chinese, Korean, and South Asian residents are shown to have significantly higher cancer risk burdens compared to non-Hispanic white residents.<sup>24</sup>



**Figure 3: PM<sub>2.5</sub> exposure in the Northwest and Mid-Atlantic.** Latinx and Asian American residents are exposed to 42% and 40% more PM<sub>2.5</sub> compared to an average resident; meanwhile, white residents are exposed to 19% less

*PM<sub>2.5</sub> compared to an average resident. Thus, Latinx and Asian American residents are exposed 75% and 73% more PM<sub>2.5</sub> respectively, compared to white residents.<sup>6</sup>*

## Noise Pollution and Construction-Related Vibration

The use of heavy machinery, vehicles, and other tools often creates strong, recurrent noise. Exposure to noise is associated with significant health impacts—permanent hearing damage may occur with extended exposure to sound(s) exceeding 85 decibels<sup>26</sup>; however, noise does not have to be loud in order to be harmful to health. Exposure to any noise for an extended period can affect a person’s quality of life and mental well-being, causing mood swings and diminished productivity, and inciting social conflict.<sup>27, 28</sup> It has been hypothesized that exposure to noise elicits a fight-or-flight stress response among humans, leading to the elevated release of stress hormones, an action that is associated with increased blood pressure, cholesterol, and heart rate.<sup>8</sup> Long-term exposure to noise has been shown to increase one’s risk for hypertension<sup>9</sup>, sleep disturbances<sup>10</sup>, and cardiovascular and cerebrovascular diseases.<sup>9, 11</sup> Noise is the number one complaint among residents in CB3<sup>3</sup> and construction-related noise complaints are the second most reported noise complaint to 311 in Manhattan behind loud music and parties.<sup>29</sup> Older adults are at increased risk to noise pollution due to sensory changes that take place in the aging process. Individuals’ auditory perceptions change over time; as individuals age, their tolerance for loudness and high frequency noise decreases, and low frequency noise is magnified.<sup>30</sup>

In addition to noise, construction projects generate physical vibrations at the ground site that may not only be disruptive, but which affect people who physically feel and absorb vibration into their bodies by being present near the site. Though there is limited research on the health impact of vibrations for residents living near major construction projects, construction activities such as demolition, pile driving, and the use of power tools have been shown to lead to negative health impacts among construction workers. Vibration-related effects are classified as whole body vibration (WBV) and hand-arm vibration (HAV), both of which are associated with poor health outcomes. Whole body vibration refer to vibration that is transmitted by the surface supporting one’s entire body, such as through a seat or the floor.<sup>31</sup> Exposure to WBV can increase one’s risk for musculoskeletal disorders and cause and/or exacerbate lower back pain, motion sickness, bone damage, heart conditions, and poor balance.<sup>31</sup> HAV has been shown to cause and/or exacerbate vibration white finger, carpal tunnel syndrome, sensory nerve damage, and muscle and joint damage.<sup>31</sup> Prolonged exposure to vibration is positively associated with negative health outcomes.<sup>32</sup> These construction-related vibrations are likely to affect non-construction-related individuals, such as local residents living in close proximity to the construction site—for example, home-dwelling older adult residents of adjacent housing complexes.

## Health-Related Quality of Life

Construction disrupts aspects of the physical and social environment of the area at and surrounding the construction site. The effects of long-term construction projects may therefore negatively affect the health and well-being of older adults by reducing or altering the physical and social environments that contribute to a livable community.

**Accessing Community Resources:** Uneven sidewalks and footways combined with litter, roadside hazards, poor signage, and/or seasonal weather conditions, such as heavy rains, snow, and ice, may contribute to unsafe throughways and untenable walking conditions. Falls are the leading cause of

injury-related hospitalizations and death in older adults living in NYC.<sup>12</sup> Additionally, among oldest adults aged 85 and over, Asian Americans and Pacific Islanders have the highest rate of fall-related mortality in NYC.<sup>33</sup> Fear of falling may force older adults into reclusion and avoidance of venturing outdoors, reducing their levels of physical activity. Fear of falling may also isolate older adults from their loved ones and restrict their use of social services and senior centers. Older NYC residents who fell outdoors stated that unsafe sidewalk and street conditions increased their risk of falling.<sup>34</sup>

Fall risk is a significant concern for urban-dwelling older adults as walking is the most common type of reported physical activity among older adults; 45% of older adults report walking as a leisure-time activity.<sup>35</sup> However, uneven surfaces, can increase the imminent dangers related to falling. In 2011, New York Governor Andrew Cuomo signed the Complete Streets Act to mediate the risk of falling; the act imposed that road and sidewalk conditions must be made accessible for individuals of all ages and ability.<sup>36</sup>

Major construction projects can alter familiar community environments for urban-dwelling older adults. In a focus group of older adults at New York City-based senior centers, participants explained that unsafe sidewalk conditions have prevented them from coming to the center, resulting in some older adults staying in their apartments, afraid to venture out. Older adults expressed dismay at missing the social contact and activities at their local senior center because of poor environmental conditions.<sup>37</sup> This has a significant health-related impact on the quality of life of older adults in NYC. Those who attend senior centers often have the lowest incomes, fewest resources, poorest health, greatest social isolation, and are in most need for services. Attendance and participation in activities at their local senior center has been shown to increase physical and mental health and reduce social isolation.<sup>38</sup>

Construction may also disrupt Manhattan Chinatown's food economy, displacing numerous ethnic grocers in the area and impacting the food security of many residents who are reliant on the low-priced and culturally significant foods that these grocers carry. Chinatown's food system supplies an abundance of fresh and culturally appropriate fruits and vegetables year round<sup>39</sup> and accounts for 25% of the jobs in the area.<sup>40</sup> The displacement of these food sources by at least half a mile can negatively impact the food access and security of low-income neighborhoods, contributing to poor health outcomes.<sup>41</sup> Coupled with construction-impacted walkways, older adults and other vulnerable populations could face added barriers to gaining access to nutritious foods.

**Public Space and Green Space:** Long-term construction may impede accessibility to public spaces. Urban green space refers to parks, fields, and all other open green land situated within an urban environment.<sup>42</sup> Access to open space for physical activity has benefits not only for an older adult's physical health, but also for their psychological well-being.<sup>43</sup> Access to parks and green space is positively associated with achieving the recommended amount of physical activity among older adults<sup>44</sup> and may also help to reduce the prevalence of social isolation.<sup>45</sup> Green space also serves an additional physical function of mitigating the impact of pollutants in the air; neighborhood greenness is associated with lower personal exposure to PM<sub>2.5</sub><sup>46</sup> and PM<sub>10</sub>.<sup>47</sup>

Research also indicates that many older adults are prone to low levels of Vitamin D and may benefit from being outside in the sun. Home-dwelling older adults with low sun exposure were shown to have low serum Vitamin D deficiencies.<sup>48</sup> Healthy sun exposure has the possibility to increase Vitamin D levels, which is essential for bone health and may reduce the risk for high blood pressure, stroke, and heart attack in older adults.<sup>49,50</sup> Vitamin D deficiency is also associated with an increased risk of

autoimmune diseases such as asthma, irritable bowel disorder, multiple sclerosis, and arthritis.<sup>50</sup> In addition to being a source of Vitamin D, healthy sun exposure is associated with improved attitude and increased energy.<sup>51</sup> Older adults residing in urban environments where green space is already limited may be particularly vulnerable to reduced accessibility to public parks and similar green spaces because of construction projects.

Shadows can also negatively affect healthy sun exposure as large buildings may cast shadows that greatly influence the amount of sunlight in homes and green spaces, and on streets. Most neighborhoods in Manhattan on an average day are covered in shadows for at least half of all daylight hours<sup>52</sup>, limiting sunlight exposure for many residents. Currently, New York City has no restrictions on the amount of shadow over a location, though this is a concern of many residents and community members. In 2015, the Central Park Sunshine Task Force released a policy brief regarding the impact of shadows on the southern region of Central Park, urging for zoning changes to protect community access to areas of green space and sunlight.<sup>53</sup>

**Compulsory Relocation and Mental Health:** Community members or residents adjacent to construction sites may be asked to relocate during the construction period to reduce their exposure to poor air quality, noise pollution, and unsafe physical environment changes. Compulsory relocation resulting from long-term construction projects may threaten an older adult's sense of control by weakening social networks and dictating tenable residence options. Being able to remain independent and age in a familiar place helps a person to sustain connections to their social environment, a crucial component of healthy aging.

Compulsory relocation may reduce an older adult's access to caregiving networks, leading to further social isolation.<sup>13, 14</sup> Among individuals with dementia, involuntary relocation and displacement lead to greater accelerated cognitive decline.<sup>54</sup> Additionally, older adults forced to relocate from a long-term place of residence were more likely to pass away in the following year compared to older adults who were not asked to relocate.<sup>13</sup>

Relocation stress syndrome (RSS) is a condition characterized by feelings of loneliness, depression, anxiety, anger, and confusion. Risk of RSS can increase when relocation comes with little notice and uncertainty about where a person is being placed.<sup>55</sup> Lack of a relocation plan may lead to increased stress when asked to leave a long-term place of residence. For example, in 2009, the six-story tenement on 128 Hester Street in Manhattan Chinatown was demolished after it was damaged by the construction of the Wyndham Garden Chinatown Hotel next door. The tenants of 128 Hester Street, half of whom were older residents, were forced to evacuate their homes and did not have adequate time to collect their belongings or mentally prepare for this change. This involuntary evacuation caused some residents to lose their jobs, disrupted their access to social services, and rendered some residents homeless.<sup>56</sup>

# Strategies for Mitigation

This section highlights various strategies informed by evidence-based best practices to mitigate the health and social effects associated with long-term construction. These strategies were jointly identified by representatives and leaders from community organizations in Manhattan Chinatown and academic institutions throughout New York.

## 1. Engage Community Members as Stakeholders throughout the Construction Process

**Create Spaces for Community Input:** Community stakeholders should be engaged before, during and after the construction process through the creation of participatory spaces to offer feedback, suggestions, and concerns regarding the impact of construction activity in their neighborhoods. These spaces may take the shape of community forums, focus groups, key informant interviews, or listening sessions as a way to gather community input and identify resources to mitigate any construction-related health impacts. The comments and concerns posed by community members should be disseminated to relevant stakeholders and integrated into construction processes to ensure the safety of older residents and the preservation of their communities.

**Provision of Mitigation Resources for Community Members:** The provision of mitigation resources for community members during the period of construction may be effective in reducing the social-environmental impact of construction. These provisions may be identified during the community forums and listening sessions and would include items that community members deem as important in managing construction-related environmental hazards. Examples of resources that are effective in mitigating poor health outcomes at an individual level are listed below:

### *Air-conditioning units and HEPA filters*

Air-conditioning units and HEPA filters are effective in reducing the impact and exposure of particulate matter in the home. Among older adults 65 and older, air-conditioning prevalence at home was associated with a lower prevalence of health effects due to particulate matter exposure.<sup>57</sup> Short-term use of low-cost air filtration systems and HEPA filters are effective in reducing PM<sub>2.5</sub> exposure and lowering systolic blood pressure (SBP) among older adults living in US urban environments.<sup>58</sup>

### *Hearing protection devices (HPDs)*

Providing hearing protection devices (HPDs), such as ear plugs, to community members impacted by construction-related noise can be a cost-efficient method to reduce noise exposure.<sup>59</sup> Wearing ear plugs correctly has been shown to be effectively prevent temporary hearing loss when exposed to high amounts of recreational noise for a prolonged period of time.<sup>60</sup> In spite of these results, research indicates that older adults are significantly less likely to use HPDs though they understand the risk associated with prolonged noise exposure.<sup>61</sup> Therefore, higher level mitigation strategies, such as noise mitigation at the source or along the path of transmission, may be more effective in reducing the health impacts of noise among this population. These strategies are addressed further below.

## 2. Creation of an Independent Command Center for Construction-Related Activities

Major construction projects may take several years to complete, thus establishing a temporary command center with on-site staff representatives to inform and provide easily accessible services to the residents of Manhattan Chinatown and the Lower East Side impacted by construction-related activities is needed. To ensure that services are accessible to and useable for residents, the command center staff should be equipped with language skills specific to the community and the services offered should be culturally-tailored to fit the needs of the residents. The command center, located close to the construction site, would carry out the following objectives throughout the entire construction phase:

- (1) To provide information regarding daily road closures and construction-related activities to avert construction-related traffic congestion and accidents
- (2) To delineate clear paths of travel for pedestrians and inform pedestrians of alternative routes not impacted by construction to protect their safety
- (3) To assist community members in accessing social and medical services, such as the nearest, open senior center or medical clinic
- (4) To respond to medical and construction-related emergencies in a timely manner
- (5) To inform members of the community of possible relocation due to structural failure related to construction activity
- (6) To educate and prepare community members for the possibility of relocation
- (7) To serve as a hotline for construction-related complaints and provide status updates regarding personal grievances

The command center could be modeled after the highly successful Lower Manhattan Construction Command Center (LMCCC). LMCCC was created in 2004 to work with public and private partners involved in various revitalization projects after the events on September 11, 2001. During its time of operation, LMCCC coordinated all construction activities that took place in Lower Manhattan from 2004 until 2013, working to ensure construction compliance and mitigating any and all construction-related conflicts related to traffic, rodent control, environmental protection, and residential safety.<sup>62</sup> LMCCC managed over 22 million square feet of private and public construction projects south of Canal Street and held frequent meetings to coordinate all construction-related activities, ranging from managing day-to-day street closures to delivering construction materials to the correct site.

Involving community members and community-based organizations in the staffing and management of the proposed command center may garner community support for the development projects. LMCCC was created and sustained through federal, state, local, and private funds from the Federal Transit Administration, the Port Authority, the Metropolitan Transportation Authority, the state Department of Transportation, the City of New York, and the Lower Manhattan Development Corporation. Though LMCCC cost roughly \$17 million per year to operate, the command center was a cost effective program, saving the government and private contractors an estimated \$300 million dollars.<sup>63</sup>

### 3. Increase Monitoring of Environmental Hazards related to Construction

**On-Site Management of Construction-Related Environmental Hazards:** There are existing provisions to reduce the amount of construction-related environmental hazards exposed to New York City residents. Mitigation strategies for air, noise, and vibration are listed below:

#### *Air pollution mitigation*

Wetting and securely covering construction materials are common strategies to prevent the spread of particulate matter into the air. According to the Department of Environmental Protection (DEP), Section 1043 of the New York City Charter and Section 24-146 of the Administrative Code of the City of New York, protections must be upheld to prevent the emission of dust from construction-related activities. Chapter 13 of Title 15 of the Rules of the City of New York (RCNY) states that:

*“Provision shall be made at every construction site to control the amount of airborne dust released off site from construction operations, by wetting the construction material as necessary with appropriate spraying agents, provided wetting will not damage utility infrastructure or create any safety hazard.”* Furthermore, *“[t]rucks and other vehicles used to transport particulate matter shall be covered and any particulate matter kept on site shall be sufficiently wetted or stored to prevent particulate matter from becoming airborne.”*<sup>64</sup>

Municipal efforts to reduce PM<sub>2.5</sub> levels present in the air by 10% has shown to prevent more than 300 premature deaths, 200 hospital admissions, and 600 emergency room visits each year.<sup>7</sup>

#### *Noise mitigation*

Noise pollution may be mitigated at the source, along the path of transmission, and at the receiver end. Applying noise reduction methods at the source is the most effective strategy in reducing or eliminating noise. Noise mitigation at the source is also the easiest to oversee at construction sites, allowing construction workers and planners greater control.<sup>65</sup> Strategies for source mitigation include: synchronizing the timing of noisy operations, insulating construction components to absorb noise, using modern equipment with better engine insulation and mufflers, and restricting the time duration in which high noise operations take place.<sup>66</sup> Using a muffler to insulate and absorb noise is effective in decreasing the intensity of noise by at least 10 decibels,<sup>67</sup> which is equivalent to a 50% reduction in sound.<sup>68</sup> Using less noisy equipment is one of the most effective ways to reduce noise pollution; electric compressors are shown to be much quieter to operate compared to gasoline or diesel-engine powered compressors.<sup>69</sup> Active noise control, also known as noise cancelling, is an effective noise mitigation strategy for reducing sound resulting from the use of loud construction equipment including earth augers, vibration rollers, dump trucks, and excavators; however, this method tends to be expensive to enact and is not recommended for all construction equipment.<sup>70</sup>

For noise that cannot be controlled at the source, path control mitigation strategies may be an effective option. Sound barriers may provide a 10 to 20 decibel reduction through the absorption and reflection of sound waves.<sup>66</sup> To make the barrier more efficient at blocking noise, the physical height of the barrier should be greater than twice the distance from the source to the barrier<sup>71</sup> and the barrier should be placed as close to the source of noise as possible.<sup>66</sup>

Lastly, the effects of noise can be mitigated at the receiver end, namely to those individuals and communities who are directly impacted by construction-related noises. This could include providing hearing protection devices (HPDs) such as ear plugs to community members. Though HPDs are not very costly to supply and distribute, noise mitigation at the receiver end tends to be the most difficult and costly to enforce long-term, as it is very reliant on individual behaviors.<sup>66</sup> Among construction workers exposed to loud construction-related noise during 70% of their work day, HPDs were worn less than 20% of the time.<sup>72</sup> Therefore, in situations where noise control is dependent on mitigation at the receiver end, temporary relocation of individuals may be a more effective, long-term solution during construction, especially for home-dwelling older adults.

### *Vibration mitigation*

Conducting an initial preconstruction survey to assess the environmental conditions that could be affected by vibration may mitigate the impact of construction-created vibration on surrounding structures. This preconstruction survey should assess the soil condition underneath buildings, as well as the age and foundation of the buildings as these factors could mediate vibrational effects.<sup>30</sup> Results from the preconstruction survey should be used to determine the level of vibration monitoring and control during the construction phase.

**Routine Monitoring and Enforcement of Environmental Hazard Management:** Enforcement of routine monitoring at all construction sites is needed to ensure that prescribed environmental hazard management procedures are followed. In addition to certifying construction compliance, such routine monitoring can help gather useful data during and after the construction process to assess the impact of implementing strategies for air, noise, and vibration mitigation.

### *Air quality inspections*

In New York City, contractors who are constructing, demolishing, or operating machinery that can emit air pollutants must have a Dust Plan Mitigation Form documenting all processes of the development project that may cause the emission of air pollutants. This form must be visibly displayed on the site of development. The Department of Environmental Protection (DEP) is responsible for updating and enforcing New York City's Air Pollution Control Code. Air quality compliance inspections may occur when there are residential complaints, however, they may also occur at any point in the construction process by the DEP. Establishing a routine air quality inspection protocol may be a more effective process to ensure that all construction sites are compliant with their Dust Plan Mitigation Form. This process would be especially beneficial to impose during the phases of construction where the risk of releasing pollutants into the air is the highest.

### *Noise Mitigation Plan checks*

Similarly, contractors are also required to develop a Noise Mitigation Plan prior to beginning construction. The plan must also be visibly displayed at the construction site. If there is a construction-related noise complaint through 311, an inspector will visit the construction site and check if the mitigation plan is being followed. The inspector will also determine whether the mitigation plan requires modification to better suit the demands of the community residing at and around the construction site. Rather than a complaint-driven system, routine check-ins by city inspectors may be more beneficial for noise code compliance. Having this process in place may improve engagement for community residents,

especially in neighborhoods such as Manhattan’s Chinatown and Lower East Side, where low-English proficient residents may not know how to issue a complaint or are less likely to report a concern.

#### *Use third-party agents to monitor and enforce construction compliance*

Third-party monitoring is widely utilized to ensure partner compliance and accountability on a wide range of development projects. Evaluations of development projects that used a third-party agent to assess compliance reported benefits on project performance and impact.<sup>73</sup> Third-party monitoring should begin prior to the start of construction to establish baseline measurements for environmental hazards and continue through the post-construction phase, focusing on the following two areas:

*Air Quality:* Consumer aerosol monitors (CAMs) should be provided to community members in the areas affected by construction to monitor changes in air quality and report heightened concentrations of PM<sub>2.5</sub> to the independent command center and city officials. CAM tools also provide an actionable step, and therefore a sense of self-agency, for local residents to contribute to the public safety of their neighborhood. CAMs such as Foobot, Speck, and AirBeam retail for less than \$300, offering a cost-effective approach to provide valid measures PM<sub>2.5</sub> in the air compared to that of photometers which retail for \$6,000 to \$15,000.<sup>74</sup>

Academic institutions have previously collaborated with the city to establish baseline air quality measures prior to the start of construction and collect data throughout the construction phase to research and improve mitigation strategies. For example, after the events of September 11, the NYU Department of Environmental Medicine conducted research on the air quality in lower Manhattan and the health impacts associated with air pollutant exposures and for several years after, and made efforts to inform the public of the air pollutant exposure in the lower Manhattan area through organizing public forums and distributing newsletters with the results from their air quality research.<sup>75</sup>

*Noise Pollution:* NYC has an existing network of noise sensors and individuals for large-scale, continuous noise monitoring. There is an ongoing collaboration between city health and environmental agencies and the Sounds of New York City (SONYC) project to strategically identify and mitigate noise, and to study the public health impact of noise.<sup>76</sup> This effort could be extended to third-party monitoring of specific construction sites to ensure compliance with Noise Mitigation Plans.

## 4. Prioritize and Adopt Strategies for Healthy Aging

The preservation of familiar community environments is critical in maintaining key healthy aging and quality of life factors such as access to health and social services, food sources, and the ability to remain physically active and maintain social relationships. This includes the following factors:

**Increased Walkability and Transportation Services for Older Adults:** Unsafe sidewalk and road conditions are major deterrents for older adults as they can increase one’s risk for falling. During construction, clear signs should be provided to highlight uneven sidewalks and accessible detours for older adults to take. The focus groups and interviews suggested above can also serve to gather community input throughout the construction phase regarding walking conditions and the content and placement of signs. Having policies in place to increase outdoor walkability could mediate the risk of falling among older adults, which accounted for nearly \$50 billion in medical costs for non-fatal falls and \$754 million in medical costs for fatal falls in 2015.<sup>77</sup>

Older adults in Manhattan Chinatown and the Lower East Side area rely on public transportation services to get around the neighborhood and access senior centers, key components to maintaining social inclusion among older adults.<sup>78</sup> In 2015, 51% of older adults in New York City reported having poor transit access.<sup>79</sup> Access to public transportation for older adults, such as Access-A-Ride (AAR) services or similar paratransit services, should be expanded as approximately half of all older adults in Community Board 3 live with at least one disability.<sup>80</sup>

Additionally, creating a comprehensive transportation plan for pedestrians, Access-A-Ride, ride share services, leisure and medical appointment transportation, and emergency services transport would ensure the safe conveyance of older adults across New York City. The plan should include measures for the safe pick-up and drop off locations for older adults, and continual assessment of sidewalk and crosswalk conditions to ensure that older adults can access their neighborhood with ease throughout the construction period. The transportation plan should also include the most efficient routes to nearby hospitals in order to prevent any delays during a medical emergency. This suggested transportation plan should be compliant with the accessibility requirements outlined in the Americans with Disabilities Act (ADA) stating that:

*“[T]he path of travel to the altered area and the restrooms, telephones, and drinking fountains serving the altered area are readily accessible to and usable by individuals with disabilities [...] A “path of travel” includes a continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility.”<sup>81</sup>*

**Strengthen Social Networks and Preserve Local Businesses:** Having sustained connection to one’s social environment is crucial for healthy aging. This involves being able to access senior centers, adult day cares, grocery stores, doctors’ offices, and family and friends with ease. A focus on how construction and development may displace many local businesses and social services that are essential for the health and well-being of older adults is needed. Preserving community-owned businesses and shops allows older adult residents to maintain familiar social network ties and offers regular access to groceries, household goods, and other common services within walking distance.

Disrupting the food economy of Manhattan Chinatown has strong negative effects on the livelihood and nutritional status of many CD3 residents that rely on local grocers for affordable, culturally-significant foods. In the past 15 years, there has been a 58% reduction in produce carts, 33% fewer produce stores, and 58% fewer produce storefront vendors<sup>82</sup> in the Manhattan Chinatown area due to displacement from rising rents and more rigorous street vending enforcement. As construction activities begin, accessing neighborhood grocers may prove to be an increased challenge for older adults and vulnerable populations as they themselves or their affordable food sources may be displaced from the community.

**Creation of an Emergency Relocation Plan for Residents within the Construction Zone:** In instances where temporary relocation might be a possibility for residents during the construction phase, an emergency relocation plan is necessary. According to the NYC Administrative Code Section 26-301, it is the responsibility of the commissioner of housing preservation and development to provide and maintain tenant relocation services and make suitable accommodations for the tenants that are being relocated.<sup>83</sup> The relocation plan should be created prior to the initiation of any major construction projects and should outline not only where older adults and other residents will be temporarily

relocated, but also how the relocation process would occur. As much as possible, planners and developers should seek to replicate the current environments of residents when designing a relocation plan, particularly for the communities of Chinatown and the Lower East Side, many of whom come from minority backgrounds and have limited English capabilities.

**Resilience Education and Training in Response to Relocation:** Additionally, in the case of emergency relocation for older adults living in areas of construction, older adults should receive emergency relocation training and education prior to the start of construction. Drawing from disaster preparedness education for older adults, engaging older adults with their social networks to develop skills needed to safely age in place can help improve their disaster preparedness and resilience.<sup>84</sup> Tailoring emergency preparedness training to be culturally-responsive and meet the needs of older adults may increase their preparedness in the case of a natural disaster<sup>84</sup>, as well as ameliorate any stress, confusion, and concern over the relocation process.

## 5. Adapt Benchmarks related to Uniform Land Use Review Procedure (ULURP) Approval

The ULURP was developed in 1979 to standardize land use and development in New York City. An environmental impact statement (EIS) must be drafted before the ULURP is put in place. The EIS provides an assessment of how development would impact the surrounding construction area in terms of land use, environmental hazards, and neighborhood character both during and after the construction period. An EIS also outlines mitigation strategies in order to reduce the expected adverse impacts related to the construction project.

To understand the short and long-term impact of new development on different groups, the benchmarks used in the EIS should be adjusted for communities that are more vulnerable to the harmful effects of major construction. For example, standards deemed acceptable for the general population may not adequately protect the very elderly. Additionally, city representatives should consider how social, economic, and environmental impacts from construction influence the entire neighborhood, compared to only the areas adjacent to construction.

**Shadows:** Though the EIS evaluates the effects of shadows on public sunlight-sensitive resources, the EIS does not include an assessment of private open spaces.<sup>85</sup> For example, Chung Pak LDC is a senior housing complex that sits adjacent to the proposed Manhattan borough-based jail site. The development of the Manhattan jail site will cast a year round shadow on the rooftop garden that serves as a resource for older adults to get fresh air and sunlight. Temperatures can drop by as much as 20 degrees Fahrenheit in the winter in areas covered by shade<sup>53</sup>, leaving the rooftop garden area unusable to its residents. City planners, developers, and city representatives need to consider the impact of construction on the resources of vulnerable populations through adapting the guidelines that measure and monitor building-related shadows according to the community affected. Adopting changes to the EIS to include private open space, such as yards, patios, and private gardens as sunlight-sensitive resources may support vulnerable populations, as these may be their only exposure to sunlight and green space.

**Environmental Impact:** The 400-foot radius used in the EIS to evaluate construction-related environmental hazards should be expanded in order to more accurately assess the impact of

environmental hazards based on the vulnerable communities affected. Once airborne, particulate matter (PM) emitted from construction sites are able to stay in the air for hours or weeks depending on its size<sup>86</sup> and the wind conditions in the area. PM<sub>2.5</sub> is able to travel long distances as these particles are smaller and lighter. Four hundred feet in Manhattan is approximately only a block and a half when traveling north to south.<sup>87</sup> As stated previously, concentrations of particulate matter that are acceptable for the general population may be harmful for older adults and other vulnerable populations, and the full scope of potential environmental hazards should be accurately measured.

**Socioeconomic Impact:** When measuring socioeconomic impact, the demographic features of a community should be included in the evaluation, as socioeconomic changes could have greater impact for vulnerable and underserved communities. For example, EIS guidelines note that the displacement of businesses which collectively total less than 100 employees is not considered a significant impact, regardless of the type of business being displaced.<sup>85</sup> Anecdotal evidence support the idea that the displacement of small businesses that offer affordable goods has a strong impact on low and medium-income residents.<sup>88</sup> This was the case in the development of Myrtle Avenue in Brooklyn, New York, where longstanding locally owned businesses that served the needs of the community (a laundromat, a 99-cent store, and supermarket) were displaced due to residential high-rise building developers. This had a significant impact on community members who had to travel farther for their groceries, household goods, and complete errands, and also posed significant challenges for the older, mobility-restricted adults residing in that neighborhood.<sup>88</sup>

## Conclusion

NYC is a city where change and development are key to its identity. However, the harmful health impacts of the constant construction that accompanies the city's reinvention poses serious questions for policymakers, community-based organizations and the private sector.

The recommendations in this report are aligned with NYC's commitment to create a city environment where older New Yorkers can flourish and thrive. As the first global Age-Friendly City, New York City has made extraordinary progress in making the city a better place to grow old. This report highlights several evidence-based best practices for mitigating the health impact of long-term construction on older adults. These include the involvement of community members in the decision-making process, the creation of an independent command center for construction-related activities, the monitoring and enforcement of existing construction mitigation plans, and the prioritization of strategies to ensure that older adults can age with comfort and dignity in their communities. The wisdom and experience of older adults enrich our communities. With more people living longer than ever before, it is time to renew our commitment to older New Yorkers and ensure that they flourish and thrive in this city they helped build.

For a list of detailed action steps to implement the mitigation strategies suggested, please refer to **Appendix A**.

## About the Center for the Study of Asian American Health (CSAAH)

The NYU Center for the Study of Asian American Health (CSAAH) is a National Institute of Health (NIH) National Institute on Minority Health and Health Disparities (NIMHD) funded Specialized Center of Excellence based in the Section for Health Equity within NYU School of Medicine's Department of Population Health at NYU Langone Health.

Established in 2003 through an NIH NIMHD Project EXPORT (Excellence in Partnership, Outreach, Research, and Training) Center grant, CSAAH is the only center of its kind in the country that is solely dedicated to research and evaluation on Asian American health and health disparities. CSAAH's work is guided by a population health equity framework. In close collaboration with over 75 local and national community partners, we have evolved our mission and goals to advance health disparities research within a health equity framework.

CSAAH's guiding principles are as follows:

- We believe in systemic change through multi-pronged strategies and working with diverse stakeholders
- We believe in equitable collaboration and partnerships
- We believe in action-oriented research
- We believe in strengthening the research capacity of both community and academic partners to fully engage in the research process
- We believe in multi-cultural evaluation

For more information, please visit us at: <https://med.nyu.edu/asian-health>.

The content is solely the responsibility of the authors and does not necessarily represent the official views of the National Institutes of Health.

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## Appendix A: Action Steps

Our recommended action steps are divided into strategies before, during, and at the conclusion of construction. They are outlined as follows:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Before Construction</b></p> <ol style="list-style-type: none"> <li>1. Notify Chinatown and Lower East Side residents of all upcoming long-term construction, including the timeline for construction and neighborhoods and areas impacted</li> <li>2. Create spaces for community members to voice their concerns, feedback, and suggestions regarding the long-term construction impacting their neighborhoods</li> <li>3. Engage with community members through listening sessions, focus groups, and interviews to assess the impact of long-term construction</li> <li>4. Develop an emergency relocation plan for community members of Chinatown and the Lower East Side, being sure to identify vulnerable populations such as older adults that may need additional assistance in the event of relocation</li> <li>5. Develop emergency preparedness and relocation training for older adults and community members that will be impacted by construction</li> <li>6. Work with third-party agents to establish a baseline of environmental hazards associated with long-term construction, namely air pollutants and noise</li> <li>7. Equip the construction area with appropriate signage in order to               <ol style="list-style-type: none"> <li>a. Alleviate the risk of falls</li> <li>b. Support transportation services during medical emergencies, pick-up, and drop-off</li> </ol> </li> <li>8. Establish an independent command center to monitor construction-related activities and serve as a direct contact to community members</li> <li>9. Adapt Uniform Land Use Review Procedure (ULURP) guidelines to better assess the impact of construction on vulnerable populations</li> </ol> |
| <p><b>During Construction</b></p> <ol style="list-style-type: none"> <li>1. Engage with community members through listening sessions, focus groups, and interviews to assess the impact of long-term construction</li> <li>2. Monitor and enforce on-site management of air pollutants, noise, and other construction hazards to ensure that construction sites remain compliant</li> <li>3. Utilize third-party monitoring methods to oversee air quality and noise pollution in the neighborhoods impacted by construction</li> <li>4. Provide resources to community members to mitigate environmental hazards on the receiving end, such as air filtration devices and hearing protection devices (HPDs)</li> <li>5. Utilize the independent command center to provide daily updates regarding construction and road closures, respond to medical and construction-related emergencies, inform the community of possible relocation, and provide status updates on reported grievances</li> <li>6. Educate older adults and community members to develop an emergency preparedness plan, build advocacy skills, and learn to adapt in the case of relocation</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>After Construction</b></p> <ol style="list-style-type: none"> <li>1. Continue monitoring the air quality and noise pollution in areas impacted by construction to assess any long-term impacts</li> <li>2. Evaluate the effectiveness of the command center and educational campaigns</li> <li>3. In the event of relocation, ensure that all residents and businesses were restored to their respective neighborhoods</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

July 18, 2019

City Planning Commission  
Calendar Information Office  
120 Broadway – 31<sup>st</sup> Floor  
New York, NY 10271

**Re: Testimony on the Borough-Based Jails – Manhattan**

Dear Commissioners,

Please accept this testimony on the Manhattan Borough-Based Jail based on my expertise about Chinatown's food system that has most comprehensively published in my book, *From Farm to Canal Street: Chinatown's Alternative Food Network in the Global Marketplace* (2015, Cornell University Press).

I would like to share one main comment: **the impact of long-term demolition, construction and possible relocation on the provision of fresh fruits and vegetables and resultant food security of residents in Chinatown should be taken into consideration when coming to a decision on the Uniform Land Use Review Procedure and plan for the borough-based jail in Manhattan.**

Disruption of Pedestrian Activity and Transportation due to Construction

One of the unique features of Chinatown's food system is that it is comprised of many small vendors. In the mid-2000s there were 88 vendors clustered along Grand Street, Mott, Mulberry, Canal and Walker Streets in between the subway stations the Grand Street and Canal Street Subway stations. The small scale, no frills vendors keep prices very low.<sup>1</sup> The vendors supply over 100 types of fresh fruits and vegetables, many of which are not sold elsewhere in the city and hold cultural importance to people of East, Southeast, and South Asian descent, as well as African, Afro-Caribbean and Hispanic peoples. Tropical fruits like jackfruit, durian, mangosteen, litchi and longon are highly sought after, as well vegetables such as bitter melon, winter melon, lotus root, chrysanthemum leaves, Malabar spinach, among many other green leafy vegetables in the mustard family Brassicaceae (such as bok choy and its relatives). Residents, tourists, and restaurant owners from the tri-state area make regular trips to Chinatown for culturally appropriate and low-priced foods, sustaining a food industry cluster that supplies 25% of the jobs in Chinatown.<sup>2</sup>

**The dispersal of fresh fruit and vegetable street vendors, storefronts and small grocers ensures access to nutritious, affordable and culturally appropriate foods, contributing to the food security of Chinatown.** Food security is considered a basic human right by the United Nations and the 2030 Agenda for Sustainable Development holds to goal to eradicate hunger eradicating hunger.<sup>3</sup> Reducing food insecurity is also a tenet of New York City food policy, and Local Law 52 was added in 2011 to require the office of long-term planning and sustainability to prepare and submit an annual city food system metrics report to the mayor and city council speaker regarding the production, processing, distribution and consumption of food in and for the city to enable evidence based decision making.<sup>4</sup>

Distance from consumers to market and income of consumers are key indicators of food security. Since Chinatown is comprised of multiple low-income census tracts, increasing

pedestrian's distance to markets with nutritious food by over 0.5 mile is considered to be detrimental to one's food access and security, and can have detrimental impacts on health.<sup>5</sup> The proposed jail site is at a distance that is just under 0.5-mile mark from an anchor grocery store on Mott St. Produce vendors on Canal, Centre and Walker Streets have already been disrupted (see below). **Disruption to pedestrian walkways, especially for the elderly, children and other vulnerable populations could increase the distance they must walk for the foods they need, challenging their food access.**

#### Indirect Business Displacement due to Construction

Since the mid-2000s, there has been a decline in the number of retail and wholesale fresh fruit and vegetable vendors in Chinatown. Increasing rents, property taxes, and compliance pressure exerted by the city's inspectors and police department are potential causes of this change.<sup>6-7</sup> From 2004-2019, I have observed that there are 58% fewer produce carts, 33% fewer produce stores, 58% fewer storefront vendors. The bulk of these changes are stores and storefronts along Mott Street and East Broadway, and street vendors on Canal, Walker, and Centre Streets. Coupled with this shift in the retail structure is a shift in the wholesale structure of Chinatown. The multiplicity of small markets used to be supported by eight wholesale produce vendors located in Chinatown who supply then by truck on a regular basis and provide refrigerated storage. Today, only three of these wholesalers remain. Increasing costs of operation and transportation have led to movement of wholesalers to the outer boroughs. **Further disruption to transportation and the pedestrian activity that these businesses rely on may further reduce the heterogeneity in food items, employment in Chinatown's food industry cluster, and attraction of out of neighborhood shoppers to this unique marketplace.**

In summation, changes in pedestrian activity and indirect impacts on business activity could lead to the following:

- *Reduced access to low-cost and nutritious food in Chinatown*
- *Reduced food security for Chinatown and non-Chinatown residents who rely on Chinatown food markets for culturally appropriate foods*

Scientific research has documented the ill environmental, social, and economic effects of a vertically and horizontally integrated food system that we are currently reliant on.<sup>8-10</sup> Food may cost less than international averages, but Americans are suffering from more diet related diseases like obesity and diabetes because of the lack of wholesome diets. Chinatown has remained immune to these trends for low-income communities in part, because of its decentralized food market structure. New York City has been a leader in sustainability; food access and food security are fundamental parts of any sustainable community.<sup>11</sup> I urge you to consider this evidence base in the ULURP and plan for the borough-based jail.

Sincerely,

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**Analysis of effects of projected demolition and  
construction of new jail facility at 124-125  
White Street**

Prepared by the Walker Street Block Association

## **Analysis of effects of projected demolition and construction of new jail facility at 124-125 White Street**

V-6 May 6th, 2019

Please Note:

A number of assumptions were necessary to be made due to incompleteness of information, and also the highly technical nature of construction and engineering. The assumptions made herein are based on what we have been told to date, public information, and industry experience. Despite the City's more than 6-month failure to respond to numerous FOIL <sup>1</sup> requests for construction documentation on the prior jail facilities construction, our field observations, research, experiences in building in the area and public information allow us to draw reasonable inferences. Through independent sources we have recently obtained original plans, soil borings and water table surveys from the original construction of Chung Pak Plaza and partial plans of the MDC North site, which allow us to make more accurate assessments of the structures and challenges attendant to this process. Additionally, we have built or managed more than 5 projects in a close radius around the subject premises and have a practical hands on familiarity with the technical and logistical problems this particular site will need to overcome. This relevant knowledge coupled with decades of industry experience and archival data is used as a basis for our evaluations. We are conservative in methodology, however inferences drawn from information deliberately withheld from the Manhattan DEIS or missing due to incompleteness of the DEIS can ultimately lead to significant variations from practical implementation that ultimately occurs during construction. For the basis of the of some of the computations of volumes, time, etc. shown herein, see the excel sheet attached in index.

### **Goal:**

This evaluation seeks to provide a 3<sup>rd</sup> party technical report for residents, stakeholders and effected parties to have an educated overview of what the demolition and construction of 124-125 White Street will entail, and the effect it will have on adjoining properties, streets, and their everyday lives.

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<sup>1</sup> NAC Meeting minutes January 16<sup>th</sup> 2019 document an outstanding earlier prior request by NUBC which is yet fulfilled

## Overview:

The Mayors Borough Wide Jail proposal calls for the construction of 4 new jail facilities to be built to replace the Rikers Island facilities. In the specific case of Manhattan, the proposal calls for the temporary relocation of prisoners housed at 124-125 White Street in Chinatown/Five points to Rikers Island jail. The decommissioning of the MDC North and South jail, and the demolition of the existing 2 jail structures will follow. The two structures will be demolished sequentially, 124 first, and 125 after. The current structures are 165 feet tall<sup>2</sup> (MDC North, 174' to bulkhead, MDC South is taller by an unknown amount), and 435,000sq<sup>3</sup>. ft in area. Thereafter, construction of the new facilities will commence. The new structure is proposed to be 450 feet tall (or the equivalent of a 45-story tall building) plus an additional 50-foot-tall structure on top to house mechanical equipment, and elevator bulkheads. The new structure will be 490 feet tall, and about 1,300,000<sup>4</sup> square feet in interior footage. White street from Baxter to Centre will be closed off during demolition and construction for several years, and be built overtop of. White street will be converted into a tunnel, and it is represented that it will be reopened to the public after completion. The new facility will be the tallest jail facility ever constructed in history<sup>5</sup>. We anticipate numerous logistical and construction challenges at this site. It is an enormous building on a tight and constricted site. It is directly conjoined to the NY County Court House which functions as the primary Criminal Court for Manhattan, and it is expected that this court house will continue to function without hinderance and relocation during the jail project. The site is also inches away from the Chung Pak senior citizens home and directly across the street from 8 low rise apartment buildings on the east side of Baxter street which house ground floor businesses and residential apartments above. All the surrounding buildings will experience significant and prolonged effects from proximity to the construction site. Many will require protection and monitoring protocols in order to insure their survival.

## Demolition:

### Time-

Prisons and detention facilities are built robustly to prevent escape and maintain integrity of the structure during their occupation. They are difficult to build and present even bigger challenges to dismantle because they were meant to be resistant to dismantling<sup>6</sup>. During the NAC meeting of 3/6/19 it

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<sup>2</sup> From Plan Z-4 Edelman Partnership/Architects, September 14<sup>th</sup> 1984

<sup>3</sup> DEIS page S-8

<sup>4</sup> DEIS page S-8

<sup>5</sup> An internet search reveals that the tallest current jail structures are the Chicago Federal MCC 28 stories, San Diego Federal MCC 23 stories- Wikipedia- All significantly smaller than the new proposal

<sup>6</sup> [PDF]

**Standards for building materials, equipment and systems used in ...<https://www.gpo.gov/.../GOVPUB-C13-ad8ba3a070b1f04734434258918cdbaf.pdf>**

was posited by DDC that taking apart a structure was akin to putting it together only in reverse. This is very far from true. The current facility at 124-125 White street is likely steel reinforced cast concrete<sup>7</sup>, with a combination of cast concrete interior walls, concrete block walls and steel. This material is very strong and hard to break. The exterior of 125 White Street is precast concrete, the exterior of 124 White is stone, metal and masonry. The sum of these structures is much greater than their original constituent parts, especially when concrete and steel is involved. Concrete when first installed was pumped, and poured into forms in a semi liquid form. It initially had a compressive PSI strength of effectively zero. Once the chemical process of hydration took place an inexorable march to 4000-6000 PSI<sup>8</sup> strength ensued. What was once too weak to even support itself, very akin to a mud patty, now takes powerful mechanized equipment to break. When steel reinforcing is woven into the concrete prior to casting, the two materials synergistically combine the best attributes of themselves and eliminate their weakest, making the equation worse for removal. The steel adds strength and resistance to the concrete for impact, tension, shear, flexure and torsional resistance.

As a result, it is estimated that the process of removal of this structure down to foundation level will take in excess of 2 years from the time the scaffolding goes up until the building is down to grade level. This is a revised time line predicated upon NYC DDC statements during the meeting of 2/27/19, that they intend to demolish 124 White street first, and then use the experience gained on that project to develop a plan for dismantling 125 White street.

This admission on the part of DDC is revelatory and concerning. First because it indicates that DDC does not have confidence in, or a cogent methodology worked out for demolition of 125 White due to its technical challenges. Second, the time line has been revised by us to reflect a sequential demolition as opposed to a simultaneous demolition, as was originally assumed. If they were done simultaneously it would be theoretically possible to do the demolition in 1 year, but unlikely. Subgrade structures (basement) probably exist, removal of these sections will add months to that time. It is doubtful any existing foundation is reusable. The current building is equivalent to 15+ stories, the new one is projected as the equivalent of 45+. Buildings are not designed with load factors allowing them to be increased by a factor of 3 allowing them to be enlarged on existing foundations, the current ones should not be different. New additional piles will be necessary to support the dramatically increased size. At the least, drilling through the existing foundation or basement slabs will need to happen to install these piles. At the worst, the existing foundation needs to be completely broken out. Removal of existing foundation will add significantly to the above time line because foundation concrete is always cast thicker and heavier than upper floor structures and therefore harder to break. and this extra time is not factored in.

### **Demolition Methodology and Impacts-**

The current state of the art for demolition from a technological stand point can best be considered primitive. It is by its nature, a noisy and dirty job. Demolition requires excavators, some mounted with crushers and hydraulic hammers, smaller robotic remote-controlled jack hammers, hand operated jack

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<sup>7</sup> This is predicated upon plans for Chung Pak which is steel reinforced concrete and consistent with industry practices

<sup>8</sup> Page 24-25 The Strength of Concrete- International Code Council

hammers (powered by large and loud compressors), rotary drills, as well as men with sledge hammers. Concrete saws and wire cutting saws may be used as well. Front end loaders, excavators and skid steer loaders are necessary to load out the broken debris. There is no technology that makes this process quiet or vibration free. There are technologies which reduce the noise by small incremental amounts, but most noise mitigating strategies have in practical application only nominal impacts. Noise mitigation strategies produce scientifically measurable results in decibels reduction, but by civilian standards would be difficult to differentially discern or tolerate. There is no process of vibration reduction that does not also dramatically increase the duration of vibration, hence a harsh calculus is imposed on the process. Reduce the noise or vibration severity, increase the time.

Implosion will not be used at this site. Wrecking balls have not been used in NY in generations, and will not be used here either.

Dust and air borne particulate from demolition is significant and the constituents of it are considered by OSHA to be toxic. The most common toxic component created during concrete and masonry demolition will be silica. Silica is linked to lung cancer and silicosis<sup>9</sup>. Workers within the site will need to wear Personal Protective Gear (PPE), which will include respirators. They will likely also need to have medical baseline monitoring.<sup>10</sup> Typically, particulates are suppressed with water hoses, which decreases air borne contaminants but nothing short of encapsulation reduces it close to 100%. Encapsulating the site in a tarp system and using negative air (similar to an asbestos or lead remediation) is possible but expensive. Encapsulation can get air borne particulate close to zero. Without encapsulation there is no way to be sure that nearby residents will not be exposed to long term secondary silica and airborne particulate exposure at hazardous levels. Encapsulation will increase the job duration and expense significantly. Without encapsulation, baseline medical monitoring should be done for residents surrounding the site in a 1 block radius for safety's sake.

Originally It was not likely that total site encapsulation would be done, because it is not common industry practice. However pursuant to the NAC 2/27/19 meeting, the Deutsche Bank Building demolition project was twice cited as a model. During part of the demolition of the Deutsche Bank building encapsulation was used to contain toxic airborne particulates. It is not very encouraging that they have chosen that particular project as a paradigm. The Deutsche Bank<sup>11</sup> is an *infamous* example in the construction industry because of its calamitous history, and because it cost more in time and money to demolish than it did to originally build. This is a terrible inversion of best practices and industry standards. It represents a questionable role model.

124 White Street represents its own challenges. According to available public records, it was built in the 1940's (prior to 1978), and unless it has already undergone an abatement process, it will contain lead of various varieties, and possibly asbestos as well<sup>12</sup>. If that is the case, an abatement (with its own interior engineering controls) will need to take place **prior** to any other on-site demolition activities, and could add an additional year to the overall demolition schedule. Due to the highly regulated nature of

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<sup>9</sup> OSHA 29 CFR 1929.1153 OSHA Respirable Crystalline Silica Standard for Construction

<sup>10</sup> Same as 7

<sup>11</sup> Demolition Progressing at Former Deutsche Bank Site Nov. 14<sup>th</sup> 2010

<sup>12</sup> DEIS page S-54

abatement and their environmental protection protocols, typically little to no other activities take place on site simultaneously, hence the time addition.

Please note that an encapsulation protocol does not reduce noise or vibration enough to be significant.

The demolition equipment on site also generates their own noise and air pollution even when in idle mode. Excavators, compressors and robotic breakers run off of diesel and gasoline engines and the most modern of them produce noxious exhaust fumes and noise as soon as their engines are activated. This will be a minimum of an 8-10 hour a day problem. Low Sulphur fuels as recommended by the DEIS do not provide complete mitigation. Particulates, and NOx are still produced<sup>13</sup>. If the site is encapsulated the machines will all need to be electric. It is unlikely there is a viable air filtration/negative air system that has the capacity to keep up with the exhaust from non-electric equipment and prevent critical toxification of the interior encapsulated environment.

It is possible to use electric machines. Electric machines are slower and much more expensive than their combustion engine equivalents, (and most often used only in mines or other confined space environments where nothing else works). Electrical equipment while not generating exhaust at the source individual machines locations, often *requires very large remote diesel-powered generators* to provide the electrical power to operate them. If that is the case then diesel particulate generation is relocated from inside the confines of the site to local street level which shifts their harmful effect more directly to the public.

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<sup>13</sup> [www.air-quality.org.uk/26.php](http://www.air-quality.org.uk/26.php)

**Table 7-4. Average maximum noise levels at 50 feet from common construction equipment.**

| Equipment Description                             | Impact Device? | Actual Measured Average<br>L <sub>max</sub> <sup>a</sup> at 50 feet |
|---------------------------------------------------|----------------|---------------------------------------------------------------------|
| Auger Drill Rig                                   | No             | 84                                                                  |
| Backhoe                                           | No             | 78                                                                  |
| Blasting (rock slope production) <sup>a</sup>     | Yes            | 126                                                                 |
| Blasting (mitigated rock fracturing) <sup>a</sup> | Yes            | 98                                                                  |
| Boring Jack Power Unit                            | No             | 83                                                                  |
| Chain Saw                                         | No             | 84                                                                  |
| Clam Shovel (dropping)                            | Yes            | 87                                                                  |
| Compactor (ground)                                | No             | 83                                                                  |
| Compressor (air)                                  | No             | 78                                                                  |
| Concrete Mixer Truck                              | No             | 79                                                                  |
| Concrete Pump Truck                               | No             | 81                                                                  |
| Concrete Saw                                      | No             | 90                                                                  |
| Craze                                             | No             | 81                                                                  |
| Dozer                                             | No             | 82                                                                  |
| Drill Rig Truck                                   | No             | 79                                                                  |
| Drum Mixer                                        | No             | 80                                                                  |
| Dump Truck                                        | No             | 76                                                                  |
| Excavator                                         | No             | 81                                                                  |
| Flat Bed Truck                                    | No             | 74                                                                  |
| Front End Loader                                  | No             | 79                                                                  |
| Generator                                         | No             | 81                                                                  |
| Generator (<25KVA, VMS signs)                     | No             | 73                                                                  |
| Gradall                                           | No             | 83                                                                  |
| Grader <sup>a</sup>                               | No             | 89                                                                  |
| Grapple (on backhoe)                              | No             | 87                                                                  |
| Horizontal Boring Hydr. Jack                      | No             | 82                                                                  |
| Impact Pile Driver <sup>a,2</sup>                 | Yes            | 110                                                                 |
| Jackhammer                                        | Yes            | 89                                                                  |
| Man Lift                                          | No             | 75                                                                  |
| Mounted Impact Hammer (hoe ram)                   | Yes            | 90                                                                  |
| Pavement Scarifier                                | No             | 90                                                                  |
| Paver                                             | No             | 77                                                                  |
| Pickup Truck                                      | No             | 75                                                                  |
| Pneumatic Tools                                   | No             | 85                                                                  |
| Pumps                                             | No             | 81                                                                  |
| Refrigerator Unit                                 | No             | 73                                                                  |
| Rivet Buster/chipping gun                         | Yes            | 79                                                                  |
| Rock Drill                                        | No             | 81                                                                  |
| Roller                                            | No             | 80                                                                  |

(file name) 02-12 amendment noise impact assessment

7.11 *Biological Assessment Preparation*  
*Advanced Training Manual Version 02-2012*

Table of noise from typical construction equipment- Note that many are at or above the threshold of inflicting permanent hearing damage (85db)

As a real-world example: Rinaldi Construction the contractors responsible for the construction of 396 Broadway, 3 blocks from the subject site had insufficient electrical capacity within their site to power electric heaters necessary to heat their site. Their solution was to bring in a 600-Kilowatt diesel powered generator and park it on the street curb next to the site. This machine ran 24 hours a day, 7 days a week for a bit more than 3 months. It used 600 gallons of diesel fuel a day, and subjected the surrounding neighborhood to its noise and particulate exhaust for the duration.<sup>14</sup> Based upon two independent

<sup>14</sup> The author personally inspected and documented this site, with interviews of contractors Construction Site Superintendent, and Construction Site Safety Manager.

decibel meter readings conducted, it ran at 80 dB, just a bit under the threshold of permanent hearing damage. It was audible from 1.5 blocks away, and residents complained to no effect.

It is theoretically possible that with enough planning, care and maintenance, utility power can be brought in to the site in sufficient quantities to power the on-site machines.

A noise and dust mitigation plan will be filed prior to permits being issued for the work. They are largely pro forma and under the topic of noise, the remedy listed is often 'use least noisy version of x tool'. The problem is this is subjective and largely rubber stamped and seldom enforced. The least noisy version of any of these tools are still really, really loud, (see table above). Even a quiet jack hammer is still a jack hammer. The DEIS states that:

#### *NOISE AND VIBRATION*

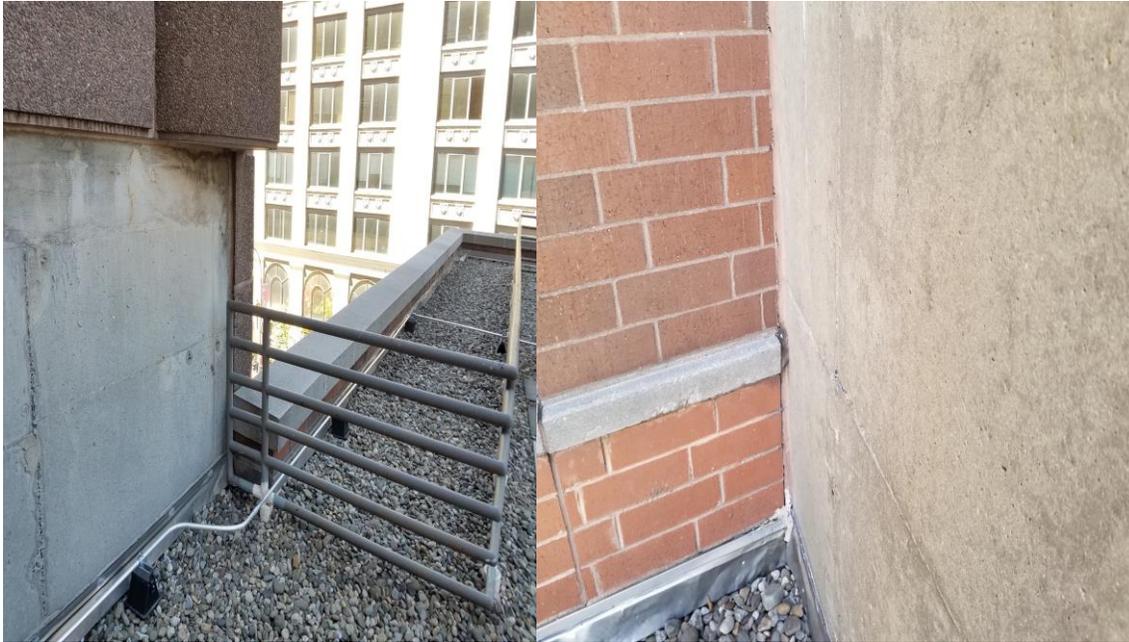
Construction of the proposed project would be expected to have the potential to result in elevated noise levels at nearby receptors, and noise due to construction would at times be noticeable. However, noise from construction would be intermittent and of limited duration, and total noise levels would be in the "marginally acceptable" or "marginally unacceptable" range. Consequently, noise associated with the construction of the proposed project would not have the potential to rise to the level of a significant adverse noise impact. In terms of vibration, construction of the proposed

The characterization of intermittent is misleading. If "intermittent" means 10 hours a day, 5-6 days a week, for several years then it would be an accurate statement. If by "marginally acceptable or marginally unacceptable", they mean at the threshold of causing permanent hearing loss, then they are accurate. The author of the DEIS assessment has either no practical connection to or understanding of what happens on a large-scale demolition and construction site, or they are untruthful.

There is no practical way to make most any of the necessary operations anything else but loud without concurrently rendering them ineffective.

#### **Encroachments and Seismic separation:**

The existing MDC North was built with an overhanging encroachment over the roof of Chung Pak. Also, it was built prior to the mandating of seismic separation in the building code. There is only a caulk joint between the buildings. This makes the transmission of vibration, and damage during demolition far more likely. See photos taken by author next page.



Overhang Encroachment, and butt joint without separation.

### Logistics-

The entire site will be surrounded with a fence, and a scaffolding system from sidewalk level to roof should be installed in accordance with best practices, although this does not always take place. This will take about at least 1-3 months to install and will be in place for the duration of the demolition. The shed/side walk scaffold will pass and cover the entrance of Chung Pak on Baxter because their distance is less than 20' from edge of demolition/construction. If standard demolition protocols are used it will be brought down in increments to match the demolition. However, if it is, airborne dust will not be contained. If the existing slabs are 12" there will be about 1440 truckloads of debris to cart away the demolished concrete from the slabs alone. There are columns and concrete beams which exist in unknown quantities which will add significantly to that count. The exterior of the building will likely be lifted off in sections by a crane (for 125 White) which in turn precludes encapsulation, at least 633 trucks will be needed for façade removal. There are additional hundreds of miscellaneous truck deliveries in this process to bring in and remove support equipment as necessary. Interior concrete shear walls and other interior constructions are unknown but certainly exist, and will add significantly to the truck count. Ultimately it is not unreasonable to expect almost 2440 trucks needed to clear the site prior to the commencement of construction.

As a revised note based upon the NAC meeting of 2/27/19, the architects for the project have expressed that likely the façade of 125 White will be lifted off, not broken. However, it is important to reiterate, there is no practical way to do that and simultaneously keep the site encapsulated, so at some point the site will be relatively unprotected and public will be more exposed. Also, as noted prior the larger pieces require more trucks to remove them.

Debris out will go west on Canal via the tunnel to New Jersey where the preponderance of waste transfer stations are located.

During demolition (and later during construction) provisions will need to be made for protection of the public, and pedestrian and vehicular traffic. Sidewalks will need to be closed, adjacent road/parking lanes will need to close, and travel lanes on Baxter, Centre and White street will be impacted. The enormous amount of trucks coming to and from the site, cranes and access for demolition equipment will need staging areas. The most logical traffic flow will be from the Manhattan Bridge to Baxter Street. The Centre Street side can only be partially obstructed because the city plans to keep the court house operational, and its main entrance is midway on Centre street. Also, Centre Street does not have a good logical flow for large trucks from Manhattan Bridge. White street from Baxter to Centre will almost certainly be completely closed for the duration of the entire project, about 4-6 years. Lanes along Baxter street will probably be closed on the west side to accommodate waiting, loading and unloading. The 2 straightest and most likely routes into/out of the site are Manhattan Bridge to Canal Street to Baxter and out to Worth, Bowery and to Manhattan bridge. It is also possible that Baxter roadway is closed in its entirety to non-construction related traffic, and a portion of the corner of Hogan Place and Baxter is cut off (at the edge of Columbus Park), and the current direction of traffic on Baxter from Worth street to Hogan place is reversed to aid egress. The other possible direction is from Broadway to White street (reversing White Streets current direction). Staging heading north bound on Centre from Worth to White is difficult due to street width, turn angles, and traffic congestion as noted above.

Baxter street is likely to face at a minimum, 1-2 lanes of road closure from the west curb edge going eastward. This situation will be in place from demolition until the project is very near completion, or at least 6 years.

During the NAC meeting of 3/6/19 it was proposed by DDC that 'off hours scheduling' might be employed to alleviate logistic congestion and impact on the quality of life of residents, restaurants and retail. For highway road work and in remote locations away from the population this might be viable. But, at this location it is both illogical and untrue for several reasons.

First, by law, all construction takes place between 7am and 6pm Monday to Friday. By special variance permits, earlier and later starts are permitted. A special variance permit is also needed for Saturday work which is typically restricted to 9am-3pm if the site is within 200 foot of a residence<sup>15</sup>. This site is within 1 inch of a residence. Peak logistic demand at the site will ***by necessity*** be within those window periods. Concrete, demolition, trucking, crane operation and other major activities are most often governed by concrete plant operation hours, refuse station hours, daylight, and weather. They are much less (if at all) at the control or convenience of the scheduler. Peak demand at the site *directly coincides* with peak demand of the adjacent roads and sidewalks and cannot effectively be uncoupled.

Second, shifting logistics to 'off hours' effectively *means expanding the working hours* of the site, while adjacent to residences, restaurants and retail. *Expanding deliveries and removals from the site to 'off hours' does NOT alleviate the problem, it exacerbates the problem.* No one could reasonably think it is a relief to see a crane unloading steel at 6am or 8pm, to make traffic on Baxter street better. To expand this idea to its most logical but silly conclusion, shifting the site to a 24-hour day, or working exclusively at night will certainly ease logistic concerns, but everything else becomes exponentially worse.

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<sup>15</sup> DEC Noise Code – Understanding the Most Common Sources of Noise in the City pg. 3

Unfortunately, the site offers very little in the way of logistical flexibility. Flexible scheduling will yield no benefit.

### **Impacts on Infrastructure:**

The DEIS methodology for environmental impacts on Manhattan and other Boroughs uses a flawed logic. Pursuant to DEIS pages S-54-S-55, the DEIS proposes that there will be no significant effects on Water and Sewer infrastructure based upon CITY WIDE resources, NOT local resources. The question which is most pertinent, is not that the new Jail will use up all NY City's water, but more so that the local infrastructure can support the demand. As an example: Gowanus NY uses *a tiny* percentage of NYC's sewage treatment plant resources, however it infamously has insufficient local sewage capacity. During heavy to moderate rains it is a routine and prolific polluter of the Gowanus Canal and generated so much CSO's that ultimately the Federal Government designated it a Super Fund Site, outside of NY City's control<sup>16</sup>.



Above is a photo of the flooded public sidewalk and street in Gowanus Brooklyn in front of a NYC owned Construction site. Not exactly inspiring stewardship. Taken 5/6/19 at Hoyt and 2<sup>nd</sup> Street.

### **Foundations/Pile driving:**

Foundation piles will be necessary. There are likely to be hundreds of new piles needed. There are three basic ways piles are installed. Driven, vibrated and drilled. Driven piles involve hitting a pile with a large hydraulic, pneumatic or dropped hammer of some sort and creates enormous noise and vibration impulses which can be felt and heard blocks away. Vibratory piles use a vibrating head to drive down piles and are just as noisy and vibratory (in a different way) as the driven piles. The first two systems would render Chung Pak and adjacent residential tenement buildings on Baxter Street unbearable for habitation immediately.

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<sup>16</sup> Gowanus Canal Gets Super Fund Status – NY Times March 2<sup>nd</sup> 2010

The third system is drilled, which is the probable system which will be used. Drilling is noisy due to size of machines used, but less vibration is created, (unless they hit obstructions) and is less noisy than the other 2 alternatives<sup>17</sup>. It is usually the most expensive and time consuming of the 3 options. The pile drilling operations will be several months at a minimum. Piles will need to be long because the building is projected to be very tall, and based upon our experience excavating in the neighborhood, there is underground water, and sand underlying the current jail site. This is confirmed by the soil borings taken by the City in 1971. Water begins about 12'-17' below street level. Fractured Schist (rock) is



Pile drilling rig at Newark Airport. A rig of this size is necessary to drill to sufficient depth for the jail site. (authors

file)

approximately 75'-90' below street grade.<sup>18</sup> Stability for the new building will not be obtained without a deep foundation. Piles will need to go to at least the above depths or more to get sufficient support. Since piles will need to be long, the trucks bringing them in will be equivalently so. Sections can (and probably will) be welded to make longer piles/casings on site. This will add up to large truck traffic, and fumes from steel welding. After drilling and pile casing installation, there will be concrete trucks, and concrete pump trucks on site filling the piles.

During pile installation and foundations, the site will be impractical to encapsulate. Noise, and exhaust fumes will emanate from the site unabated. There are no electric versions of large pile machines.

### **A Special Note on Chung Pak and Adjacent Baxter Street structures**

We have been involved in 5 different projects in close proximity to the proposed site, and are familiar with sub surface conditions from observations, test borings, and excavations we have done in the area. We have also recently obtained soil borings from the site conducted by the City in 1971.

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<sup>17</sup> Table 7-4 Average Maximum Noise levels at 50' Pile Driver 110 Db. -<https://www.nrc.gov/docs> United State Nuclear Regulatory Commission

<sup>18</sup> Soil borings 12-10-1971- City Of New York Municipal Services Administration Department of Public Works, Division of Engineering Services – Subsurface Exploration Section- Courtesy of Chung Pak

The extent of the deep foundation necessary to support a 45-story building directly adjacent to Chung Pak is problematic, and exacerbated by the existing sub surface soil conditions. Subsurface water and sandy non-cohesive soils can and will move and flow in response to adjacent excavation, vibration and disruption caused by pile installation, foundation construction, and dewatering (ground water pumping) operations associated with foregoing. Soils under adjacent structures can subside (collapse, move or shrink) by ground water removal from locations a block or more away. Differential settlement, where adjacent structure sink unevenly is a frequent and dangerous by product of this condition. Please see the debacle caused by excavation and dewatering a block away from the Millennium Tower In San Francisco as an example of how that can happen<sup>19</sup>, and effect structures.

The new foundations for the 49-story equivalent structure will be deeper and significantly more extensive than Chung Pak's foundation, and much, much deeper than tenement structures across the street and create this destabilization risk. This will necessitate a comprehensive monitoring program to survey and bench mark potential movement of Chung Pak and especially their neighbors. Many buildings have been fatally compromised and rendered uninhabitable by excessive differential settlement or undermining caused by adjacent construction. It can happen very quickly, sometimes within a span of minutes to hours, sometimes over a period of years.

The buildings east of 124-125 White Street on Baxter are primarily brick masonry construction with wood joists and beams bearing on the masonry. Their foundations were almost always stone spread footings resting a little below basement grade. These structures date from the mid to late 1800's and this construction methodology represented the technologically best practices available in their time. However, these structures are particularly vulnerable. Their foundations are on sand/clay overlaying a high-water table. Their strength is primarily in compression, and have little ability to resist tension or torsional forces. Vibration, soil compaction and consolidation due to vibration and subsurface water disruption can cause the buildings to sink down. If they sink unevenly, which is often the case they do not have the leeway to resist the uneven forces applied upon them that modern steel and cast concrete structures do. In the simplest and most benign form, small cracks appear in the masonry. Progressively, (and dependent upon the degree of settlement and the degree of unevenness of settlement), windows and doors stop opening and closing properly, boilers crack, and floors become uneven. In their worst-case scenarios, masonry begins to crack apart and fail, wood joists pull out of their masonry pockets and the building becomes uninhabitable, or worse falls.

(A similar collapse took place in Chinatown on the north east corner of Canal and Lafayette decades ago). 80 White Street was partially destabilized, and had to undergo millions of dollars of repairs due to the adjacent 84 White street construction contractor undermining its foundation by digging too deep into the water table during foundation construction<sup>20</sup>. The leaning Tower of Pisa is the world's most

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<sup>19</sup> Businessinsider.com "A 58 Story luxury condo skyscraper in San Francisco is tilting and sinking..." December 9<sup>th</sup> 2018

<sup>20</sup> The writer is personally familiar with the facts of this case. It is immediately adjacent to our property. Statements of the adjacent site owner, his representatives and the contractor involved, as well as direct personal observation provide the basis of this account.

famous settlement example. If it is not caught in time, or adequate bracing structures are not in place before hand, remediation may not be an option.

Surveying/positional monitoring will be critical to warning of destabilization. Previously this was (and often still is) done by actual surveyors being on site daily to check and maintain reference benchmarks. This system presents a risk that a structure can move very slowly, sometimes so slowly that measurements taken in quick succession will not be accurate enough to detect it. However, a dangerous amount of movement may cumulatively take place in off hours while the site is dormant and not be detected or remedies instituted until too late because no human surveyor was present to notice. The current industry best technical practices are to use a robotic total station surveying instrument (theodolite) semi-permanently mounted at a location far enough away from the site to preserve its accuracy and integrity, but close enough to read benchmarks to a high resolution, and transmit survey movement data at timed intervals via cellular internet to site engineers and individuals who are identified as 'competent persons'. The survey time intervals should be under 30 minutes. The threshold alarm limit should be under .25" cumulatively. This data set should be made public and live streamed in alarm mode to a third-party engineer who represents Chung Pak, and the parties doing engineering oversight to all the adjacent structures on the east side of Baxter street. *We cannot overstate the value that this protective protocol will provide to the safety and security of the adjacent structures.*

This surveying will be in addition to live surveyors who are routinely on site for layout and control point measurements.

Vibration monitoring will also be a mandated and critical aspect of this project, however the functional efficacy of what this entails was very misleadingly characterized by DDC in the NAC meeting of 3/6/19. Vibration monitoring is calibrated to be triggered by a specific amplitude or velocity of vibratory wave. This threshold is chosen to try to prevent cumulative or catastrophic structural damage. Work and vibration up to, but just infinitesimally below this threshold will continue completely unabated. This threshold has NOTHING to do with environmental or comfort aspects, and is almost exclusively an adjunct to stability monitoring.

The contractors of the new jail will need to negotiate a legal access agreement with Chung Pak in order to proceed with demolition. The access agreement will be necessary to install the vibration monitoring equipment, survey benchmarks and depending on the massing and set backs of the new building, roof top protection. Chung Pak will have expenses related to retaining a lawyer to review and approve (or disapprove) the terms of this agreement. They also should retain their own 3<sup>rd</sup> party engineer to review and provide oversight of their property. This will also be an additional expense to them. They may negotiate compensation terms with the builders to offset their expenses. It may well be necessary that the builders also need to underpin the foundation of Chung Pak due to the adjacent structure foundation going deeper. Access may be needed for that as well.

## **Soil subsidence and Differential settlement: 2 Case studies**

The current MDC complex at White Street is historically one of 4 jails consecutively constructed at the same site over the last 181 years, each a replacement of the last (except MDC North which is an addition

and enlargement). The first and second jails were constructed on the infilled remains of Collect Pond, which really was just a polluted marshy swamp. Both of the previous 2 jails sank into the ground and had tilting and leaking problems due to insufficient foundations bearing on poor soils. The 3<sup>rd</sup> jail, MDC South was built in 1941, and the 4<sup>th</sup>, MDC North was largely completed in 1989<sup>21</sup>. A preliminary survey and transit measurements indicate that both MDC South and MDC North have also experienced some degree of settlement and tilting. Optical instrument observations of the site indicate a tilt of about 1-1 ½" for MDC South<sup>22</sup>. Additionally, a visual inspection of the plaza between MDC North and South indicates they have experienced significant settlement as decorative towers installed there are tilting precipitously and their stone bases have cracked apart. This most likely because they have no actual foundation piles.



Millennium Tower is a 58-story luxury condominium constructed in San Francisco in 2009. It is constructed upon friction piles embedded through bay mud into dense Colma sand. By 2016, seven years after completion, the building was disclosed to be sinking. Measurements indicated it had sunk 16" and had a tilt of 6" at the top (due to differential settling). By 2018 the building had sunk 18", and the tilt at top had increased to 14". The developer and its engineers blame the settlement on the soil being disturbed at the adjacent Transbay Transit Center excavation<sup>23</sup>. The curve of settlement is increasing, indicated by a more than doubling tilt in a 2-year time frame, compared to the original 6" in prior 7 years. While whom is ultimately responsible for the cause of the tilt is very much up for debate, it is worthwhile to note that the developer and builder employed at least 3 prominent engineering firms to provide engineering design services to build this structure, DeSimone Consulting Engineers, Arup, and Langan Engineering.

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<sup>21</sup> Wikipedia [https://en.wikipedia.org/wiki/The\\_Tombs](https://en.wikipedia.org/wiki/The_Tombs)

<sup>22</sup> Site survey checking plumb condition was conducted by author 4/23/19

<sup>23</sup> Same as 19 above

Why are all these facts important? It is revealing and troubling to note that with all our scientific advancement, and a deep historical understanding of the White Street site, after 4 iterations of jail, 181 years of experience, and uncounted millions in construction costs (including in inflation adjusted dollars) our municipal authorities have yet to successfully build a stable jail on this site. We are perpetually reminded in NAC meetings by consultants Perkins-Eastman, and NYC Department of Design and Construction engineers and officials that we need not be concerned about technical construction issues because they are knowledgeable professionals and know what they are doing. However, they have submitted little compelling evidence that suggests they have learned enough to do better. There is a significant trust and credibility issue inherent in their assurances.

Further, it is worthwhile to note that a subsidiary of Langan Engineering, a firm with a world wide hi-rise portfolio, which includes NY notable projects, Hudson Yards, 30 Park Place, and 56 Leonard was also the engineers on Millennium Towers. Ironically, they are also the engineers on another hi-rise sinking and tilting in San Francisco, the FDIC building<sup>24</sup>. So, the question remains, which infallible super competent engineering firm was DDC and Perkins-Eastman hoping to hire so that the new jail doesn't sink into the ground the 5<sup>th</sup> time?

## Construction

The new jail facility is proposed to be 45+ stories or equivalent. This is by construction standards, a high-rise building. There are certain challenges to a structure of extreme verticality. They are time consuming to build because the logistics become more daunting as the site rises (a crane takes 10 times as long to lift its load 40 stories as 4 stories) A tower crane will be necessary, and will be on the site from at least the time of the 1<sup>st</sup> few floors, until almost 75% completion of the job, about 3-4 years. Its location could be either at Centre or Baxter Street sides.

The new facility will likely be steel reinforced cast concrete just like the structure it replaces, only much larger, and requiring 3-4 times as much concrete. The concrete will be delivered most likely to the Baxter street side because it will be coming from concrete batching plants in Gowanus Brooklyn via the Manhattan Bridge. (Most trucks will come via Manhattan Bridge and avoid the Battery Tunnel, even if it is faster and more direct due to tunnel height restrictions and toll expenses) Between concrete and rebar trucks there will be well in excess of 4150 trucks required for the floors solely. There will be upwards of 17 concrete trucks on site simultaneously on concrete pour days, all running their engines at top rpms as they are mixing, dumping out, and washing out respectively. There will need to be a bit more than 70 of them per day for concrete delivery for the typical floor slab, on days concrete operations are taking place. Typically, they will cycle themselves back to the plant to refill with concrete and return to the site as many a 4 times per day. This will happen twice weekly, once for floor slabs, and later in the same week for columns, and interior walls. In between, dozens of trucks bringing forming and reinforcing materials will cycle into the site.

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<sup>24</sup> New San Francisco Tower Project Tied to Newly Tilting FDIC Building-  
<https://www.nbcbayarea.com/investigations>

In our industry it is considered fast to produce 1 floor of structure per week. At a bare minimum this building super structure will require 53 weeks (a bit more than a year) to do. However, this milestone is only achievable in the private sector, generally by working 7am-6pm (or later), 6 days a week. It is more plausible from experience that this structure will require 1.5-2 years just for concrete operations in the public sector. It should be noted that at the 3/6/19 meeting DDC executives cited a 3-year concrete superstructure time line, contradicting their earlier shorter 1year projections.

Logistically for the over all structure construction there will need to be no less than about 15,300 trucks coming to the site and leaving (by NYC DOT measurement parlance, a minimum of 30,600 discrete truck trips).

### **Construction Expenses , Scheduling and Efficiency**

Typical 45 story apartment and office buildings do not require the robust interior and exterior walls that a detention facility does, because no one worries about their occupants escaping, deliberately destroying or dismantling structural or interior building elements or turning the building structure itself into weapons. Detention buildings must resist all those things and must also be built to prevent the intentional spread of fire and sabotage of mechanical and plumbing systems by their occupants, which is also not the case in the private sector. A lot of engineering thought, construction redundancy and expense are built into that process.

Often materials used are highly specialized, toilets and sinks as a very small example. In a detention facility all toilets and sinks are stainless steel, not porcelain. Porcelain can (and will) be broken and turned into weapons. Stainless fixtures cost 10 times as much as home owners typical fixture. They need to be custom made and take months of pre-order waiting. Any mistake in the production or ordering process, and the time line of the project stretches out commensurately<sup>25</sup>. This necessary hyper attention to detail manifests itself into every single screw, nut, bolt and material in the construction process. In many respects building a high-rise residential apartment building is easier. Substitutions can be made in the high-end residential market to adjust for material scarcity, labor shortages, engineering problems, manufacturers production problems etc. In the detention structure, many if not most items are custom made. Little to no substitutions are possible. Options and flexibility are engineered out of the process by the necessities of the detention mission paradigms.

There is also much less competition in the jail equipment and materials supplier markets<sup>26</sup>. Everything is much more expensive, time consuming and inflexible relative to the equivalent sized private sector structures. As a result, this facility will take a very long time to build, and be very expensive. It is not unreasonable to expect a 6-year time line from demolition to completion. Note, that completion does not equate to occupation. There will be a significant ramp up time for training, and testing to be sure the facility is functioning properly and personnel are educated about new protocols and procedures. New

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<sup>25</sup> We installed one of these toilets on a residential project for a client. Everyone was sorry.

<sup>26</sup> <http://correctionalnews.com/2018/01/19/detention-market-needed-another-dec/>

buildings are routinely occupied prior to final Certificates of Occupancy, this will not happen with this structure, because it would be too dangerous to do so.

This proposed jail facility represents several egregious attributes of inefficiency.

There are significant loss factors in tall buildings. In residential and commercial buildings these loss factors are tolerated because they are offset by better and more lucrative value returns from the higher floors. (No one is benefitting from the penthouse views on a jail facility).

They require large stair cores and multiple elevator banks to transport occupants. In a detention center, there will need to be segregated, redundant and secure cores to allow personnel, corrections officers, food service etc. to move independently of the incarcerated.

Tall buildings cost more for their plumbing, mechanical systems and electrical systems due to long service runs of piping, wiring, and over sizing and derating of capacities for their lengths. Pumps need to be added to compensate for heights, and the taller the structure the bigger and more expensive the pumps, and the pipes and electrical wiring supplying them.

Their foundations need to be stronger (especially on soft ground where this one is located) to carry a non-disbursed load in the smaller footprint. There is further an aggregation of expenses built into stacking a progressively taller building on lower floors because they need to get stronger to hold the progressive aggregated load. As an example, a 10-story building may have the same 12"x24" columns for its full height, but stack 10 more floors on it, and those columns on the lower floors need to be much bigger (and more expensive, and take up more floor area). Stack 40 floors on 10, columns may become 48"x48". So, an eightfold increase occurs in the columns (2 sq. ft of column vs. 16 sq. ft.). Expenses multiply and aggregate quickly and become more exaggerated.

Structures taller than 75 feet require temporary construction elevators, and a pressurized fire department standpipe system. Taller than 125' add a full-time site safety manager and a fire safety manager to the list<sup>27</sup>. Past 150' or so, add expense to building systems for sway, and expansion and contraction, because the building and it's parts will move, sway, and expand and contract enough to damage itself if you do not. Past 300' or so a tower crane becomes essential. These expenses alone add millions to the budget over the life span.

All of the above is compounded by being located in the dense urban environment of Manhattan, one of the most difficult and expensive construction marketplaces in the United States.

Prison and detention facilities in general are historically primarily located in rural, remote areas, or islands for several reasons. Land is less expensive, remote locations restrict escape options, and there is room to build larger foot print low-rise structures, which are less expensive to construct. Typical prison and detention centers seldom exceed 6 stories in height for reasons of efficient constructability (and possibly efficiency in correctional officer facility control). Most of the detention structures on Rikers

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<sup>27</sup> Per chapter 33 NYC Building Code

Island are 6 stories and under<sup>28</sup>. In urban environments prison and detention facilities do go taller for reasons of land scarcity, efficient allocation of land foot prints available, and proximity to courthouses.

Research has indicated that the 45-story proposed new jail facility at 124-125 White street is quite literally without precedent. We find no reference to any detention facility anywhere in the world in excess of 27 stories tall (MCC San Diego, a federal facility), there is as well a 23 Story tall facility in Chicago. When MDC North was constructed in 1989 it was (and is still) considered one of the tallest detention centers built.

The plans as submitted to us to date indicate that the building is taller than it needs to be completely aside from evaluating its occupancy level. Typical floor slab to floor slab heights in this structure are 10' (20' in double height pods). In normal residential apartment construction floor to floor heights are 8'-6"-8'-9". Luxury residential is more often 9'-2"-10'-2" to create a sense of rich expansiveness. No such expansiveness is useful in a jail facility. The differential of 1'-6" does not seem like much but aggregates to be 75' extra feet in height (or the equivalent of reducing the proposed structure by 7-8 stories).

The inefficiencies in construction of extreme vertical structures are recovered in the private sector by the offset of increased valuation of upper floor area to residential and commercial tenants and purchasers. There is no opportunity to recover the increased cost of construction in this facility, it is plain waste, funded by citizens taxes. It has been projected that this project will cost in excess of 11 billion collectively, and paid for in bonds over 30 years, costing ultimately closer to 30 billion. There has been no break out of how much the new MDC will represent of that number.

## **Conclusions**

From a constructability stand point this proposal represents the worst of all possible attributes. It is in an urban environment, in the very heart of the city center of the largest US city. NYC is one of the most expensive construction environments in the world, and the most expensive environment in the US. It is a logistically challenging location, with narrow streets and high pedestrian and vehicular traffic. It is surrounded by residences, retail stores and parks with little to no buffer between. It is proposed for a site which is already occupied by two exceptionally large structures which were originally carefully designed and constructed with the express purpose of being difficult to deconstruct. The proposed new structure is twice the height of any prison ever constructed anywhere.

It is located directly adjacent to a senior citizens housing facility, which makes demolition and construction at best invasive and disturbing, and at worst destabilizing. There are 8 occupied tenement buildings directly across the street which are even more vulnerable due to their structural weaknesses. Assuming the senior housing facility building and its neighbors survives the 6 plus year ordeal unscathed, the inhabitant's lives will be miserable, and constantly at risk during the process. A significant technical risk factor is attached to the 125 White demolition and construction.

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<sup>28</sup> Via satellite survey imagery conducted on Google Earth

Due to numerous technical misrepresentations, misleading characterizations, retractions and contradictions of their prior statements, it is difficult to trust the competence, planning or honesty of the agencies proposing to undertake this construction. The plan feels in flux and lacks cogency.

The height, and location of the proposed structure, coupled with its design mission as a detention facility would make it an expensive, inefficient exercise in engineering excess, which present genuine risks to stability of adjacent structures. It is difficult to believe there are not better options.

Note on the authors:

This report was created by the Walker Street Block Association.

**Eric Dillenberger Abra Construction Corp.**- The author has 34 years of full-time construction and construction banking experience. He is a NYC DOB licensed project superintendent, and holds numerous other public agency licenses and certifications. His career has been spent building projects in the private, and public sector across a diverse array of projects. Most of these have been in Manhattan near the subject area, and the balance distributed in Brooklyn and Westchester.

Professional peer review of technical content was graciously provided by;

**William Bialosky of Bialosky+Partners New York** - William Bialosky is an Architect, founder and principal in his firm. He has been responsible for building and designing scores of large projects around the country and NYC. As one of his smaller commissions he was the project architect of MOCA (Museum of Chinese in America), in collaboration with Maya Lin Studio, a few blocks from the subject site. His practice and home for more than 20 years has been 3 blocks from the proposed jail site and he is intimately familiar with it.

**Harry Hong of H2 Consulting PEPC** – Harry Hong has been a licensed professional structural engineer working in the public and private sector for over 40 years. He has designed and built new construction projects all over the city, with several in a radius around the proposed jail site.

Special thanks are given to **Charles Lai of Chung Pak Plaza** for graciously providing archival copies of original borings and building plans of Chung Pak, and MDC for analysis.

## Rikers

I worked for Southern Westchester BOCES for 32 years. We ran all the educational programs at the Westchester Correctional Facility in Valhalla. For 3 years I helped coordinate educational programs there focusing mainly on the High School programs, Women's units, and volunteer efforts.

In my work I also visited Bedford Hills (women's units) and the Riker's Island education programs several times.

In my view Rikers Island is a horrible mess. A depressing site. It felt to me that even the C.O.'s were doing time. Try talking with them!

I now live on 10th Street in Park Slope. The Brooklyn Detention Center, while not great, would be a large improvement for your staff who are trying to address the needs of the inmates....and for the inmates too. And the other decentralized sites with closer, easier support can only help.

Recidivism is a major issue for you. Lets improve the system, starting with the facilities and make services, and family/visitors support a priority.

Thank you.

4danbrady@gmail.com

Brooklyn Detention Center

The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This “skyscraper of detention” would be inoperable and wildly out-of-scale with its immediate surroundings.

The Boerum Hill Association holds the following views:

We support criminal justice reform and understand the moral imperative to close Rikers Island.

The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.

Detainees with severe mental health issues need to move to an appropriate facility now and we must build more of these facilities as soon as possible.

It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.

We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community..

We will only accept a FAR of 8 -10.

We are not alone in our opposition to the current plan.

Remember Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building. Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.

The main goal of criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the smallest detainee population.

The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, "We shouldn't be building for a bigger system than we anticipate. If anything, we should be building for smaller than we anticipate and then putting some pressure on ourselves to continue to implement reforms."

I completely agree.

Also why is Staten Island not getting a jail. This is completely unfair to the residents of Brooklyn.

Best,

Corissa

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*Corissa Mavroides Trani*

Associate Director

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## Borough Based Jails - Brooklyn Detention Center

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I completely agree.

Thank you

Melodia Eloise Gurevich  
Pacific Street  
Brooklyn, NY 11217

[melodiaeloise@icloud.com](mailto:melodiaeloise@icloud.com)

## Borough Based Jails - Brooklyn Detention Center

To whom it may concern:

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I completely agree. Please reconsider the current plans and provide one that will work for the community and those who are seeking rehabilitation following an arrest.

Best,

Melissa Conner

maduren@gmail.com

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The main goal of criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the smallest detainee population.

The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, "**We shouldn't be building for a bigger system than we anticipate.** If anything, we should be building for **smaller** than we anticipate and then putting some pressure on ourselves to **continue to implement reforms.**"

I completely agree.

In community,

Andrew Tobin

--

AT

ajtobin1@gmail.com

City Council Testimony 09.05.2019

My name is Patricia Tsai and I am here to represent the Lin Sing Association. Founded in 1900, the Lin Sing Association is one of the oldest traditional associations in Chinatown. The association has thousands of members and is comprised of 18 separate organizations, each of which has at least 80 years of history. Most of our members are local residents, business people, and seniors. Lin Sing counsels, supports, translates, and advocates for our community.

Our spendthrift mayor is in a great hurry to commit \$11 billion of public funds to build four skyscraper jails in the city, and another \$15 to \$22 billion to redevelop Rikers Island as a "mixed used development." He says this is a moral imperative because the inhumane conditions on Rikers must end immediately. The conditions on Rikers do need to end immediately. But are new jails really the "moral imperative" here?

At every hearing, city officials regurgitate that being on Rikers makes family visits difficult. But the NYC Ferry route to Soundview (opened on August 15, 2018), which bypasses Rikers Island, is less than a ten minute ferry ride from 90th Street and the East River and less than a five minute ferry ride from Soundview, in The Bronx. Extending the NYC Ferry Soundview Route to Rikers Island would transform transportation access there. Ferry boats could make direct connections from existing docks in The Bronx and Manhattan, and transfers could be made from Queens and Brooklyn.

Clearly, change of location is not necessary. Rather than spending billions of dollars on construction projects that will only replicate the same broken system in four new sites across the city, why has the city not considered a complete demolition of every structure on Rikers Island and their replacement with a complex of brand new, human-centered facilities that are designed to address the current prison crisis from the ground up?

Being on Rikers would allow the new structures to be low, and arranged horizontally. This would offer a far safer environment to all in case of fire, natural disaster, or other emergencies. Contrast that to the mayor's proposed vertical jail towers. Can anyone imagine having to evacuate 1,500 detainees with nonfunctioning elevators when a fire or other catastrophic event strikes in densely populated Chinatown or Downtown Brooklyn? Who will be responsible for the lives of those trapped in the building? How does exposing detainees to this clear and present danger restore their humanity?

Construction on Rikers would take far less time and money than the mayor's plan. It would end the inhumane conditions on Rikers sooner, and save tremendous resources for urgent and substantive criminal justice reform beyond the construction sites.

Being on Rikers makes it possible for detention centers to be situated in wide open green space with abundant natural sunlight. This would be most ideal for the physical and mental health of detainees, for family visits, and for accommodating the health clinics, educational spaces, and work-retraining offices that can be incorporated integrally within the new facilities.

We urge the city council to hold the mayor accountable by demanding that he follow the prescribed ULURP process. Restart SCOPING and EIS with full community engagement as well as accurate site address (not 80 Center Street as a stand-in for 125 White Street) and abide by the democratic principle of one review process per construction site. Thank you.

Contact:

Patricia Tsai, Assistant to the President

Lin Sing Association

[Linsingassnyc@gmail.com](mailto:Linsingassnyc@gmail.com)

(917)974-4048

Testimony of Dr. Homer Venters for New York City Council Committee on Criminal Justice  
Hearing September 5, 2019 on the Closure of Rikers Island jails.

I would like to thank the New York City Council and Committee Chairs Powers and Adams for the opportunity to submit this testimony. I am the former Chief Medical Officer of the NYC jail system. I worked for 9 years providing and leading health services for people in the jail system while also trying to identify and report the health risks of the jail system. For decades, people held in Rikers Island have been subjected to high rates of physical and sexual abuse resulting in jail-attributable deaths, injuries and trauma. The effects of these abuses on individual survivors, their families and communities likely endure long after incarceration.<sup>1</sup> Abuse and neglect in the NYC jail system have thrived in large measure because of the physical isolation of Rikers Island from the rest of NYC, as well as because of the ongoing disregard of voices of directly-impacted people. Closing Rikers Island will not eliminate the culture of brutality and neglect of the NYC jail system, but it is absolutely required to address this still-unmet obligation.

As one of the few remaining penal colonies in operation, Rikers Island operates in a manner to thwart efforts of transparency and accountability. One of the starkest human rights violations to occur in Rikers Island, the mass rioting of corrections officers in 1990, occurred precisely because the bridge to Rikers Island could be closed to outside ambulances and other parties.<sup>2</sup> A central feature of this incident was the ability of correctional staff conduct mass beatings of detained people who posed no security threat away from any outside view. The link between the physical isolation of Rikers Island and injuries of detained people has continued, with several analyses by the Correctional Health Service revealing extremely high rates of physical injury and exposure to solitary confinement, some of which were documented to occur with alarming racial disparities.<sup>3</sup> Some of these problems have been mitigated by the development of alternatives to solitary confinement and investment in new, more therapeutic units known as the CAPs and PACE units. However violence in Rikers Island remains very high and the rate of injury, the

underreporting of those injuries by the NYC DOC and a reliance on blows to the head by correctional staff remain central threats to the health of anyone detained on Rikers Island.<sup>4</sup>

Aside from the physical isolation of Rikers Island, the deteriorated physical plant of the jails and the lack of modern information technology systems also drive violence, abuse and neglect. Correctional officers routinely report that detained people are armed in virtually every housing area, often because of the universal access to broken or breakable fixtures, masonry and equipment. Because the Rikers Island jails still lack a modern, fully implemented information technology system, the exact location and needs of people who are detained remains unclear, which allows for intentional and unintentional neglect as well as abuse that involves transfer of someone away from the incomplete camera coverage. This lack of basic monitoring of the movement of detained people into cells and unauthorized or unmonitored spaces has been a core element in horrific accounts of sexual abuse by correctional staff as well as numerous jail-attributable deaths.<sup>5</sup>

The toxic effects of Rikers Island are also felt by staff who work in this setting. In addition to the physical threat posed to correctional and civilian staff by proliferation of weapons, the antiquated design of the jails on Rikers Island makes delivery of evidence-based health services and meaningful programs almost impossible. A central impediment to expansion of the new PACE model of mental health programs has been the lack of safe, appropriate housing areas. The infirmary of Rikers Island, where the people with the greatest health needs in the jails are held, was previously the DOC bus depot. The newest facility, the Rose M. Singer Center, is being considered as a men's facility because it has the only reasonable program and health space. The need for a dedicated, stand-alone women's facility is absolute, and contemplation of RMSC as a part male facility only underscores the desperate condition of other jails on Rikers Island.

One of the most alarming and unaddressed harms of Rikers Island occurs to visitors. As families and loved ones spend entire days hoping for a short visit with a detained person, they endure uncertainty, humiliation, verbal and sometimes physical and sexual abuse.<sup>6</sup> The penal colony model is designed to

block meaningful interaction between detained people and their loved ones and every day of operation of Rikers Island continues that clear philosophy.

There is no doubt that Rikers Island must be closed. The scope of jail-attributable deaths, injuries, sexual abuse and other human rights violations that have occurred in the crumbling facilities of Rikers Island is indefensible. By closing Rikers Island and implementing a smaller system of borough facilities with leadership by directly impacted people, NYC can finally meet basic standards of health, safety and security for its jails while also pursuing other aspects of criminal justice reform.

Thank you for consideration of these comments in your critically important work to close Rikers Island.

Homer Venter, MD, MS

9/4/19



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## Borough Based Jails - Brooklyn Detention Center

I am not able to attend the meeting in person so am offering my comments in this e-mail. We have many concerns about the application for the Brooklyn Detention Center, the process surrounding it and the lack of opportunity for real community input.

The City has failed the stakeholders, civic leaders, area residents, and local business owners.

The plan to close Rikers, and build borough jails, was conceived behind closed doors. Today there are more questions than answers. There are still no details about how this experiment will work.

By lumping the four boroughs together, into this unprecedented one-size-fits-all, land use application, the Mayor and the Speaker have evaded the ability of each neighborhood to voice serious concerns.

Each community has a very different built environment, and different land use expectations and needs, and in many cases are in conflict with the selected site.

Furthermore the MOCJ controlled the NACs, and did not provide a platform for our communities.

The City Council must listen to the recommendations of the four Community Boards. In response to the flawed process, and citywide outrage, the four CBs voted against the City's plan to build enormous out-of-scale jails in their districts.

Borough President Adams, has recommended a significantly smaller facility, with many fewer beds, for the Brooklyn site.

Councilman Levin has recently said of the proposed Brooklyn jail, "The scale doesn't make sense, the facility that has been proposed is too big", and "We should not build excessive capacity".

If this proposal is implemented, the Brooklyn and Manhattan facilities will be the tallest jails in the world.

Instead the City should build smaller jails that reflect the Criminal Justice reforms passed in Alban, and plan for 3,000 beds citywide.

These new reforms ( and other City policies ), will make the large scale jails unnecessary.

The imperative to close Rikers, must be balanced with the needs of the residential communities surrounding these new jails, and must assure that funding jails, includes funding communities.

The City Council can support closing Rikers, and can also vote against this Landuse application.

The people who may be incarcerated in the future, and the residential communities surrounding the jails will be impacted for generations by decisions made now.

Therefore the City Council must not approve this application.

Furthermore:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility *now* and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

Thank you for your attention and taking our comments seriously.

Sincerely yours,

Anita Abraham-Inz  
Brooklyn, NY

anita.inz@gmail.com

# VOTE 'NO' for a HUGE JAIL in ChinatownNYC!!!

Dear Council Member Chin,

I am a lifelong resident of Chinatown NYC and will be directly negatively impacted by the construction of the Mayor and Speaker Johnson's borough-based jail Manhattan's Chinatown. The City and other electeds have said there would be community involvement, yet our concerns about the devastating impact to our health and livelihood continue to be ignored.

I urge you strongly to **VOTE NO!**, and, I implore you to understand why I and others from my community are rallying against this monstrous jail construction.

We recognize the urgency and need to address the inhumane conditions within Rikers Island, and across ALL NYC jails, including the Manhattan Detention Center (MDC). The Mayor and his administration must act to change culture and take accountability today, not solely focus on building 4 skyscraper buildings to further incarcerate and endanger people.

While I support criminal justice reform, including the new state legislative changes underway, I demand that the Mayor and Speaker Johnson take a closer look at investing the \$11 billion of taxpayer monies estimated for this plan in alternative programming and communities of need instead of imposing mega jails in these affected communities. Los Angeles and Seattle both are leading the country in investing in community based mental healthcare and drug treatment facilities instead of building new jails. You, as NYC leadership, should listen, do the research and do the same.

I wholly object to the Mayor, Speaker Johnson and Council Member Chin's plan for building a mega jail in our minority and low-income community, without a proper hearing and understanding of our concerns and what people of color struggle with here. Speaker Johnson has NOT visited our community or any of the affected communities, despite repeated invitations. Before you vote, please consider the following:

**Community Boards VOTED NO.** All affected Community Boards from Boerum Hill, Mott Haven, Kew Gardens, Briarwood and Tribeca/Chinatown voted No due to the moving targets, the severe deficiencies in the Draft Environmental Impact Statement (DEIS) and the concerns raised by local residents and small business owners who are directly impacted. The plan, as currently submitted, is too flawed and uncertain to be allowed to proceed.

**Outdated and archaic plan.** The plan before you will NOT be the plan going forward. On 05/10/19, the City announced that the number of beds was revised downward by 1,000, nearly 20%. This comes on the heels of the change in the number of beds announced on 03/25/19. This results in a 30% change, in less than 3 months. This plan was based on the original estimate of 5,000 beds with 20% efficiency and the Lippman report, which are both completely and totally outdated. Moreover, this plan lacks the ability to scale up or down and must be redone with more realistic information. If a private developer made these many changes in as many months, they would be required to reapply. The City must be held to the same standards.

**Fair Share.** Alternatives, as required by the DEIS, must be submitted and must include Staten Island, as well as, alternative sites that factor in the fair share criteria. Currently, lower Manhattan has 3 jails, with more than 1,600 beds (800+ in MDC and another 800+ in the federal correction center), more than any other community in the city. To add another 700 beds, totaling 2,300 beds or detainees, is excessive, as will be more than the current 34% of the total for the city. Clearly, there is a disproportionate location of city facilities, including detention centers in the Chinatown communities, a low-income community of color. A fair share analysis must be done.

**Care first, jails last.** To truly end mass incarceration and end the horrid abuses that are now pervasive in all NYC jails, including Rikers and here in MDC, the Mayor and Speaker Johnson must invest in progressive but basic ideas like building communities, strengthening diversion programs, providing alternatives to incarceration for pre-trial detainees, supporting mental health and drug treatment programs and ensuring speedy trials.

**Other major cities are leading the charge with real progressive criminal justice reforms and are embracing investments in mental health care and drug treatment programs** rather than building massive new jails available. The City of Los Angeles, with its recent decision to cancel a nearly \$2 billion jail and invest in mental health facilities, is providing a progressive model and blueprint. **In Seattle, drug treatment programs are the first line of treatment and not incarceration.**

We need bold new leaders. We need investments in our communities.

PEOPLE SHOULD NOT BE GOING TO JAIL TO GET THE SERVICES THEY NEED.

**NYU Langone's Center for Asian American Studies provided testimony to the Mayor, Council Member Chin and Speaker Johnson that the impact of long-term demolition, construction and possible relocation on the health of older adults in Chinatown must be taken into consideration due to the extremely harmful and detrimental impact to seniors. If you approve, there is a certainty that senior citizens in Chinatown will suffer mentally, spiritually and physically - Is that what you want?** (please read further below) The Construction Site Emissions Particulate matter (PM) can cause and exacerbate chronic diseases. Exposure to such particles has been associated with the following acute and long-term health conditions: Cardiovascular disease; Lung cancer; Increased blood pressure; Aggravation of respiratory diseases, such as asthma; Decreased lung function; Irritation of the respiratory system, eyes and skin; Early onset dementia; and Premature death in people with heart or lung disease. Our community suffered through 9/11 and we are acutely aware of the health impacts.

Valerie Imbruce, PhD Director from Binghamton University submitted testimony to the Mayor, Council Member Chin and Speaker Johnson that the impact of long-term demolition, construction and possible relocation on the provision of fresh fruits and vegetables and resultant food security of residents in Chinatown must be considered. Disruption of pedestrian activity and transportation due to the demolition and construction will impact the food security of Chinese and other residents who depend on affordable, nutritious and culturally appropriate foods. Food security is considered a basic human right.

Tallest "Experimental" Jail in the World. We requested from the City, examples of successful vertical jails similar in height to the proposed 450 feet tall one for Manhattan to counter experts who contend that horizontal jails are more effective and safer to operate. We have gathered more feedback from former Department of Corrections employees, engineers and architects that conclude a vertical jail will endanger not only the detainees, but also DOC staff and the general public, in the event of an evacuation. We urge you to consider their testimonies and the safety of people. We requested from the City, examples of detention centers with approximately 1,500 people incarcerated that are successful to counter experts, including Judge Lippman, who state that the optimal number of people incarcerated in one facility is 300.

DEIS Deficiencies. DEIS acknowledge there are hazardous materials found at the current site but the City has not further tested (required Phase II testing) or provided a mitigating plan. Other potential

contaminates also are present. The public health analysis is woefully deficient and does not address the “water and air quality”. It also makes no mention of solid waste disposal and management.

Zoning. The city is seeking a FAR that is 31% over the current zoning stipulations and an additional 466,000 square feet. This will give the City the ability to build a facility that will be 1.3 million square feet and 450’ tall. This is grossly out of scale with tenements built and streets designed in the 1800s, imposed on an already densely populated and neglected neighborhood and cannot be unsupportable by the fragile infrastructure and network in place. If a private developer submitted this application containing such drastic violations and deficiencies, it is certain, the plan would not be approved as is. The City must be held to the same standards.

Uniform Land Use Review Process (ULURP). The Mayor and Council Speaker Cory Johnson agreed to an unprecedented single ULURP, inexplicably, for a project of this scope, size and costs. The current ULURP includes the proposed sites in Manhattan, Queens, Brooklyn and the Bronx. Each site possesses unique factors and separate applications should be filed for the 4 sites, so that each proposed zoning change is ensured independent assessments and undue pressure. It is unorthodox, confusing and irresponsible to combine four enormous projects into one ULURP process. This sets a dangerous precedent for future “bundled” building projects that have the potential to do immense harm to a neighborhood without proper due process and engagement. If a private developer would have proposed this, it is certain, their plan would have required to file four separate ULURPs. The City must be held to the same standards.

Inhumane proposal. The demolition of MDC will require building new jails on Rikers Island and the transport of 800+ people currently incarcerated at MDC to Rikers Island for the duration of demolition and construction. Irrespective of the costs and by admission from the Mayor and City officials themselves, the conditions at Rikers are deplorable and “is not fixable”. Moving people incarcerated in MDC to Rikers, given the conditions cited by the City is inhumane. This solution must be rethought.

Due Process. A fundamental requirement is a public scoping meeting to solicit comments on the draft scope from all affected and interested parties to ensure appropriate and thorough assessment. The City denied our community the opportunity for a public scoping meeting when the site changed from 80 Centre to 124/125 White Street.

Lack of community engagement. Our community did not have one opportunity to meet prior to the announcement that the Mayor and Council Member Chin had unilaterally decided on 124-125 White Street as the one and only site for the mega jail for Manhattan. Decisions, false promises and deals were made behind closed doors. That is not democracy and it must stop. The process needs to restart with transparency.

Fiscal Transparency and Responsibility. At the Mayor’s meeting on December 18, 2018, we formally and continue to request transparency on how the projected cost of \$11 billion and now \$8.7 billion was calculated. We consulted with experienced builders and most consider these projections too low and does not even factor in financing. These are costs that we, the taxpayers, will shoulder and we have the right to know and have a say in how these funds are to be spent.

**If the Mayor and Speaker Johnson’s jail plan is passed as is, it will be death sentence to our seniors and a life-sentence of guaranteed respiratory issues for our children.**

Please consider these concerns above, the health of Chinatown, and especially that of local senior citizens, is at stake.

I ask you to VOTE NO to this rushed and ill-conceived plan, and, instead, invest in social services for all our communities in NYC to help end mass incarceration.

Sincerely,

Geoff Lee

Property Owner and Lifelong Resident of ChinatownNYC

noved@verizon.net

## Borough Based Jails - Brooklyn Detention Center

Dear Honorable New York City Council Members,

I live in Boerum Hill, Brooklyn. I support Borough Based Jails, however, every effort should be made to keep the structure to a reasonable size. I suggest that Staten Island be part of the program and their prisoners be kept on Staten Island. I further suggest that there is no need for commercial space or community rooms in the Brooklyn Detention Center, only because they add to the size of the building.

Obviously, the number of beds should be kept to an absolute minimum.

Thank you,  
Steven Shooman  
Dean Street  
Brooklyn, New York 11217

shooman14@aol.com

# Borough Based Jails - Brooklyn Detention Center

- I support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility now and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- The current proposal is way too big to be a community temporary lockup.
- It should be built within the current building and land use envelope.

Thank you

Sidney Meyer

smeyer418@yahoo.com

## Borough Based Jails - Brooklyn Detention Center

Dear Members of the City Council:

Since NYC is in the process of reevaluating and reforming their policies of incarceration and bail retention, in the future there will be a reduction of space necessary in our jails and correctional facilities. I oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This “skyscraper of detention” would be inoperable, oversized, and wildly out-of-scale with its immediate surroundings. The proposed plan is way too large and out of scale with the neighboring buildings.

I support a modern correction facility that is in context with the neighborhood, provides services like education, mental health treatment, and meets current guidelines for a humane incarceration.

Please rethink this plan, as both Community Board 2 and Borough President, Eric Adams have already rejected the current proposal. We need to close Rikers, but we need a smaller, smarter facility to help reform our citizens.

Thank you. --Roz Kopit

roz@kopit.com

## Borough Based Jails

We are opposed to the proposed new BHOD/Jail on Atlantic Avenue as it would be 8 times (in terms of square footage) the size of the existing one (and therefore grossly out of context with its surroundings), as well as the plan for other larger borough-based jails.

Haven't seen any real detailed study/scrutiny of the potential impacts on the neighborhoods, environment, traffic/safety, financial/other efficiencies, etc. - not to mention that the renovation of the BHOD just completed in 2012 cost over \$40 Million.

Further and most importantly, the plan contains No legal requirement or mandate that Rikers actually close - this could prove disastrous for the involved communities and populations in many ways going forward.

Thank you for your consideration.

Mr. & Mrs. Peter Liuzzo

peter.liuzzo3@gmail.com

## Brooklyn Jail

I write as a Boerum Hill resident of almost forty years. We live on Boerum Place three blocks from the jail, which we see out our window. Although it is the tallest building in the neighborhood and takes a whole block of Atlantic Avenue, it has never bothered us as a jail, per se. A tall, ugly building, certainly, and out of scale with the surrounding buildings, but a civic necessity, it might be argued. However, the proposal to double its height would really be an unacceptable intrusion on a neighborhood of low, historic buildings. As it is, that is an aesthetically unpleasant block to walk on. If this building were a proposed condominium or apartment building of the height proposed, I would be equally opposed to it. As it is, the wider neighborhood and the city itself are being ruined by these huge, looming monoliths. They adversely affect the quality of life here, in my natal city. This is not to mention the matter of criminal justice reform. We should not be increasing the number of beds in jails, but decreasing them, in keeping with the falling number of incarcerated people and with the goal of a humane and civilized way to treat people awaiting trial. I beseech you not to increase the size of the present building.

Sincerely,

Katharine Flanders Mukherji  
Boerum Place  
Brooklyn 11201

kfmukherji@gmail.com

## Borough Based Jails - Brooklyn detention center

Dear City Council,

I am asking that you not allow the plan for the Brooklyn detention center to go forward as proposed. It is way too large. It is way too bulky. It fails to accommodate the changing culture of criminal justice, with more trauma-based care, the decriminalization of marijuana possession, and more attention to social justice issues.

It is clear that in future there will be a reduction in the numbers of inmates, all the more so if those with mental disorders are separated into smaller specialized facilities designed to better meet their needs.

As America's premier city we should be setting a model for the country, with a vision of criminal justice and detention as a process leading to rehabilitation for most persons arrested and/or convicted. We can be much better than we have been in this regard. Constructing overly large facilities with the capacity for larger populations encourages complacency.

When we the voters elect council members we expect them to envision a better future and to plan, enact, and create infrastructure that supports that vision. The existing proposal is going in the opposite direction.

As a resident/homeowner of Boerum Hill for almost 40 years I witnessed the crime and crack of the 80's, and the gradual transformation of downtown Brooklyn into a thriving urban center rising amid historic brownstone neighborhoods. I implore you to reject the current proposal, and insist on a plan that more accurately reflects the changes in criminal justice and the context of vibrant evolving downtown Brooklyn.

Yours sincerely,

Mary Beth Early  
Pacific Street  
Brooklyn NY 11217

[marybethearly@me.com](mailto:marybethearly@me.com)

## Testimony for the City Council Hearing for the "New York City Borough-Based Jail System - Brooklyn Detention Center" September 5, 2019

As a Boerum Hill resident for over 20 years and living in the vicinity of the Brooklyn Detention center, I support the city's criminal justice reform and the moral imperative to close Rikers island. However I am strongly opposed to the rebuilding of the Brooklyn detention center at 275 Atlantic Avenue into a 1140 bed, 395-foot building at a FAR of almost 17.

This "supersized skyscraper of detention" would be wildly out-of-scale with our neighborhood.

I would like to remind the city that I am not alone in opposing this current plan:

- Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building.
- Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.
- Council Member, Steven Levin, has said, "The scale doesn't make sense, the facility that has been proposed is too big", and "We should not build excessive capacity"

The main goal of the city's criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the *smallest detainee population*.

As a Boerum Hill resident I support the Boerum Hill Association's (BHA) views that:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recently passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility *now* and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

I ask the City Council to listen to the recommendations of the four Community Boards in response to the flawed process, and citywide outrage against the City's plan to build enormous out-of-scale jails in their districts. The imperative to close Rikers, must be balanced with the needs of the residential communities surrounding these new jails.

Therefore the City Council must not approve this application.

Alexis Brobe

alexisbroben@gmail.com

## Borough Based Jails - Brooklyn Detention Center

Dear Sir/Madam:

As a resident of Boerum Hill (at 88 Wyckoff Street), I write to share my view on the proposed expansion of the jail at 275 Atlantic Avenue. As a preliminary matter, the hearing on this matter should not be occurring on the first day of public school, when most parents, teachers, and other members of the community are unable to attend. Moreover, this issue warrants multiple hearings. My specific bullet points in response to the proposal are below.

- I support criminal justice reform. But in my view, reform should lead to less incarceration. Not an **increase** in the number of beds. Any additional space should be used for education, rehabilitation, programming, etc.
- The scope and size of the new jail sounds to be disproportionate to the neighborhood. This will be both visually unappealing as well as increase traffic/congestion that is already a problem.
- Why would Brooklyn be housing Staten Island inmates? Shouldn't Staten Island inmates be shared with other boroughs or more appropriately detained in Staten Island?
- My understanding is that the current jail is full of asbestos and lead paint. As a nearby resident with young kids, I want to know what steps will be taken during the demolition to ensure that those toxic substances aren't released into the neighborhood.

Thank you for your consideration.

Jennifer Young  
Wyckoff Street

jennifer\_young@mac.com

## Hearing on borough-based jails before Subcommittee on Landmarks, Public Siting and Maritime Uses

My name is Dominick Pistone and I am the president of the Kew Gardens Civic Association. Kew Gardens is the location proposed for a 29-story mega-jail in Queens - one of four proposed by the Mayor and subject to the application before this subcommittee.

I urge you to vote against this application. The site of the jail and its size have never been subject to any community input in Queens. The community only heard about the Kew Gardens site from a press release on August 15, 2018. Anything you heard from the mayor's people about soliciting community input before this is untrue certainly with respect to Queens. The mayor admitted as much at a meeting on March 27, 2019 with over 50 concerned residents. He said that it was never his intent that "community input" included asking for input about sites and that, in fact, the Queens site had been selected long before the August 15, 2018 announcement. He said this in front of his Deputy Mayor for Criminal Justice who had been saying all along, especially to the City Planning Commission, that there had been substantial community input before the August 15, 2018 announcement. There never was and the mayor confirmed it.

The only venue for community input was the misnamed "Neighborhood Advisory Committees" (NACs). Queens had five NAC meetings from November through March. The mayor's people seemed to regard these meetings as an opportunity to convince the community that these high-rise jails would be a neighborhood asset and that we would have input to the design but not the siting. The jail as a neighborhood asset is too laughable to deserve comment and input to the design seemed to be of the "what color should the drapes be" variety. We were shown very sketchy drawings of what the jail would look like and what the facilities and their layout would be in the sketchy building. We raised substantial objections to a lot of what was presented without receiving any meaningful answers. To add insult to injury at the final meeting after more substantial criticism of the "plan" a frustrated mayoral attendee said it didn't matter because these sketches were only a "concept". No one knew what the building would look like because the design would not be done until after ULURP was completed. So why did we waste five meetings discussing something that possibly wouldn't look anything like what was presented? We wasted all that time on a "concept".

That "concept" is all that has been presented during the ULURP before the community boards and the Borough Presidents. In a normal ULURP the community gets to review a designed project, something substantial and tangible, a real proposal. In the mayor's perversion of ULURP the designed project comes AFTER the ULURP is over. So what did the community have a chance to review- nothing. The city has been consistent since certification in March in its attitude at community board hearings, Borough President hearings and City Planning Commission hearings that there will be no design until ULURP is over. This seems to be backwards not to say a disenfranchisement of the community. By the time the jail is designed the period for community input under ULURP is over. The design is a *fait accompli* imposed by the mayor with no meaningful community review. So what is the purpose of ULURP in this scenario? In fact ULURP has been gutted.

In being asked to approve this application the members of this subcommittee are being asked to approve a "pig in a poke", an ill-defined project that is just as nebulous and conceptual in the Bronx, Brooklyn and Manhattan as it is in Queens. In various hearings the city has said that the designs could be modified but they have not modified what was certified. They are still seeking approval of the maximum build-out envelope. We are supposed to trust them when they say that the modifications can be made after ULURP as part of the design. The city has not earned that trust and we are rightly suspicious. That suspicion is why this "pig in a poke" was rejected unanimously by Community Board 9 in Queens and by the Queens Borough President. It was why the application was rejected by three of the City Planning Commissioners who also wondered why there was such a rush to do all four in

one ULURP. I can only assume that the nine commissioners on City Planning who voted yes were very trusting in the mayor's word which is touching but misguided.

I urge this subcommittee to disapprove this application. The borough based jails proposals should be sent back for a real ULURP that includes community input as to the site and a real design to review not just sketches. Despite what the mayor thinks the site of a project of this size should be subject to community input. If you approve this application you are approving the gutting of ULURP , the disenfranchisement of the affected communities in four boroughs and an imperial mayoralty.

burkepistone@aol.com

## Borough Based Jails - Brooklyn Detention Center

Dear Councilmembers,

I am a forty year resident of Boerum Hill, a neighborhood in Brooklyn principally composed of three and four story brownstones as well as 5 to 8 story buildings along its commercial corridors: Smith Street, Court Street and Atlantic Avenue. Among the structures lining Atlantic Avenue is the current Detention Center at 275 Atlantic Avenue which is slated to be replaced by a new facility which would be significantly taller and house more inmates than the current edifice.

While I and many of my neighbors support criminal justice reform in the City of New York and recognize the importance of closing and replacing the Rikers Island facility with several detention centers throughout the city, the current plan for a 1140 bed facility that is 395 feet tall with a FAR of approaching 17 would be grossly out of scale with character and existing zoning of the neighborhood.

A far better approach would be a detention center at that site containing no more than 800 beds and would be consistent with the scale and character of the immediate environment.

Such a facility would be consistent with the goals set forth by the Mayor and City Council to address much needed reappraisal of the entire criminal justice system which stresses the need for bail reform, smaller, community based facilities and, in general, decarceration. Let us build wisely and intelligently toward that achieving that goal rather than constructing larger, out-of-scale institutions.

Thank you,

Michael A. DuBick, Ph.D.  
Wyckoff Street  
Brooklyn, NY 11201

dubick105@gmail.com

September 5, 2019

To: City Council

My name is Quinn Raymond, my family and I live about 1,200 feet from the Brooklyn site in question on Court and Schermerhorn street. I support this proposal, and I'm concerned that if the FAR is reduced to appease local opponents, critical restorative services for inmates and their families will not be included in the final plan.

Local opponents of a new facility have been disingenuous in their engagement. They have framed their opposition of the proposed jail in the language of social justice, but their own self-interest is the obvious motivation; **as evidenced by their substantial investment of \$21,350 in a professional lobbyist (Exhibit A).**

**Some key points:**

- Expanding the Brooklyn site will not increase the number of incarcerated people, but it will put them closer to their families, their lawyers, and the courts.
- If it were true that expanding the Brooklyn site will only increase the number of incarcerated people, then by the same logic Rikers Island would currently be at capacity. But Rikers Island is well below  $\frac{2}{3}$ 's capacity.
- Restarting the rezoning process will only ensure a delay in closing Rikers, which is morally unconscionable, and centers the desires of wealthy local property owners over the needs of inmates and their families.
- The proposed density is not in fact out of context with Downtown Brooklyn, which is now filled with luxury skyscrapers. The current proposal would make the jail the 17th tallest building in Downtown Brooklyn.
- Local concerns about "public safety" are at once racially problematic and are also not rooted in existing crime data. People don't typically hang out near jails to commit crimes.
- As the inaccurately named "Fair Jails Brooklyn" states, the new jail should indeed be "designed to ensure better, safer, and more humane conditions for the detainees." However this is directly at cross-purposes with their demand for a cramped, inadequately sized facility. You can have one or the other.
- Splitting out some of the inmates to a second location creates logistical and cost challenges, moves them farther from the courts, and hampers improved oversight. It is a politically expedient compromise, but is not a practical long-term solution.

The flyer these local condo owners and their lobbyist recently illegally posted throughout our community in is extremely deceptive; it depicts a rendering of the new facility that conveniently erases the surrounding area, making the proposed building appear comparatively massive. The purpose of the rendering is to deceive and frighten the community, and is a cynical act of bad faith. I have attached the "Fair Jails Brooklyn" depiction of the site, verses actual context of site (Exhibit B). The rendering makes the building appear to be the tallest building in Downtown Brooklyn. In reality, the current proposal would make it [the 17th tallest building in Downtown Brooklyn.](#)

Local organizations like the Brooklyn Heights Association have taken a similarly untenable approach as "Fair Jails Brooklyn": [agreeing that Rikers should be closed in theory, even agreeing that a jail belongs on the site in question, but refusing to accept a viable level of density that would make such a thing possible.](#)

To be clear: closing Rikers Island is dependent on many moving parts. These include legalizing marijuana (which Governor Cuomo and the NYS Senate have failed at miserably) and the recently

passed bail reform in Albany. However, local opponents of the proposed jail's density have not been honest about the level of reductions in incarceration that these critical reforms might realize.

On the other end of the political spectrum, the "No New Jails" advocates have likewise been unrealistic about the viability of closing Rikers without building any additional facilities. Such a position is well intentioned, but only harms the people they purport to advocate for.

Upgraded detention facilities are no replacement for meaningful reforms at the Department of Corrections, whose history of institutional brutality is well-documented. But lack of progress on that front should not serve as an excuse for inaction.

The actual needs of inmates and their families should not be sacrificed for either privileged property owners or well-intentioned, but impractical political ideals. I urge the Borough President to recommend this project move forward with the conditions laid out by Just Leadership; so that Rikers Island can be closed for good. As New Yorkers, it is our collective obligation to put an end to this moral stain on our city.

Sincerely,  
Quinn Raymond  
Schermerhorn Street  
Brooklyn, NY 11201

#### EXHIBIT A: \$21,350 paid to lobbyist by local condominium

##### 2018 Client Annual Report for Boerum Condominium

###### Client Information

|                  |                                                                         |
|------------------|-------------------------------------------------------------------------|
| Client Name      | Boerum Condominium                                                      |
| Business Address | 265 State Street, Apt. 911, Brooklyn, NY 11201 United States of America |
| Client P.O. Name | Kooris, Samuel                                                          |
| Business Phone   | (917) 755-0055                                                          |
| Business Email   | REDACTED                                                                |

###### Compensation Paid or Owed to G. Fontas Advisors Inc.

|                                                    |          |
|----------------------------------------------------|----------|
| Compensation Paid or Owed During the Calendar Year | \$11,350 |
|----------------------------------------------------|----------|

[https://www1.nyc.gov/assets/elobbyist\\_search/pdf/Annual380643.pdf](https://www1.nyc.gov/assets/elobbyist_search/pdf/Annual380643.pdf)

**Activity # 1**

**Subject Category** Determination regarding real property

**Subject Details** ULURP

| Target                          | Office/Department                | Contact Name     |
|---------------------------------|----------------------------------|------------------|
| NYC Council Members             | Levin, Stephen - District No. 33 |                  |
| Community Affairs Unit, Mayor's |                                  | Abramson, Daniel |

**Summary of Compensation from Client**

**Total Compensation Paid or Owed for Current Period** \$10,000.00

**Lobbying Expenses**

**Aggregate of all expenses for salaries of support staff** \$0.00

**Total of Aggregate Expenses \$75.00 or less** \$0.00

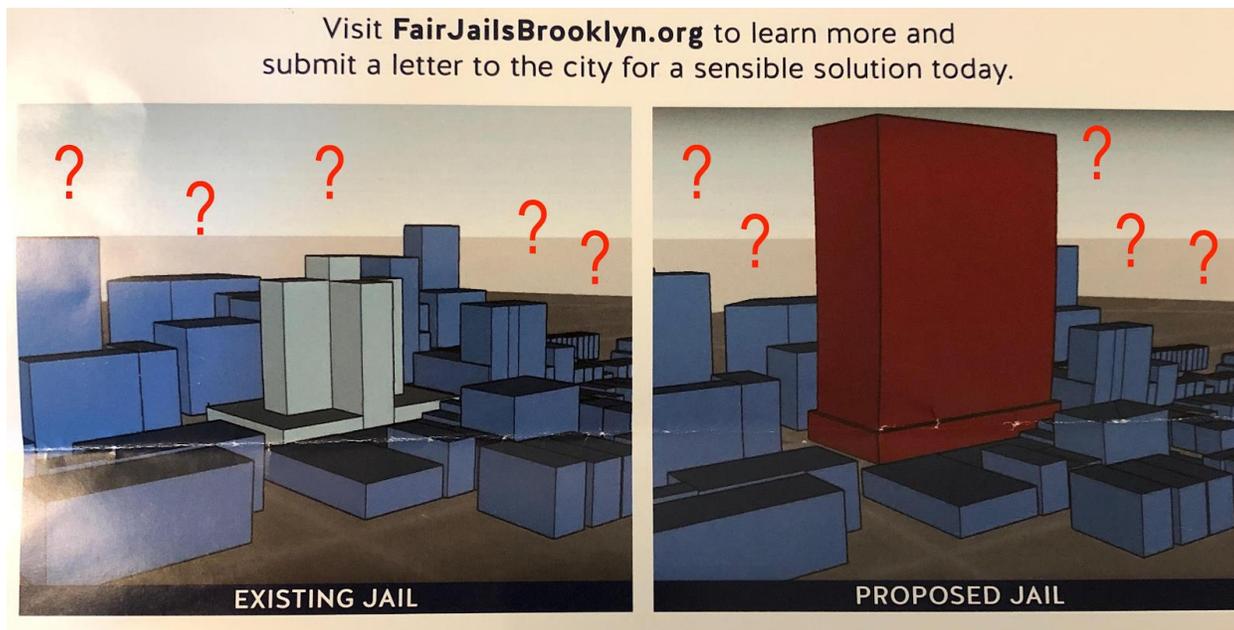
**Are there expenses greater than \$75.00?** No

**Itemized Expense Total** \$0.00

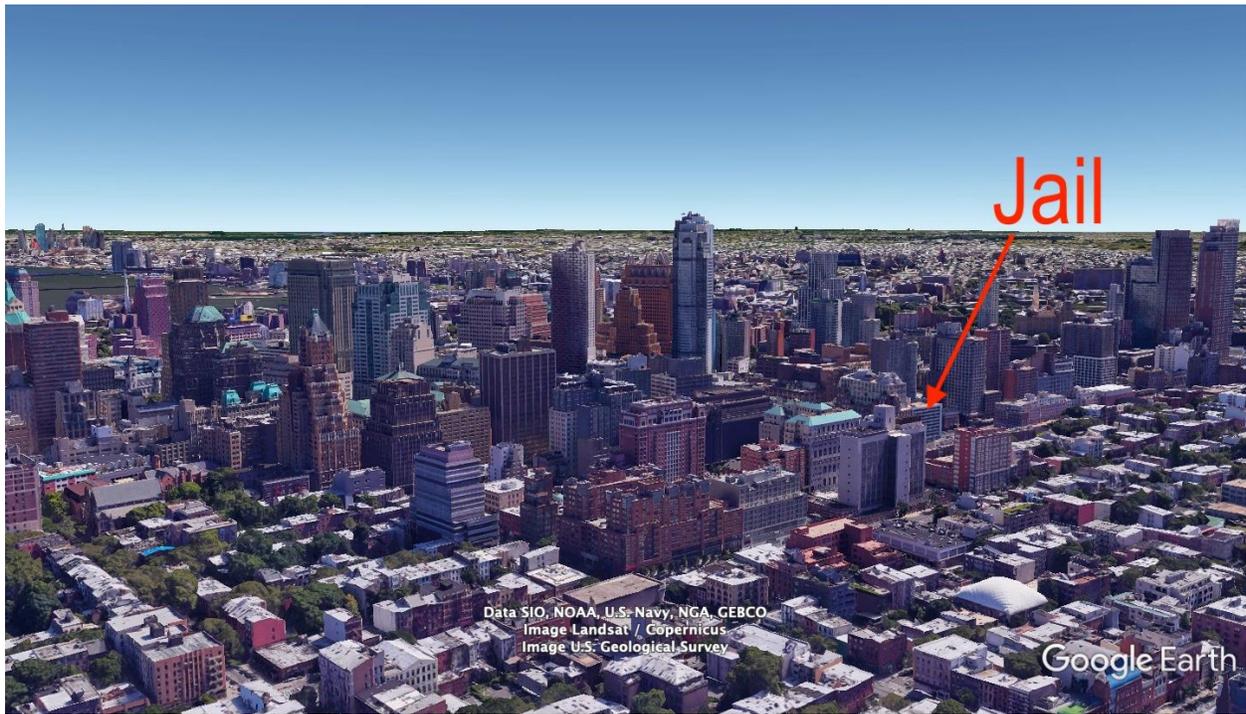
**Total Expenses for Current Period** \$0.00

[https://www1.nyc.gov/assets/elobbyist\\_search/pdf/CPR392500.pdf](https://www1.nyc.gov/assets/elobbyist_search/pdf/CPR392500.pdf)

**EXHIBIT B: "Fair Jails Brooklyn" depiction of site, which erases the surrounding area (1), vs actual context of site (2)**



**1. "Fair Jails Brooklyn" depiction of site**



**(2) Actual context of site**

--

Quinn Raymond

quinnraymond@gmail.com

The residents of Boerum Hill are not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This "skyscraper of detention" would be inoperable and wildly out-of-scale with its immediate surroundings.

The Boerum Hill Association holds the following views:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility now and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community..
- We will only accept a FAR of 8 -10.

We are not alone in our opposition to the current plan.

Remember Community Board 2 voted down the current proposal. They asked for 875 beds in a smaller building. Borough President Eric Adams rejected the current plan and suggested 900 beds with the building height capped at 235 feet.

The main goal of criminal justice reform is decarceration. Our actions toward this goal must be transformative and sustainable, yielding measurable results that translate into the smallest detainee population.

The system needs to be fair, effective and humane.

In a recent interview our Council Member, Steven Levin, said, "**We shouldn't be building for a bigger system than we anticipate.** If anything, we should be building for **smaller** than we anticipate and then putting some pressure on ourselves to **continue to implement reforms.**"

I completely agree.

Sean Grandits

Wyckoff St.

Brooklyn, NY 11217

s\_grandits@yahoo.com

Testimony for the hearings on the Brooklyn Detention Center:

It makes no sense to build a bigger jail, plain and simple. Replacing the jail we already have may be needed, but building a much bigger jail is a mistake. I fully support criminal justice reform, and clearly, its future is not in building bigger jails. Reforms in criminal justice must rely on smart policies and programs that appropriately treat the mentally ill, educate and train incarcerated people, and focus on decarceration rather than jailing even more people at great cost to society, and to the shame of this country when compared with other advanced nations. The size and scope of the proposed jail are unacceptable. Its size/height also send a horrible message—that the tallest building in the surrounding residential neighborhood is a jail—and would be a constant reminder of bad planning and mistaken priorities. This jail is not respectful of its surrounding environment. It does not bode well for the future of our criminal justice system. Building a skyscraper jail is just wrong.

Respectfully,  
Joanna Stuart  
Boerum Hill homeowner

joanna585@aol.com

City Council Hearing Sept 5th at City Hall.

SAVE CHINATOWN - NO TO TALLEST JAIL IN THE WORLD!

## **STATEMENT**

### **opposition to the construction of the jails**

I am opposed to the construction of such jails in the communities of NYC.

First, because the reason given to close Rikers jail is not adequate. Second, irreparable damage done to the targeted communities may not only destroy these communities, it may do irreparable harm to our city, and its potential to lead the country as a multicultural city whose infrastructure can be the framework for innovative racial relations and cultural policies originally suggested by our mayor. Unfortunately he has now betrayed that promise and seeks to harm to communities of color which can only be described as racist in intent.

To close Rikers is to admit the penal system has failed. Without an adequate plan to reform that system and change the principles by which it operates, merely using construction of new architecture does not address the problem but merely moves it to different locations. To cover up the problem by housing it in a new building fails to offer a way to use resources effectively. It is a half way measure. It fails to look at the penal system and realize alternatives have been developed in other countries. Once such alternatives are adapted then adequate facilities and location of such facilities can be considered. That has not happened. The poor reputation of Rikers is not the basis to move it, and certainly not the basis to move it to the locations that has been planned.

The action of one powerful person who controls the city and its resources to chose to construct such a huge structure in a small Asian community in Lower Manhattan is clearly an act of power, of arrogance, of disregard for the people and the community that it will disrupt if not lay the basis for its destruction.

Race Matters. Unfortunately I believe our mayor has chosen real estate and what it represents to matter more. There have been other mayors who have tried to move Lower Manhattan's Chinatown to the Bronx and realize the real estate value of such

property being so close to the financial district. I believe our mayor is attempting to undermine Chinatown by erecting this monstrous halfway house of a prison. And leave Rikers Island itself for land speculation. The temptation of wealth as a way to ensure the prosperity of New York City is a plan, however the human factor in planning for the future, what was originally thought as a path the mayor might consider, could lead to better racial relations, better relations between different communities, more support for the infrastructure and culture of these communities, thus bring the human factor more into play in how our city works.

Over the last several years I have begun to see how Chinatown is changing, how it is adapting and is likely to become more fully integrated with all the other diverse communities of the city. It is wonderful to see how Asian Americans themselves are becoming part of the larger society and its culture. This direction has the potential to make for a very different city, one that begins to address real problems.

I suggest the mayor and the city reconsider its plan for these prisons and think more deeply about the goals that initiated this administration.

Robert Lee

Asian American Arts Centre

[rlee@artspiral.org](mailto:rlee@artspiral.org)

**VOTE NO to Tribeca/Chinatown White Street Jails**

**Email comments: [mchin@council.nyc.gov](mailto:mchin@council.nyc.gov); [speakerjohnson@council.nyc.gov](mailto:speakerjohnson@council.nyc.gov);  
[salamanca@council.nyc.gov](mailto:salamanca@council.nyc.gov)**

Dear City Council Members,

I am a concerned resident and directly impacted by the Mayor and Speaker Johnson's borough-based jail plan for Manhattan. The City and other electeds have said there would be community involvement, yet our concerns about the devastating impact to our health and livelihood continue to be ignored.

Before you vote, I implore you to understand why I and others from my community are here today.

We recognize the urgency and need to address the inhumane conditions within Rikers Island, and across ALL NYC jails, including the Manhattan Detention Center (MDC). The Mayor and his administration must act to change culture and take accountability today, not solely focus on building 4 skyscraper buildings to further incarcerate and endanger people.

While we support criminal justice reform, including the new state legislative changes underway, we demand that the Mayor and Speaker Johnson take a closer look at investing the \$11 billion estimated for this plan in alternative programming and communities of need instead of imposing mega jails in these affected communities. Los Angeles and Seattle both are leading the country in investing in community based mental healthcare and drug treatment facilities instead of building new jails. We demand that NYC leadership do the same.

Judge Lippman said that if you oppose his plan, you support mass incarceration. It is this type of racially charged and fearmongering rhetoric that has suppressed many of our voices. Please STOP and LISTEN.

**We object to the Mayor, Speaker Johnson and Council Member Chin's plan for building a mega jail in our minority and low-income community, without a proper hearing and understanding of our concerns and what people of color struggle with here. Speaker Johnson has NOT visited our community or any of the affected communities, despite repeated invitations. Before you vote, please consider the following:**

1. **Community Boards VOTED NO.** All affected Community Boards from Boerum Hill, Mott Haven, Kew Gardens, Briarwood and Tribeca/Chinatown voted no due to the moving targets, the severe deficiencies in the Draft Environmental Impact Statement (DEIS) and the concerns raised by local residents and small business owners who are directly impacted. The plan, as currently submitted, is too flawed and uncertain to be allowed to proceed.
2. **Outdated and archaic plan.** The plan before you will NOT be the plan going forward. On 05/10/19, the City announced that the number of beds was revised downward by 1,000, nearly 20%. This comes on the heels of the change in the number of beds announced on 03/25/19. This results in a 30% change, in less than 3 months. This plan was based on the original estimate of 5,000 beds with 20% efficiency and the Lippman report, which are both completely and totally outdated. Moreover, this plan lacks the ability to scale up or down and must be redone with more realistic information.

If a private developer made these many changes in as many months, they would be required to reapply. The City must be held to the same standards.

**VOTE NO to Tribeca/Chinatown White Street Jails**

**Email comments: [mchin@council.nyc.gov](mailto:mchin@council.nyc.gov); [speakerjohnson@council.nyc.gov](mailto:speakerjohnson@council.nyc.gov);  
[salamanca@council.nyc.gov](mailto:salamanca@council.nyc.gov)**

3. **Fair Share.** Alternatives, as required by the DEIS, must be submitted and must include Staten Island, as well as, alternative sites that factor in the fair share criteria. Currently, lower Manhattan has 3 jails, with more than 1,600 beds (800+ in MDC and another 800+ in the federal correction center), more than any other community in the city. To add another 700 beds, totaling 2,300 beds or detainees, is excessive, as will be more than the current 34% of the total for the city. Clearly, there is a disproportionate location of city facilities, including detention centers in the Chinatown communities, a low-income community of color. A fair share analysis must be done.
4. **Care first, jails last.** To truly end mass incarceration and end the horrid abuses that are now pervasive in all NYC jails, including Rikers and here in MDC, the Mayor and Speaker Johnson must invest in progressive but basic ideas like building communities, strengthening diversion programs, providing alternatives to incarceration for pre-trial detainees, supporting mental health and drug treatment programs and ensuring speedy trials.

Other major cities are leading the charge with real progressive criminal justice reforms and are embracing investments in mental health care and drug treatment programs rather than building massive new jails available. The City of Los Angeles, with its recent decision to cancel a nearly \$2 billion jail and invest in mental health facilities, is providing a progressive model and blueprint. In Seattle, drug treatment programs are the first line of treatment and not incarceration.

We need bold new leaders. We need investments in our communities.

PEOPLE SHOULD NOT BE GOING TO JAIL TO GET THE SERVICES THEY NEED.

5. **NYU Langone's Center for Asian American Studies provided testimony to the Mayor, Council Member Chin and Speaker Johnson** that the impact of long-term demolition, construction and possible relocation on the health of older adults in Chinatown must be taken into consideration due to the extremely harmful and detrimental impact to seniors. The Construction Site Emissions Particulate matter (PM) can cause and exacerbate chronic diseases. Exposure to such particles has been associated with the following acute and long-term health conditions: Cardiovascular disease; Lung cancer; Increased blood pressure; Aggravation of respiratory diseases, such as asthma; Decreased lung function; Irritation of the respiratory system, eyes and skin; Early onset dementia; and Premature death in people with heart or lung disease. Our community suffered through 9/11 and we are acutely aware of the health impacts.
6. **Valerie Imbruce, PhD Director from Binghamton University submitted testimony to the Mayor, Council Member Chin and Speaker Johnson** that the impact of long-term demolition, construction and possible relocation on the provision of fresh fruits and vegetables and resultant food security of residents in Chinatown must be considered. Disruption of pedestrian activity and transportation due to the demolition and construction will impact the food security of Chinese and other residents who depend on **affordable, nutritious and culturally appropriate foods**. Food security is considered a basic human right.

## VOTE NO to Tribeca/Chinatown White Street Jails

Email comments: [mchin@council.nyc.gov](mailto:mchin@council.nyc.gov); [speakerjohnson@council.nyc.gov](mailto:speakerjohnson@council.nyc.gov);  
[salamanca@council.nyc.gov](mailto:salamanca@council.nyc.gov)

7. **Tallest Experimental Jail in the World.** We requested from the City, examples of successful vertical jails similar in height to the proposed 450 feet tall one for Manhattan to counter experts who contend that horizontal jails are more effective and safer to operate. **We have gathered more feedback from former Department of Corrections employees, engineers and architects that conclude a vertical jail will endanger not only the detainees, but also DOC staff and the general public, in the event of an evacuation.** We urge you to consider their testimonies and the safety of people. We requested from the City, examples of detention centers with approximately 1,500 people incarcerated that are successful to counter experts, including Judge Lippman, who state that the optimal number of people incarcerated in one facility is 300.
8. **DEIS Deficiencies.** DEIS acknowledge there are hazardous materials found at the current site but the City has not further tested (required Phase II testing) or provided a mitigating plan. Other potential contaminants also are present. The public health analysis is woefully deficient and does not address the “water and air quality”. It also makes no mention of solid waste disposal and management.
9. **Zoning.** The city is seeking a FAR that is 31% over the current zoning stipulations and an additional 466,000 square feet. This will give the City the ability to build a facility that will be 1.3 million square feet and 450’ tall. This is grossly out of scale with tenements built and streets designed in the 1800s, imposed on an already densely populated and neglected neighborhood and cannot be unsupportable by the fragile infrastructure and network in place. If a private developer submitted this application containing such drastic violations and deficiencies, it is certain, the plan would not be approved as is. The City must be held to the same standards.
10. **Uniform Land Use Review Process (ULURP).** The Mayor and Council Speaker Cory Johnson agreed to an unprecedented single ULURP, inexplicably, for a project of this scope, size and costs. The current ULURP includes the proposed sites in Manhattan, Queens, Brooklyn and the Bronx. Each site possesses unique factors and separate applications should be filed for the 4 sites, so that each proposed zoning change is ensured independent assessments and undue pressure. It is unorthodox, confusing and irresponsible to combine four enormous projects into one ULURP process. This sets a dangerous precedent for future “bundled” building projects that have the potential to do immense harm to a neighborhood without proper due process and engagement. If a private developer would have proposed this, it is certain, their plan would have required to file four separate ULURPs. The City must be held to the same standards.
11. **Inhumane proposal.** The demolition of MDC will require building new jails on Rikers Island and the transport of 800+ people currently incarcerated at MDC to Rikers Island for the duration of demolition and construction. Irrespective of the costs and by admission from the Mayor and City officials themselves, the conditions at Rikers are deplorable and “is not fixable”. Moving people incarcerated in MDC to Rikers, given the conditions cited by the City is inhumane. This solution must be rethought.
12. **Due Process.** A fundamental requirement is a public scoping meeting to solicit comments on the draft scope from all affected and interested parties to ensure appropriate and thorough assessment.

**VOTE NO to Tribeca/Chinatown White Street Jails**

**Email comments: [mchin@council.nyc.gov](mailto:mchin@council.nyc.gov); [speakerjohnson@council.nyc.gov](mailto:speakerjohnson@council.nyc.gov);  
[salamanca@council.nyc.gov](mailto:salamanca@council.nyc.gov)**

The City denied our community the opportunity for a public scoping meeting when the site changed from 80 Centre to 124/125 White Street.

13. **Lack of community engagement.** Our community did not have one opportunity to meet prior to the announcement that the Mayor and Council Member Chin had unilaterally decided on 124-125 White Street as the one and only site for the mega jail for Manhattan. Decisions, false promises and deals were made behind closed doors. That is not democracy and it must stop. The process needs to restart with transparency.
14. **Fiscal Transparency and Responsibility.** At the Mayor's meeting on December 18, 2018, we formally and continue to request transparency on how the projected cost of \$11 billion and now \$8.7 billion was calculated. We consulted with experienced builders and most consider these projections too low and does not even factor in financing. These are costs that we, the taxpayers, will shoulder and we have the right to know and have a say in how these funds are to be spent.

If the Mayor and Speaker Johnson's jail plan is passed as is, it will be death sentence to our seniors and a life-sentence of guaranteed respiratory issues for our children. Please consider the concerns we raised.

**We ask you to VOTE NO to this rushed and ill-conceived plan and instead invest in our communities to help end mass incarceration.**

My name is Nabila and I was born and raised in Astoria, Queens. I am a member of Desis Rising Up and Moving and we organize working-class South Asians and Indo-Caribbeans on education, worker, immigrant, racial, and gender justice.

The proposed women's jail in Queens is doing no one favors. We do not need another Cyntoia Brown, who was incarcerated for 15 years when she was trying to escape from sex-trafficking.

We do not need a larger presence of police just waiting to imprison black and brown bodies.

Rather than imprisoning women, why not build and invest in programs that support the mental, emotional and physical health of women in our communities? We can use this as an opportunity to create safe spaces for communities that uphold the agency of survivors and does not use surveillance from law enforcement. Besides, according to the National Center for Women and Policing, 40% of police officer families experience domestic violence and 30% of said officers get to keep their jobs anyway.

Rather than blatantly shutting and pushing out the working class of NYC by setting up these meetings that the affected people cannot attend and expediting the gentrification process of our neighborhoods, can we please address the roots of these issues instead of constantly seeking space to imprison more people? We can use this money to fund NYCHA, end homelessness and the shelter-industrial complex, and build strong communities in public housing. We can invest in community-based mental health care for all NYC communities and use restorative justice rather than punishment. We should choose this opportunity to fund the specific demands of each borough instead of stomping in with a way to lock us up. Building jails will not prevent or change the reasons why people land in prison. Building our communities and having our mental health, jobs, education and housing needs invested in with the \$11 Billion dollars, will.



September 4, 2019

Council Member Adrienne E. Adams  
New York City Council  
250 Broadway, Suite 1877  
New York, NY 10007

Dear Council Member Adams and Committee Staff:

I am writing to express the Downtown Brooklyn Partnership's position on the proposed expansion of the Brooklyn House of Detention facility at 275 Atlantic Avenue in Downtown Brooklyn.

We applaud the citywide effort to implement a smaller, safer, and fairer jail system for New York City through the construction of new borough-based facilities. The proposed Brooklyn project would construct a new facility at the site of the current detention center with additional beds, space for on-site supportive services, retail, and community facilities. We support the continued use of this location as a jail facility due to its proximity to the court system at the civic center of the borough, and its excellent access to public transportation. We also believe that the facility should be of a sufficient size to accommodate quality health, education, and therapeutic programming in a safe and humane manner, and we therefore support the height and density proposed under the current plan.

We strongly encourage the design of a building that incorporates active ground floor uses and transparency along Atlantic Avenue, Boerum Place, and Smith Street that will improve the pedestrian experience and complement the mixed-use character of Downtown Brooklyn. Moreover, we urge that any parking accommodations for staff and visitors to the facility be coupled with measures to effectively enforce parking regulations, create new transit infrastructure, and promote incentives for the use of public transportation. Finally, we recommend that City undertake streetscape improvements in the surrounding area to promote safety and connectivity for pedestrians and cyclists, including wider sidewalks and medians, protected bike lanes, and improved crossings along Boerum Place.

The closing of Rikers Island and the construction of a new facility at 275 Atlantic Avenue offers the opportunity to improve New York City's jail system, provide critical services to incarcerated residents of the borough more equitably and efficiently, and improve accessibility for families of the incarcerated. We urge you to support this proposal.

Sincerely,

A handwritten signature in purple ink that reads 'Regina Myer'.

Regina Myer

President  
Downtown Brooklyn Partnership

Hi Speaker,

We believe there are other ways to reform the jail system (both at Rikers and before crimes are actually committed). Please do not allow a jail to be built on Worth street - the downtown community has suffered enough and it will prevent additional growth in the neighborhood.

Thank you for listening,

Renee Lee  
Director

[www.suteishi.com](http://www.suteishi.com)

[www.sushi-teria.com](http://www.sushi-teria.com)

renee@suteishi.com

Council Members,

The crucial decision now rests on your shoulders! Can you in good conscience vote yes for something which is so wrong?

If you think by agreeing to Borough based jails you are doing the right thing please reconsider. The consequences will out live you! Have you not been aware of the dire circumstances in the NYCHA housing projects, amongst a myriad of the other urgent needs of your constituents who voted for you.

It isn't the the right path for criminal justice reform.

Please do the right thing and vote down the Mayors BBJ plan. More time needs to be spent on a more effective solution for sure.

Attached are a few signatures from some Silver Towers in Kew Gardens residents who strongly voted no but haven't been heard.

Yma Sherren

[ymasherren@me.com](mailto:ymasherren@me.com)

OK

We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

| PRINTED NAME      | SIGNATURE                | E-MAIL                  |
|-------------------|--------------------------|-------------------------|
| John C. Calabrese | <i>John C. Calabrese</i> |                         |
| Jing Gao          | <i>Jing Gao</i>          | gaoyu1380@gmail.com     |
| Julianne Bellad   | <i>Julianne Bellad</i>   |                         |
|                   | <i>[Signature]</i>       |                         |
|                   | <i>[Signature]</i>       |                         |
| Sarah Kim         | <i>Sarah Kim</i>         | ssk337@gmail.com        |
|                   | <i>[Signature]</i>       |                         |
|                   | <i>[Signature]</i>       |                         |
|                   | <i>[Signature]</i>       |                         |
| Genevieve Potas   | <i>Genevieve Potas</i>   |                         |
| Alida Edelma      | <i>Alida Edelma</i>      |                         |
| MARIE MORZAK      | <i>Marie Morzak</i>      |                         |
| Maki Hoshino      | <i>Maki Hoshino</i>      | hoshinomaki@hotmail.com |
| MA GREEN          |                          |                         |
| Jerome Khan       | <i>Jerome Khan</i>       | jeromedark@hotmail.com  |
| Ellen Kruse       | <i>Ellen Kruse</i>       |                         |
|                   |                          |                         |
|                   |                          |                         |

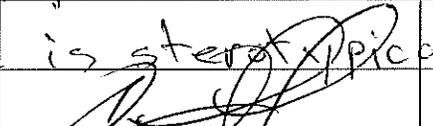
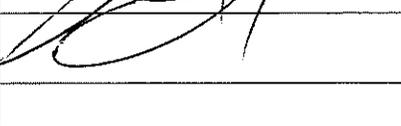
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| PRINTED NAME           | SIGNATURE | E-MAIL                      |
|------------------------|-----------|-----------------------------|
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| MAUREEN CRESSIMANNO    |           | MTCRESCIM@gmail.com         |
| Jesse Ng               |           | Jesseng31@gmail.com         |
|                        |           |                             |
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| Rita Law               |           |                             |
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| S. MARY MD             |           | marygond@aol.com            |
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| Christina Persaud      |           |                             |
| Chino Zykowski         |           |                             |
| Ellen Sands            |           | sandsread@aol.com           |
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| ARTHUR DABROWSKY       |           |                             |
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| Hany Persaud           |           | harpers1@aol.com            |
| Chandrea Persaud       |           | clpersaud@gmail.com         |
| Jane Cha               |           | jdc505@gmail.com            |
| Danielle Dimmier       |           |                             |
| OPHELIA LABUGUEN       |           |                             |

ELLEN PICKELNY

Samantha Doloffsky

We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

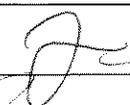
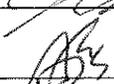
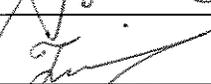
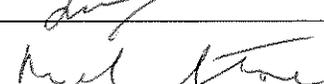
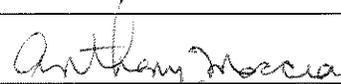
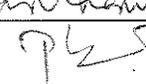
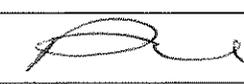
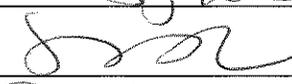
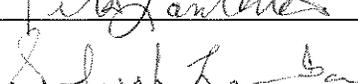
| PRINTED NAME                                       | SIGNATURE                                                                            | E-MAIL             |
|----------------------------------------------------|--------------------------------------------------------------------------------------|--------------------|
| Sheila Pion                                        |     | Sheila.Pion@gmail  |
| Selina Rahma                                       |                                                                                      |                    |
| Herman Peters                                      | <del>Handwritten signature</del>                                                     |                    |
| Erholt Jelena                                      | EM                                                                                   |                    |
| Joseph Rucic                                       |    |                    |
| Lorraine Lesinski                                  | Kosulz                                                                               |                    |
| VERONICA Newton                                    | V. Newton                                                                            |                    |
| We need <u>more</u> jails. Criminals don't stay in |                                                                                      |                    |
| areas with jails, they get as far away from jails  |                                                                                      |                    |
| as they can. Your problem is with the people who   |                                                                                      |                    |
| visit jails. Which is stereotypical and racist!    |                                                                                      |                    |
| B. Yanovsky                                        |  | RONZ/AN/DI/MAL/ADL |
| Jennifer Franzese                                  |   |                    |
|                                                    |                                                                                      |                    |
|                                                    |                                                                                      |                    |
|                                                    |                                                                                      |                    |
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# OPPOSITION TO KEW GARDENS JAIL

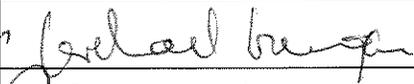
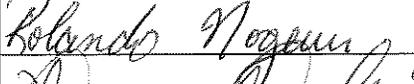
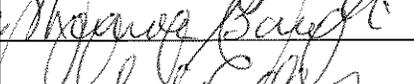
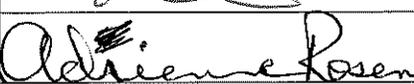
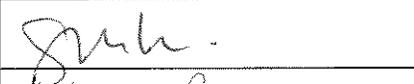
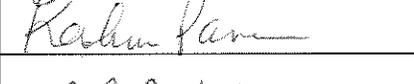
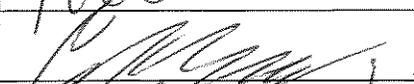
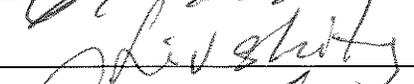
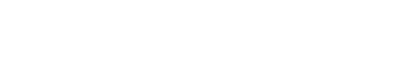
We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

| PRINTED NAME           | SIGNATURE              | E-MAIL                  |
|------------------------|------------------------|-------------------------|
| <del>B. KARMEL</del>   | <del>[Signature]</del> |                         |
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| <del>[Signature]</del> |                        |                         |
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| Manana Gagnidze        | Manana Gagnidze        |                         |
| Alida Echevarria       | [Signature]            |                         |
| BETTY SING             | [Signature]            |                         |
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| CARMINE SANTANIELLO    | [Signature]            |                         |
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| AVIL STOR              | [Signature]            | avil.stor@broadway.com  |
| Margaret Lay           | [Signature]            |                         |
| Zhi Jun Qian           | [Signature]            |                         |
| ADELAIDA B. AGUIA      | [Signature]            |                         |
| Allyson Warren         | [Signature]            |                         |

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| PRINTED NAME              | SIGNATURE                                                                           | E-MAIL                  |
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| <del>Patricia</del>       |                                                                                     |                         |
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| <del>Anthony Moccia</del> |                                                                                     |                         |
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| Joseph Santoso            |  |                         |
| Peteo LANTHIER            |  |                         |
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| Tsering Lama              |  | Tseringlama@gmail.com   |
| Tenzing Lama              |  | Tikenztang@yahoo.com    |
| DENNIS BARLAAN            |  | dnzbrln@gmail.com       |

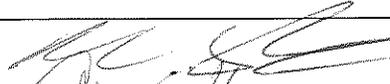
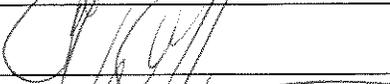
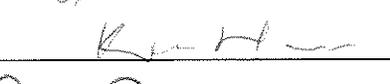
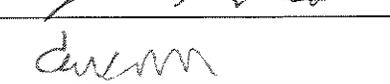
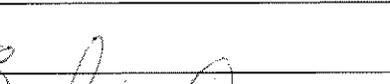
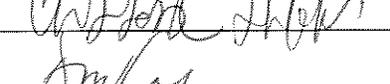
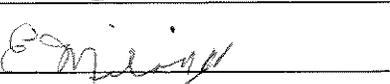
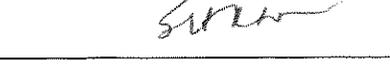
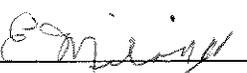
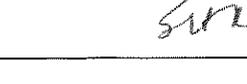
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| PRINTED NAME             | SIGNATURE                                                                            | E-MAIL                      |
|--------------------------|--------------------------------------------------------------------------------------|-----------------------------|
| Michael Loneragan        |    | michlonergan@aol.com        |
| Rolando Noguera          |    | greeneye7779@yahoo.com      |
| Mavora Barchak           |    |                             |
| Allida Edelman           |    |                             |
| Frank DeSantis           |    |                             |
| Adrienne Rosen           |    | arosen125@gmail.com         |
| Sandeep Mahale           |    | sandeepmapt@gmail.com       |
| Kashira Panu             |   | nybriarwoodapt@gmail.com    |
| Mike Ritchie             |  | mikeritchieny@gmail.com     |
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| <del>Wanda Cantley</del> |                                                                                      |                             |
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| Craig Brown              |  | craigbrown@startmail.com    |
| Gregory Livsh            |  | grigoriy.livsh48@yahoo.com  |
| Colleen Liddle           |  |                             |
| RONALD KUSTNER           |  | RK4690.COLUMBIA.EDU         |

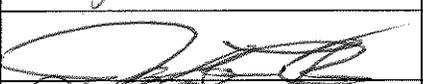
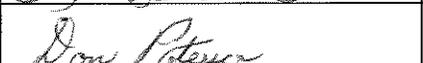
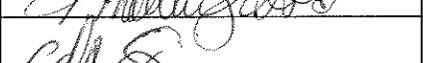
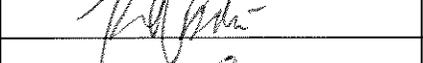
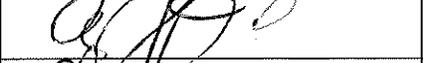
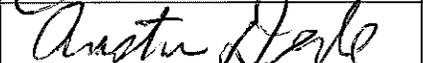
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| PRINTED NAME        | SIGNATURE | E-MAIL                      |
|---------------------|-----------|-----------------------------|
| LAUREN BELLARD      |           | bellard1913@gmail.com       |
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| Diana Martinez      |           | Rivera11206@yahoo.com       |
| Natasha Ally-Kuan   |           | Nakartheach@gmail.com       |
| ELIZABETH DABROWSKI |           |                             |
| ARTUR DABROWSKI     |           |                             |
| Gregoriy Livshits   |           | grigoriy.livshits@yandex.ru |
| CARL HUBBEN         |           | carl.hubben@gmail.com       |
| Amiya Vaz           |           | amiya.vaz@gmail.com         |
| Fern Mearan         |           |                             |
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| PRABHJOT MUNDI      |           | psm4023@gmail.com           |
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| Laura Cohen         |           |                             |
| JELENA KOPRIVICA    |           | JELENAXL@YAHOO.COM          |
| MARL ANUSY          |           | me,lev1286@yahoo.com        |
| Faina Vretskaya     |           | 1221                        |
| A. Kolia            |           | A.Kolia1962@yahoo.com       |

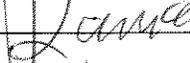
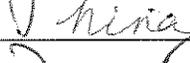
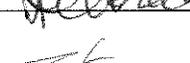
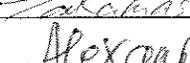
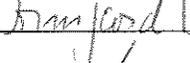
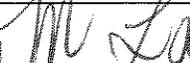
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| PRINTED NAME                                                                        | SIGNATURE                                                                            | E-MAIL                    |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------|
| MIKE FOLZ                                                                           |    |                           |
| Christine Cottone                                                                   |    |                           |
| Irina Reschau                                                                       |    |                           |
| SALVATORE FAVIA                                                                     |    |                           |
| Zeev Mendez                                                                         |    |                           |
| Gia Tran                                                                            |    | giabtran@verizon.net      |
| Irina Glezer                                                                        |    |                           |
| Agnes Lam                                                                           |   |                           |
| Khanh Ngo                                                                           |  |                           |
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| DEONATRE SCHLEY                                                                     |  | deonatre@att.net          |
| Jussi Makela                                                                        |  | jussisakhasi@gmail.com    |
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| Grigory Didolite                                                                    |  |                           |
| Caranto Pros                                                                        |  |                           |
| Veterie Vilsaint                                                                    |  | vilsaint@sol.com          |
| Clifford Hibbler                                                                    |  | cmagic111@aol.com         |
| Diane Kolnik                                                                        |  |                           |
|  |   |                           |
| Evonoffia Milonas                                                                   |   |                           |
| Shahnawaz Khan                                                                      |   |                           |

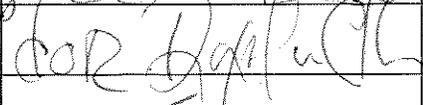
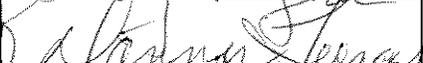
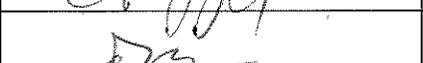
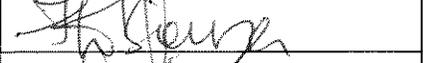
We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

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We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

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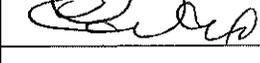
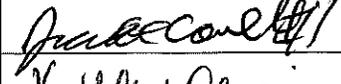
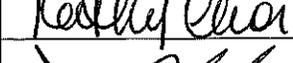
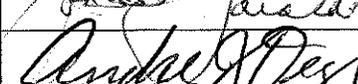
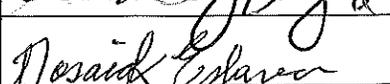
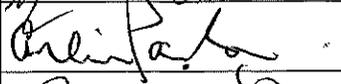
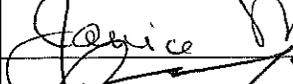
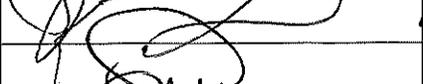
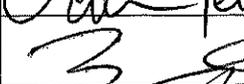
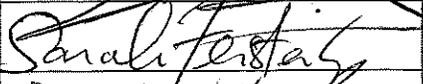
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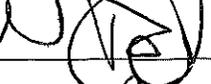
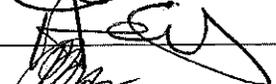
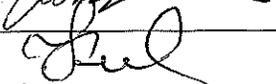
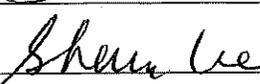
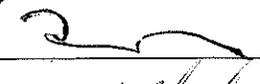
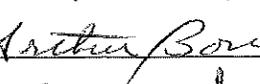
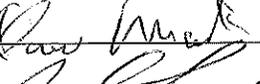
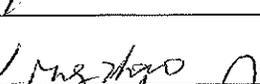
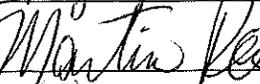
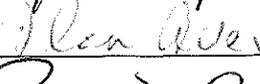
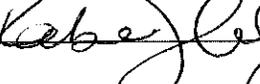
# OPPOSITION TO JAIL IN KEU GARDENS, NY

opposition to the construction of a jail in Keu Gardens, NY

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|                      |                                                                                      |                                     |

opposite to Jans in Queens Kew Gardens NY 2

opposition to the construction

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# OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail

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| Charles Jientem       | <i>Charles Jientem</i>       |                            |
| Pimm Kalichman        | <i>Pimm Kalichman</i>        |                            |
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OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail in Kew Gardens

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| Pooja Desai      | Pooja Desai      |                           |
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| Mina IVKOVIC     | Mina Ivkovic     |                           |

# OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail in Kew Gardens

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# OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail in Kew Gardens

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\*

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## **Complaint to NYC Council - COmmunity Based Jails**

Dear Members of NYC Council,

\* An adjusted version of the below message has also been shared with the NYC Planning Commisioners. \*

My name is David Solomon.

I am a 34-year-old resident of Kew Gardens.

My wife and I are first time property owners in Silver Towers, a luxury co-op building, located only dozens of yards from the new jail site in Queens.

I am reaching out to City Council members to express my personal displeasure (and that of my community) with the handling of this project from the get-go. Each council member (or their representatives) I have spoken with have said in one way or another that this project is happening whether the residents of Kew Gardens (or other sites) like it or not. At this juncture, the decision lies solely in the council's hands, so in fact that sentiment is only true if the council members vote in support of this project, against the wishes of residents in each district, whose interests are supposed to be protected by local council members.

Council members have stated that they only support the plan with certain changes or concessions. As far as I can tell, no changes / concessions have been made, yet the project is still being railroaded into our communities.

Yesterdays vote by the City Planning Commision consisted of a panel, of which the majority was appointment directly by the Mayor's office. In your respective elected positions, I urge you to put the interest of local residents at the forefront of your considerations. Concessions in terms of pedestrain access, jail capacity, height and guarantees that ancillary facilities (shelters, outpatient support, clinics) will not be wedged into communities adjacent to jails have been left wholly unaddressed.

Sincerely,  
David Solomon

davidwsolomon@gmail.com

## Borough Based Jails--Brooklyn Detention Center

Member of the City Council, I'm a longtime Boerum Hill resident and a supporter of the Boro-Based Jail Plan concept because it's a humane, and where implemented has proven to be effective solution.

I know this public hearing is about the consideration of a URLURP application, a strictly land use matter. **And I urge you to reject the application as submitted. Support instead the construction of a facility that meets today's understanding of future capacity needs—a facility built for a maximum 800 beds within a maximum 10 FAR envelope. If the plan is to reduce incarceration, it makes no sense to allow construction of facilities that are even larger than what exists now. Brooklyn Detention Center has a capacity of 759 beds, yet the Department of Corrections wants to build for 1140 beds which is incompatible with its recidivism reduction strategy.**

But I'd like to draw your attention to an equally important non-land use matter—to the implementation of one of the Jail Plan's re-entry prevention strategies. Your hearing is the only opportunity comment on such issues and I hope you'll consider them as well in your decision statement.

Council Members, I strongly urge you to require the Jail's planned Supportive Programming and Services to include an emphasis on literacy skills—on reading, writing and math fundamentals, especially reading.

I raise the issue because I was surprised and disappointed that the Jail Plan's Strategy 15A for supporting "Productive Futures for Young Adults" does not mention adult education programming. Strategy 15A does specifically reference vocational training programs and assistance for the incarcerated who're currently enrolled in post-secondary classes. These services assume everyone already has basic skills to take advantage of them if so inclined.

At the public hearings I attended, the need for basic literacy skills was a recurring issue raised by both former inmates and prison reform advocates. They said it's a critically unmet need at Rikers that should be incorporated into the new incarceration model.

That the Jail's planning document does not specifically speak to literacy and/or remedial program offerings strongly suggests there aren't any in the currently planned reentry strategies to "lift people up" as the plan states. I hope I'm incorrect because we all know that reading and having basic skills are fundamental to any successful recidivism prevention initiatives. Training modules of this sort must be a program component.

So to ensure that the Jail Plan's reentry strategies serve the needs of all of the inmate population and maximize potential program success, I urge you to get clarity on this key issue. And, if necessary, require the inclusion of literacy programming as an element of the Jail's training initiatives.

Thank you for your consideration.

Dwight Smith  
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## Borough Based Jails - Brooklyn Detention Center

Dear Sir,

As a member of the Boerum Hill community and as a NYS licensed architect practicing in the neighborhood I am writing to state that, while I am not opposed to a new jail at 275 Atlantic Avenue, I am opposed to the current plan for a 1140 bed, 395-foot building at a FAR of almost 17. This “skyscraper of detention” would be inoperable and wildly out-of-scale with its immediate surroundings.

Very truly yours,

Ed Kopel, AIA, LEED AP  
Ed Kopel, Architect, P.C.

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# Testimony to the New York City Council Subcommittee on Landmarks, Public Siting and Maritime Uses

September 5, 2019

*Testimony submitted by:*

**Vincent N. Schiraldi**, Co-Director, Columbia University Justice Lab; Senior Research Scientist, Columbia School of Social Work; former Commissioner, New York City Department of Probation; former Senior Advisor, New York City Mayor's Office of Criminal Justice; former Director, Washington, DC's Department of Youth Rehabilitation Services.

Dear Chair Adams, members of the Subcommittee on Landmarks, Public Siting and Maritime Uses, and members of the City Council – thank you for the opportunity to submit testimony today.

I speak to you as co-director of the Columbia University Justice Lab, which I co-founded on the belief that justice policy should strengthen the bonds of family and community that are often threatened by poverty, crime, and punitive crime policy. I have also previously served as Commissioner of Probation for New York City, and before that I ran juvenile corrections and aftercare for Washington, DC. And before any of that, I was born and raised in New York City – in Brooklyn, where I now reside.

**It is with clarity wrought from each of these experiences that I urge you to support this land use proposal that will enable the closure of the Rikers Island jails complex.** Voting to accept the City Planning Commission's recommendation to shut down Rikers and instead utilize four smaller and safer borough-based jails is a once-in-generations opportunity to end one of our city's most brutal legacies – and it is an urgent opportunity that we cannot miss.

I'd like to begin by reflecting on the legacy of places like Rikers for us as New Yorkers. As a teenager in the 1970s in Greenpoint, Rikers Island and Spofford were New York's two scariest jails with brutal legacies: Rikers for adults, Spofford for kids. Thankfully, Spofford was closed by the City's Administration for Children's Services in 2011 while I was New York City Probation Commissioner. It has been replaced by two facilities that, while not perfect, have dramatically improved conditions of confinement for the young people held in them.

From 2005 to 2010, I was director of youth corrections in Washington, DC, during which time I closed a similarly notorious youth prison. I inherited the brutal Oak Hill Youth Correctional Facility – DC's Spofford – where youth were regularly subject to beatings; solitary confinement was commonplace for minor misbehavior; rats and cockroaches crawled up on youth while they slept; drugs were so rampant that kids tested positive more frequently after they had been incarcerated for a month than they had upon entrance to the facility; and sexual abuse was commonplace.

I was the 20<sup>th</sup> director of that department in the 19-year history of a class action lawsuit, and the plaintiffs had made a motion to put the department into receivership the year prior to my arrival. The Department was in chaos, but we achieved a core goal. Closing Oak Hill continues to be the proudest day of my 40-year career. Several previous mayors had discussed doing so, but found it difficult to pull the trigger.

Like this moment in New York history, the political, community, and legal forces in DC combined to make my term the opportune moment for watershed reform. We not only replaced Oak Hill with the smaller, more modern New Beginnings facility but also, recognizing that buildings alone don't change a destructive culture, increased staff training, expanded in-custody programs, opened a state-of-the-art school, improved staff-to-youth ratios, and dramatically reduced the population by creating a continuum of community programs in lieu of confinement.

Our city is currently engaged in many of these same processes. The population at Rikers has dropped from nearly 22,000 people to just above 7,000 today, and is projected to drop below 4,000 by the time Rikers closes and the new facilities open. While the jail population has declined as community programs have expanded, violent crime has also plummeted in the city, giving the lie to a concept that has driven mass incarceration throughout the rest of the country: that we need more incarceration to be safer. We do not. We need a smaller system and community investments, and we must recognize that true public safety is built not by excluding directly impacted communities, but by centering their leadership in the work we do.

I'd like to underscore that I know this process can be challenging. Not only has the movement to close Rikers, led by directly impacted advocates from across the city, been decades in the making, but also I worked in this city's government when this opportunity was previously discussed. We could not get it done then. Now, the goal is within our grasp, and it's crucial that we finish the job.

I'd now like to discuss why this decision is imperative to strengthening New York's communities. Closing Rikers will continue to move the city toward reducing the unnecessary and harmful use of a uniquely brutal and irredeemable jail without compromising public safety. The Council's vote to close Rikers will additionally provide for the return home of the people who may still be detained even while further decarceration, bail reform, and – hopefully – parole reform take hold.

Shutting down Rikers Island and instead utilizing neighborhood-based facilities is a critical step in the work to reduce incarceration and crime rates in New York City because:

- This land use plan is the culmination of a historic decarceration effort, moving from the 12 jails and 15,000 beds to 4 jails and 4,600 beds, or less. New York City already has the lowest incarceration rate of all large U.S. cities, and the nation is watching us as a model of what is possible. We should live up to that spotlight.
- Rikers' environment and culture are toxic and violent, creating multiple risks and barriers for individuals seeking re-entry and restoration. Closing Rikers and moving to borough-

based facilities will help to improve the culture of violence by allowing for greater transparency in the facilities along with improved support services and monitoring.

- Closing Rikers will provide necessary funding relief for the City of New York. Replacing and maintaining existing facilities at Rikers would cost an exorbitant amount and closing Rikers will provide financial benefits for the city with the ability for saved funds to be reallocated to the opening of new, smaller facilities, and to community-based and community-led programs and services that produce stability and safety in impacted communities.
- Closing Rikers will increase the chances for positive reentry and lower recidivism rates. As individuals incarcerated will be closer to their families, local community, lawyers, volunteers and community-based organizations, there will be greater support for incarcerated individuals, helping to reduce effects of isolation and strengthen resources and supports to those incarcerated.
- New York City's incarceration system will run more efficiently if people are located within the same borough as where their court hearings are, in turn saving money and staff resources in addition to relieving stressors for staff, incarcerated individuals, and their families.

I recognize the Council's commitment to creating a just and safe city, coupled with a passion to represent the voices of New Yorkers. As such, I urge you to vote to close Rikers, as it will strengthen our communities, allow for appropriate reallocation of city resources and funds, and provide a restorative approach to criminal justice for New Yorkers.

Sincerely,

Vincent Schiraldi  
Co-director, Columbia University Justice Lab



## Mental Health Project

New York City Council  
Subcommittee on Landmarks, Public Siting and Maritime Uses

### **Public Hearing on Borough-based Jail System**

Thursday, September 5, 2019  
Council Chambers, City Hall  
New York, NY

Testimony of  
Jennifer J. Parish  
Director of Criminal Justice Advocacy  
Urban Justice Center Mental Health Project  
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New York, NY 10006  
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646.602.5644

Thank you for the opportunity to testify. My name is Jennifer Parish, and I am the director of criminal justice advocacy at the Urban Justice Center Mental Health Project. In my role at the Mental Health Project, I represent all of the people who receive mental health treatment in the City jails – that’s about 3700 people or more than 40% of people in jail – most of whom are on Rikers Island.

Rikers Island is a barbaric place and must be shut down.

For decades we have relegated people accused of crimes to an island, far from their community. Most of the people on that island are there because they cannot afford bail. So while they wait for their day in court, they are

- isolated from family and friends;
- inaccessible to their attorneys; and
- distant from community programs that could provide support.

At last, the outcry against this injustice – and the multiple injustices of mass incarceration – has become so loud that the City has made a commitment to close Rikers Island and has a plan to do it. Fundamentally closing the eight jails on Rikers Island and the barge in the Bronx is about decarceration – dramatically reducing the number of people kept in cages pretrial and for short

sentences where alternatives to incarceration are a better approach. It is a commitment to rethinking the entire criminal legal system in New York City.

And, it is desperately needed. The people I meet when I go to interview our clients on Rikers Island are people who need a caring response to the misfortunes in their lives. Most have experienced extreme trauma from a young age. Some have turned to alcohol or drugs to numb the pain of life – they need treatment, not incarceration. Others have serious mental health needs and should not be in a punitive, dangerous environment. They need treatment and supports that focus on recovery. Removing people with serious mental health needs from the City jails would reduce the jail population by more than 1100 people.

Everyone in our criminal legal system – and the public – would be better served by a system based on restorative justice so that those who have violated the law and harmed others can make amends and become better human beings.

Unfortunately, we still have a system with police, prosecutors, and judges who have the power to deprive individuals of their freedom by incarcerating them. We must ensure humane conditions in these places, and we must have those facilities in the community – not on an island – because incarcerated people are still community members and deserving of basic human rights.

The City Council has an opportunity to make closing Rikers a reality, and you must seize it.

But you must also use this moment to transform the criminal legal system and make investments in community resources that will address social problems that lead to incarceration. Funding interventions that prevent people with serious mental health concerns from entering jail is fundamental.

The Urban Justice Center Mental Health Project contributed to the development of a Roadmap for Mental Health Resources and Diversion. The Roadmap sets forth recommendations for moving away from the current police-prosecution-incarceration response to people with mental health challenges and toward a service system designed to promote health and stability. It includes detailed recommendations for expanding and increasing accessibility to services that have proven effective, such as supportive housing, crisis respite centers, and Assertive Community Treatment (ACT) teams. We also recommend changes to the crisis response system so that law enforcement is not the first response and that people in mental health crisis can be diverted immediately to treatment and avoid the legal system entirely.

The Council also needs to invest in community resources that will support people with mental health concerns in being diverted from incarceration right away. The Roadmap includes recommendations for involving peer specialists in providing services, training judges and prosecutors, and strengthening connections between defense attorneys and mental health care teams so that diversion can be accomplished quickly.

For those who are incarcerated, the Council must ensure that the resources exist to provide quality health care in jail and supports for the transition back to the community. The Roadmap includes recommendations for making supportive housing and other affordable housing more accessible for those released from jail, funding additional forensic ACT teams, and addressing the mental health needs of those placed in the shelter system.

Finally, the Council must ensure that solitary confinement (also known as punitive segregation) is not permitted in the borough-based jail system. It is inhumane and ineffective; it causes long-lasting harm to those subjected to it. New York City should not permit its use in any form.

We urge you to close Rikers Island and invest in our communities.



## **Asian Americans for Equality**

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### **NEW YORK CITY BOROUGH-BASED JAIL SYSTEM: ORGANIZATIONAL POSITION STATEMENT**

Asian Americans For Equality's (AAFE) mission has always been and continues to be for the furthering of equal justice and opportunity for Asian Americans and all people. We believe that, for our communities to thrive, the ideals of inclusion, voice, engagement and grassroots decision-making must be put into practice. Throughout this important process to reform New York City's jail system, the fundamental respect for human rights and dignity must be the guiding force for decision making.

It is through this lens that we examined whether a proposal put forth by the Mayor's Office to close the Rikers Island detention facilities warrants support. Because each borough and neighborhood has unique circumstances, AAFE is limiting its comments to focus specifically on the proposal impacting Manhattan's Chinatown, where we have the deepest connection.

We understand that the argument for closing Rikers Island is primarily driven by these goals:

1. Promoting criminal justice reform: making jails more humane and safe by reducing overcrowding at Rikers;
2. Establishing borough-based jails to facilitate better detainee access by families, attorneys, advocates, and other rehabilitative support staff; and
3. Cutting detainee travel time for court appearances.

In principle, AAFE supports these aims. The arguments against the status quo at Rikers Island are rational and logical, and we commend the Mayor for seeking solutions to these conditions.

To determine our stance on the issue, AAFE measured the likely efficacy of the proposed 40-story detention facility against two overarching questions:

1. Does the proposed new facility achieve the declared benefits described by the City and address the wider issue of criminal justice reform?
2. Does the facility development respect the ideals of inclusion, voice, engagement, grassroots decision-making and respect for human rights and dignity of all impacted?

Based on these criteria, we do not support the current plan of developing a 40-story facility in Chinatown, as the proposal falls short of adequately addressing the challenges it was intended to confront. Reforming our criminal justice system via a real estate solution leaves major gaps, as the problems existing on Rikers Island are not done away with through engineering or architectural design solutions. Rather, criminal justice reform should deal directly with the reasons so many people are being sent to Rikers Island in the first place. We encourage the City to employ the full range of other tools at its disposal, which in turn may reduce our jail population significantly, making the need for building costly new detention complexes obsolete. We are heartened by the recent acknowledgement from city officials that the jail population is expected to be reduced beyond the initial estimate of 5,000 and that, in part due to the passage of state legislation, the size of the new jails will be reduced. These adjustments must be meaningful and substantive; incremental reductions in the proposed 40-story height of the Chinatown facility will be insufficient.

### **Current Proposal**

We recognize that the team assembled by the Mayor's Office gave serious consideration to and conducted research in to different jail facility models and practices in other cities and locales. Through those studies, it was concluded that Rikers should be replaced with smaller detention centers, equipped with safe spaces for rehabilitation, intervention, engagement and positive activity. We believe the greater emphasis on restorative social services, legal advocacy and human interaction is a sound approach.

This is why - following the same reasoning - the proposal of a detention facility anywhere approaching 40 stories is antithetical to the downsizing intent of serious criminal justice reform. It defies logic to construct an even bigger building in the name of downsizing, where there will be 1,500 detainees as opposed to current capacity of 900. Even the case studies the City is modeling point towards decreasing density, and having a jail of this scale is unprecedented and unproven. It is unclear how adding more inmates will rid the detention center of the "culture of Rikers," when there is no evidence supporting a strategy of housing more detainees in one place as an effective means of criminal justice reform.

Proponents point to the fact that a larger facility affords more space for the supportive services we do favor for reform. But the drive to accommodate 600 additional inmates, and then, on top of that, to cram in all of the program and administrative spaces needed to serve a much bigger population, creates its own momentum to go bigger and bigger to the detriment of both detainees and the surrounding Chinatown community. It then becomes impossible for responsible neighborhood stakeholders to disaffiliate large-scale jail construction from the tremendous environmental and social impacts such a large building would bring to a low-income, immigrant neighborhood still struggling with dislocation, affordable housing shortages and a weakening economy.

It is also unclear why the program administrative offices must all be packed into one large building, when the immediate area surrounding the proposed jail site is suffering from an increasing supply of commercial space vacancies. These offices can be reasonably absorbed in the immediate surrounding area, to the benefit of the neighborhood. If criminal justice reform is accomplished by relieving jail overcrowding, which has exacerbated so many issues at Rikers, then an over-engineered development solution in the proposed borough-based jail model is actually no solution at all. It will only create more problems than it was originally intended to solve.

The Chinatown local economy has still not recovered fully due to the lingering effects of the 9/11 attacks and the subsequent collapse of the garment manufacturing industry, which led to substantial commercial vacancies. Leasing space in the surrounding area and utilizing existing retail would be more generative for the Chinatown economy, as opposed to creating competition in a new facility, and the daytime workforce in an expanded jail would provide positive spillover effects in patronizing local small businesses. Chinatown also has an existing network of health, therapeutic, medical, advocacy and legal services, which should receive re-training and marketing support to retool those local industries towards providing services for the City.

The City has argued that the borough-based jail system would, “strengthen connections to families, communities and support networks” and that housing detainees closer to “courthouses and community” would reduce transportation costs by streamlining routes between jails and courts. In principle, these arguments make sense but are, under the current system, contradictory. Oftentimes, individuals are arrested in a borough different from where they live. There are, for example, many detainees in the current Manhattan detention facility who normally reside in Brooklyn, Queens or the Bronx. For the borough-based jail system to work as envisioned, there will need to be a substantial rethinking of where those arrested are held and where their court cases are handled. It is, at the very least, premature to argue for proximity to courthouses and community in the absence of any meaningful research to determine the viability of this model.

One fundamental impetus of borough-based jails, and their proposed large scale, is predicated on the current size of the jail population. Given that the estimated price tag of the entire borough-based jail relocation and development will be, at a minimum, a staggering \$11 billion, we must ask whether this is the best use of limited resources. We must be assured that other means of criminal justice reform are fully explored.

The City is on target to implement the bail reform law, which was approved by the State Legislature, and we wholeheartedly support reforms to correct the cash-based system that unfairly targets low-income detainees regardless of guilt. This is an important step towards reducing the inmate population overall without any capital expense. It was encouraging to hear that efforts to reduce the population at Rikers have been even more effective than projected. The downward trend begs a critical question: are the borough-based sites needed?

We urge the City to seriously look into using the capital funds instead on increasing comprehensive mental health services and hospices to further reduce the detainee population. Too many of the inmates are being held at Rikers for the simple reason that they do not have affordable and reasonable access to comprehensive health services. As opposed to the image of dangerous criminals that some perceive them to be, these detainees can be greatly helped in a rehabilitative setting and provided the means to function as normal residents with assistance.

The City has begun to investigate the impact of providing more mental health services to detainees, which is a positive step in the right direction. Until this avenue is exhausted, it seems premature to commit \$11 billion on development projects that would have irreversible impacts, particularly on vulnerable communities such as Chinatown.

More than 40% of the detainees at Rikers have been treated for mental health issues. We support the City's program to establish Intensive Therapeutic Housing Units for inmates with serious mental health disorders. We understand that specialized therapeutic care would be a part of the new borough-based jails. And the City's decision to create 12 therapeutic units by 2020 is a positive step. But in comparison with the acute mental health needs at Rikers, it is clear that a far more substantial financial commitment is necessary in both the short and long term.

We also ask that criminal justice reform advocacy groups work with the Chinatown community and its local organizations during this process. Often, the concerns highlighted by the local community are mischaracterized as NIMBYism, when in fact, many in Chinatown share the principles behind reform. For many decades, Chinatown has pleaded with the City for capital investment in our long-suffering neighborhood, which is severely lacking in deeply affordable housing and new jobs. But the only significant new units and beds and billions in new investment are coming in the form of a detention center. While reform advocates ask Chinatown, a low-income, immigrant community of color, to embrace the justice reform as a moral issue, and absorb the impacts of disruption, impacts to local economy on behalf of the City and Manhattan - we are asking that reform advocates also embrace Chinatown's needs as a neighborhood under attack from gentrification and rampant dislocation of our population. This is a fair ask, and also a moral one.

While we do not support the development of a new jail facility in Chinatown, should the City move ahead with its plans despite community objection, we strongly advocate that the City consider the mitigation proposals as laid forth in the local Community Board resolutions. We feel the resolutions, in particular the nuanced points laid on in Community Board 3's resolution (April 2019), share our organization's views.

say no to the mayor's plan for new jails

to the city council,  
mayor de Blasio's plan for building 4 mammoth new jails to replace Rikers is a boondoggle from the get-go. Those I've talked to who, in their professional lives, are conversant with the problems of Rikers have told me the new jails will not fix the problems---simply export them [I would add, deep into residential neighborhoods that will only bring their own problems from the proximity of these large-sized prisons].

Kew Gardens had a jail in our neighborhood for years---on the site of the proposed one but a third the size. It's in close proximity to a rustic cemetery (Maple Grove), a heavily tree-ed neighborhood, Kew Gardens, and Flushing Meadow Park--all apparently giving escapees myriad opportunities to flee. We were plagued by search helicopters that hovered over our homes for long periods of time because obviously the nearby tree-filled landscape is an escapee's dream.

This proposal reeks of kickbacks, bribery and opportunities for graft. It smells worse than the wreckage from the WTC. Empty Rikers of prisoners, then offer it as a high-priced island condos enclave (with a public park, of course, to make it politically palatable), a posh version of Roosevelt Island: magnificent views of Manhattan, with a ferry service, of course between Rikers & 'the city'. And naturally, \$20 million apartments will have 'artifacts' of the old Rikers jailhouse to give the new residents a "sense of history".

Our schools are overcrowded & underfunded; so is our subway system; so is so much of our city's infrastructure. And you are approving the spending of billions to give the politicians a money trough to drink from.

Barry Lewis

Talbot Street Kew Gardens NY 11415

Barry Lewis  
architectural historian  
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The Atlantic Avenue Local Development Corporation (AALDC) is not opposed to a new jail at 275 Atlantic Avenue, however we oppose the current plan.. The current plan be would be inoperable and wildly out-of-scale with its immediate surroundings.

The project should be fully envisioned and thought through from the start. What we hope we can work towards is a jewel that shines for all urban communities to benefit from. This is New York City, this is Brooklyn! If care and community for our detainees and their families cannot work here, where can it? We want the right facility that is not a daunting jail/fortress that we've walked past for decades. We want something that is integrated into the community, that gives detainees and their families a feeling of safety, hope and care both within and without. If it is well designed, that the whole community is proud of, it will blend in. It is not just stories and setbacks. The heart and soul of Brooklyn and this City is missing.

We support the specific views of the Boerum Hill Association:

- We support criminal justice reform and understand the moral imperative to close Rikers Island.
- The recent passed legislation that are meant to assure bail reform and full discovery must be faithfully implemented.
- Detainees with severe mental health issues need to move to an appropriate facility now and we must build more of these facilities as soon as possible.
- It is also a moral imperative to provide in-custody literacy training programs with an emphasis on reading, writing and math fundamentals. Having basic skills are fundamental to any successful recidivism prevention initiative.
- We have asked to see what shape and size would be needed for an 800-bed, state-of-the-art facility; one that can be integrated into our community.
- We will only accept a FAR of 8 -10.

As with any construction project in this city, the details need to be spelled out from the beginning. Otherwise, cost-cutting and political expediency will take control of the project. We cannot rely on promises that it will be adjusted along the way, we need to do the hard work now.

Nat Rubin

President, Atlantic Avenue Local Development Corporation

nat.s.rubin@gmail.com

## City Jail Plan Proposal

Dear City Council,

As a resident of Richmond Hill Queens for over twenty years I am in alliance with my neighbors in Kew Gardens and across the city that oppose having a jail in their backyard. I believe NYC could do a better job with city tax payer dollars by ensuring that Rikers Island is upgraded to have a jail system that is humane. The city should also focus on for criminal justice reforms like educational programs for Rikers Island inmates, judges and attorneys that are located on the island to ensure justice, pass bail reform, and re-training prison workers.

For the cost of \$10 Billion for four small jails, our city could use at least \$2 Billion to ensure upgrades to MTA's signals and other upgrades needed to make our mass transit run on 21st Century technology. The Lefferts Blvd Bridge in Kew Gardens needs major upgrades and the city should fund this project before the bridge fails and causes harm to LIRR and the community at large. The city can also use these funds for upgrades to NYCHA, public schools, expanded senior and community centers and fund our city parks which have been funded inadequately

I also add that Mayor Bill de Blasio promised that there will be restructuring of how properties are taxed. Many homeowners cannot afford the yearly increases that imposed on them every year, especially since NY residents were hurt badly by the Trump tax cuts for wealthy people this past tax season.

Thanks for hearing my concerns and I hope you would do the math and figure out that we cannot build new jails and not fix the system that has caused these issues.

Regards,  
Carina Nieves

carinamnieves@gmail.com

## Borough based jails Brooklyn Detention center

As a resident of Boreum hill for more than twenty five years I speak from experience and close familiarity of the issues around this building. First of all I would like to state my agreement with borough based jails. This makes sense for those incarcerated and awaiting court dates. That is also why placing Staten Island's inmates in Brooklyn makes no sense. If (or when) another Sandy storm takes place it will be virtually impossible for prisoners, lawyers and family members to move back and forth. On top of which the rebuilding of the BQE will make traveling between Staten Island and downtown Brooklyn a nightmare. Why would you add to the congestion with more buses and police cars than necessary?

Second the scale is irresponsible for this location. Why would you create essentially a high rise jail? This concentration and ghettoization of prisoners flies in the face of community based placement. I have advocated for a smaller jail for short term prisoners and those awaiting court dates and a separate facility outside of downtown Brooklyn that can accommodate inmates already sentenced. Why would you move Riker's problems to downtown Brooklyn? Again you are undermining the purpose and objectives of community based facilities.

Lower scale also achieves a more community friendly atmosphere inside and outside of the detention facility. After all aren't we trying to keep these people integrated into the community and not isolate them on the 40th floor?

I have not mentioned the 10 years (realistically speaking) plus that will be required for demolition and reconstruction of such a monolithic building. Breaking up the population and the facility adds flexibility in construction, timing and use of the facility which is not so easily achieved by the size and scale of this proposed building. The construction related traffic jams will be legendary- and not in a good way. Think of the difficulty in transportation in this area now. This will be increased 10 fold for court personnel, prisoners, commuters, shoppers, and neighbors.

I highly encourage all parties involved with this project to revisit their objectives in rebuilding the Brooklyn House of Detention. Rescaling and planning a more thoughtful use of this project is essential.

Sincerely, Phillip Hogue, pacific street

pahogue@yahoo.com>

## NYC JAILS

I am writing to say that I strongly OPPOSE the building of the jail in KEW GARDENS. Kew Gardens is a very populated area and is very congested at the Union Tpke subway station and the Kew Gardens highway interchange. We have difficulty dealing with the current overcrowding as it is now. This is a serious quality of life issue and I implore you to vote the building of the jail down. Rikers can be renovated and has the space to control the prison population. Why upset the Kew Gardens neighborhood and the others where these jails are being proposed.

Eileen Witschger

eileenwitschger@aol.com



Testimony of Carol M. Sainthilaire  
Senior Program Manager, Corporation for Supportive Housing  
Before the Subcommittee on Landmarks, Public Siting and Maritime Uses, New York, NY  
September 5, 2019

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Thank you Chairwoman Adams and members of this committee for the opportunity to testify today on behalf of the Corporation for Supportive Housing before the Subcommittee on Landmarks, Public Siting and Maritime Uses in support of the plan to close down Rikers Island. CSH supports the plan to close Rikers Island and believe that individuals currently cycling through the jail system will be better served through community-based alternatives that better suite their individual needs – including housing and support services.

CSH is the national champion for supportive housing, demonstrating its potential to improve the lives of very vulnerable individuals and families by helping communities create over 335,000 homes for people who desperately need them. Building on nearly 30 years of success developing multi and cross-sector partnerships, CSH engages broader systems to fully invest in solutions that drive equity, help people thrive, and harness data to generate concrete and sustainable results. By aligning affordable housing with services and other sectors, CSH helps communities move away from crisis, optimize their public resources, and ensure a better future for everyone.

With the support of CSH, in October 2015 the Mayor's Task Force on Behavioral Health and the Criminal Justice System launched 120 units of Justice Involved Supportive Housing (JISH), focused on individuals with behavioral health needs and a history of cycling through the criminal justice system and homelessness. Since its inception JISH has provided permanent supportive housing and support services on the highest utilizers of the DHS emergency shelter system and the Department of Corrections (DOC). Based on the success if this program, the Mayor's Office of Criminal Justice is expanding the program by 150 units to a total of 270 units. While we commend MOCJ for expanding the JISH program, we believe that the actual need far exceeds the number of beds. The plan to close Rikers will further expound this need, potentially by several of hundreds.

Supportive housing – safe, stable, affordable housing with integrated services – is critical to engaging individuals who frequently cycle in and out of jails, homeless shelters, and hospital emergency. Supportive housing can improve individual health and well-being and increase housing stability with about 86% of supportive housing residents remaining housed after two years. It can also lead to decreased utilization of costly crisis services such as prolonged hospitalizations, frequent emergency room (ER) visits, and most importantly re-incarceration.

These service use reductions resulted in significant cost savings to the government and tax payers<sup>i</sup>. In addition, housing provides stability and thus reduces re-incarceration.<sup>ii</sup>

We believe that the following actions, as part of a comprehensive plan to close Rikers Island, will ensure that vulnerable individuals returning to their communities from Rikers have the appropriate housing and services in place to support their overall success.

- 1) To ensure vulnerable individuals exiting Rikers are prioritized for available NYC 15/15 housing units, data from the Department of Corrections must be incorporated into the Coordinated Assessment and Placement System (CAPS). NYC decided that vulnerability should be assessed by looking at multiple systems use; the more systems a homeless individual touches, the more vulnerable they are. This includes jail. CAPS implementation has begun to incorporate data from City systems, but has yet to include DOC data. We urge the City to make this a priority.
- 2) The City decided to use the U.S. Department of Housing and Urban Development definition of chronic homelessness to determine eligibility for NYC 15/15 supportive housing, thereby making any individuals exiting Rikers after 90 days ineligible for this housing resource. We are not taking issue with the HUD definition, but we are encouraging the City to use its flexibility to amend NYC 15/15 to allow individuals who have been incarcerated for 90 days or more, but would otherwise qualify as homeless if not for being in jail, to also be eligible for supportive housing units.

The above recommendations also will serve the City well as reforms like closing Rikers and other jails continue, and better-informed policies effectively divert people away from incarceration by providing the housing and services they need to thrive within the community.

CSH supports closing Rikers Island and given our commitment and experience, CSH urges you to approve the closure of Rikers with these suggested additions that focus on ensuring that any plans to improve public safety, close Rikers and divert others from jail include stable housing. Thank you again for the opportunity to address the subcommittee today on this important issue.

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<sup>i</sup> Reducing Homelessness, Incarceration, and Costs Through Supportive Housing: The NYC FUSE Program. Retrieved from: [https://d155kunxf1aozz.cloudfront.net/wp-content/uploads/2013/11/FUSE\\_Eval\\_2page\\_Results\\_Final.pdf](https://d155kunxf1aozz.cloudfront.net/wp-content/uploads/2013/11/FUSE_Eval_2page_Results_Final.pdf)

<sup>ii</sup> Culhane, Dennis P., Stephen Metraux, and Trevor Hadley. "Public Service Reductions Associated with Placement of Homeless Persons with Severe Mental Illness in Supportive Housing." *Housing Policy Debate* 13.1 (2002): 107-63.

## Borough Based Jails Testimony from #CloseRosies

Please find our testimony regarding MOCJ's current Jail rebuild plan attached as a PDF.

I would like to emphasize that the current plan to only build ONE jail for women/girls in Queens is a blatant Title IX violation and if the Council does not change MOCJ's current proposal regarding women/girls the Office of Civil Rights has every right and obligation to investigate and potentially stop the Borough Jail Rebuild plan from going forward.

Title IX is a federal civil rights law in the United States of America that was passed as part of the Education Amendments of 1972. This is Public Law No. 92 318, 86 Stat. 235 (June 23, 1972), codified at 20 U.S.C. §§ 1681–1688.

Title IX applies to institutions that receive federal financial assistance from ED, including state and local educational agencies such as the NYC DOC which runs vocational rehabilitation and educational programs that are funded in whole or in part by the ED.

Educational programs and activities that receive ED funds must operate in a nondiscriminatory manner. Some key issue areas in which recipients have Title IX obligations include: counseling; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment et al... best,

Kelly Grace Price

co-creator, #CloseRosies  
[www.CloseRosies.org](http://www.CloseRosies.org)



Close Rosie's 534 W 187<sup>th</sup> St. #7 New York, NY 10033  
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Web: <http://www.CloseRosies.org>

September 5, 2019

NYC Council Subcommittee on Landmarks, Public Siting & Maritime Uses

via Email:

**Ref: MAYOR's Criminal Justice ULURP proposal -- building new borough jails**

- Boroughs: Queens, Bronx, Brooklyn, Manhattan
- ULURP No.: several
- CD #s: C190333 PSY; N190334ZRY; C 190335 ZSX; C 190336 ZMX; N190337ZRX; C 190338HAX; C 190339 ZSK; C 190116MMK; C 190340 ZSM; C 190341PQM; C 190252MMM; C 190342 ZSQ; C 190117MMQ; C 190222ZMK; C 190353HAK; C 190277 ZSM; N190334ZRY; C 190335 ZSX; C 190336 ZMX et al
- Position: In Favor WITH CONDITIONS
- Kathy Morse & Kelly Grace Price
- Close Rosie's (<http://www.CloseRosies.org>)

Dear Chair Adams and Committee Members:

Throughout NYC history where and how we have built our jails to detain our female incarcerated population deserves a look back as Mayor De Blasio has finally unveiled the site of his new jail for Manhattanites: a site virtually on the footprint of the Tombs. This siting choice brings detainees awaiting trial full-circle back to the very place they were originally housed centuries ago.

We are Kathy Morse, and Kelly Grace Price: co-founders of the [#CloseRosies](http://www.CloseRosies.org) campaign, we thank you for allowing us to present testimony in support of the Mayor's Jail rebuild plan WITH FIVE CONDITIONS. We want to Close Rosie's: the Rose M. Singer Center aka "Rosie's;" the all-female jail on Rikers Island where women, girls, trans, gender non-conforming and intersex people are currently detained pre-trial and/or serving a "City-sentence" of up to one year post-conviction. We are the women who have been holding the City accountable for the sins committed against ourselves and our mothers, sisters, daughters, nieces, aunts, and grandmothers. We have experienced the hell and inhumanity that thrives there first hand and we want to have a say on what happens to us after we #CloseRosies. **We ask the Planning commission to approve the Mayor's Jail Rebuild plan with four conditions.**

**BACKGROUND:**

Throughout NYC History deplorable conditions, brutality, torture and rape of women and girls within facilities of incarceration and detention have caused public uproar leading to the building of new structures and promises to "hail a new era of incarceration."

**MAYOR LAYS STONE  
OF WOMEN'S PRISON**

**Terms New House of Detention  
the Most Humane Building  
Ever Erected in City.**

**LAUDS PATTERSON'S WORK**

**Correction Commissioner Asserts  
Each Prisoner Will Receive  
Individual Study.**

Characterizing it as the most humane building ever constructed in the city, Mayor Walker laid yesterday the cornerstone for the Women's House of Detention at Sixth Avenue and Ninth Street, adjoining the Jefferson Market Court. More than 1,000 persons attended the ceremonies. Ground was broken in October for the building, which will cost \$1,175,000, and its completion is expected by July.

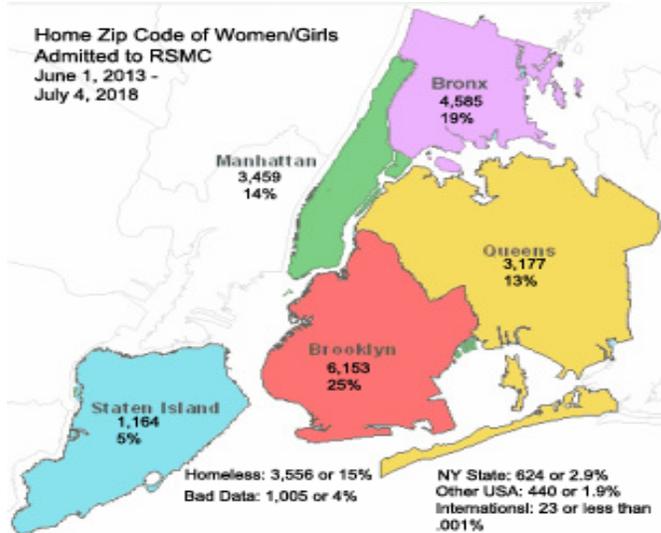
The Current plan to build a 40-story tower at 80 Centre Street will rival in sheer mass the most imposing carceral structures ever built in this country in Alleghany and Alcatraz. It will be a massive structure visually; the overpowering structure rimming Foley sq. casting the famed flame of justice fountain into shadow for many hours during some seasons. The proposed tower will overshadow the Federal Courthouses on Foley Square and be far away from the neighborhoods uptown that feed the jails population. Currently the top 20 zip codes that have contributed to Rosie's population over the last five years are uptown in Washington Heights, Harlem and Inwood. Of the top 25 zip codes that feed Rosie's population not one of them is from CB1, CB2, or CB3: the neighborhoods surrounding the proposed downtown jail site.

| ZIP CODE | BOROUGH  | # On Rosie's '13-'18 | NYC NEIGHBORHOOD               |
|----------|----------|----------------------|--------------------------------|
| 0        | HOMELESS | 3556                 | HOMELESS-NO ADDRESS            |
| 11212    | BK       | 668                  | Brownsville, BKLYN             |
| 11207    | BK       | 571                  | East NY, Brownsville BKLYN     |
| 10456    | BX       | 508                  | Crotona Park, BX               |
| 11208    | BK       | 433                  | East Brooklyn                  |
| 10029    | MHTN     | 394                  | East Harlem, Yorkville         |
| 11233    | BK       | 385                  | Ocean Hill BedStuy BKLYN       |
| 11221    | BK       | 373                  | BedStuy Bushwick BKLYN         |
| 10457    | BX       | 352                  | East Tremont BX                |
| 10467    | BX       | 336                  | Bedford Park Williams Bdge, BX |
| 1458     | BX       | 334                  | Bedford Pk /Tremont BX         |
| 10453    | BX       | 331                  | Morris Hts University Hts BX   |
| 11213    | BK       | 312                  | Bed Stuy, BKLYN                |

|       |       |     |                                   |
|-------|-------|-----|-----------------------------------|
| 10027 | MHTN  | 288 | West, Harlem, Manhattan           |
| 11226 | BK    | 283 | Prospect Heights, BKLYN           |
| 10452 | BX    | 273 | Highbridge BX                     |
| 11206 | BK    | 272 | Bed Stuy/Williamsburg             |
| 11434 | QNS   | 263 | Jamaica/Springfield Gdns QNS      |
| 10459 | BX    | 254 | SO BX Hunts Pt/Soundview BX       |
| 10460 | BX    | 253 | Parkchester/Soundview BX          |
| 10035 | MHTN  | 234 | East Harlem, Manhattan            |
| 10030 | MHTN  | 225 | East Harlem, Manhattan            |
| 11691 | QNS   | 222 | Far Rockaway, Queens              |
| 10472 | BX    | 221 | Soundview, BX                     |
| 11216 | BK    | 216 | Bed Stuy/Ft Green, BKLYN          |
| 10455 | BX    | 212 | Mott haven hunts point BX         |
| 10454 | BX    | 211 | Mott haven hunts point BX         |
| 10026 | MHTN  | 210 | West Harlem, Manhattan            |
| 11433 | QNS   | 205 | Jamaica, Queens                   |
| 10451 | BX    | 205 | High Bridge, Mott Haven So BX     |
| 11224 | BKLYN | 204 | Coney Island, BKLYN               |
| 11236 | BKLYN | 200 | Brownsville, Canarsie Brooklyn    |
| 10031 | MHTN  | 196 | West Harlem, Manhattan            |
| 11201 | BKLYN | 191 | Boreum Hill, Williamsburg BK      |
| 11203 | BKLYN | 190 | Brownsville, Flatlands BKLYN      |
| 10304 | SI    | 180 | Clifton, TODT Hill Staten Island  |
| 10002 | MHTN  | 179 | LES, Manhattan                    |
| 10466 | BKLYN | 174 | Wakefield, Williamsbridge         |
| 10473 | BX    | 172 | Soundview, Union Port, BX         |
| 10301 | SI    | 171 | New Brighton, Clifton, SI         |
| 10025 | MHTN  | 170 | Morningside heights,<br>Manhattan |
| 10009 | MHTN  | 161 | East Village, Manhattan           |
| 11225 | BKLYN | 156 | Crown Heights, BKLYN              |

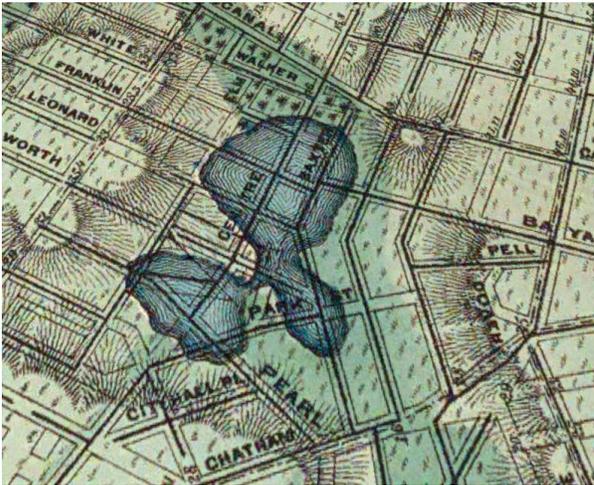
|       |      |     |                                    |
|-------|------|-----|------------------------------------|
| 10032 | MHTN | 154 | Washington Heights,<br>Manhattan   |
| 10039 | MHTN | 150 |                                    |
| 10462 | BX   | 150 | Washington Heights,<br>Manhattan   |
| 10303 | SI   | 147 | Morris Park, BX                    |
| 11220 | BK   | 137 | Mariner Harbor, SI                 |
| 11412 | QNS  | 133 | Sunset Park, BK<br>St. Albans, QNS |

The mayor’s plan for women in borough jails (as we understand it) is to house women/girls in Queens: which is the borough that contributes the fourth LEAST percentage of female detainees to Rikers. We don’t recall MUCH public discussion on where the women will be housed nor do we recall a meeting held by MOCJ where the siting was thoroughly discussed; nor was there a poll of survivors and advocates topically about the siting for the new women’s jail. MOCJ claims they polled “women’s groups” and service providers already working with the NYC and these groups asked for one site. These groups are already working with NYC and are not in a position to dissent. What were the criteria used to select the Queens site? We would be more supportive of this plan if we could be guaranteed that a SEPARATE facility for women and girls, trans, intersex and gender non-conforming would also be built in uptown Manhattan with an adjoining courthouse. There are rumors but nary concrete and open discussions with all the stakeholders involved. We have heard the site of the Lincoln Prison on w 110<sup>th</sup> st may possibly still be available but we have also heard that developers have already purchased it. What about Bayview? Why can’t we retrofit Bayview for our needs? Regardless why are details about where we will be placing women, girls, trans, intersex and gender non-conforming people not already a specific part of the plan? Select advocates (who are already on the payroll of the mayor) have had select meetings with the mayor’s people but a formal committee has not been formed and we, those with direct experience, the women fighting for those left behind on Rosie’s have been utterly shut out of the conversation.



Why are we moving women and girls to Queens? We support closing Rikers Island but moving our female incarcerate population further away from Manhattan is not what we had in mind. How will the

moms, daughters wives, aunts and sisters drawn from our uptown neighborhoods stay in touch with loved ones? They will be caged further away from their families and from courts and public defenders in downtown Manhattan at 100 Centre Street. Why must the burden be placed on our female detainees to have to be chained, cuffed, shackled and transported across borough boundary-lines to participate in our/their defense(s)? Women need to be in Manhattan not in the outer area of Queens. Manhattan is more convenient to mass transit among other reasons. Women are being treated as an afterthought in this planning process but we have the most to lose: ties to our children, ties to our communities, access to medical and mental health services, access to community programs et al. It is important to note that women/girls will not be housed in a jail in the community in which we reside but the men will have that option in this new plan. **This alone is possibly a Title IX violation that could potentially freeze the progress of this borough jail rebuild plan if Federal action were to be filed with the Office of Civil Rights..**



**The new chosen downtown site is virtually on the footprint of the Tombs:** currently the third incarnation of the proposed Manhattan jail exists on the proposed site and has questionable geographic legacy. The Tombs built in 1838 by architect John Haviland was chosen in part because it sat directly on an island in the old Collect Pond where bodies were "gibbeted" after execution- put out on display in hanging cages as a "memento more" for all New Yorkers to take heed of.



**Originally dubbed the "Halls of Justice"** it was quickly nicknamed "the tombs" because it looked like an old Egyptian sarcophogus. First built in 1836 by architect Haviland it was touted as being a "marriage of urban renewal and economic investment." Railroad Baron Cornelius Vanderbilt's first venture in ground transportation was the Harlem railroad which ferried residents, sometimes pulled by dozens of horses in snow when the tracks were clogged, from Harlem down to the tombs. Some of those original tracks are still part of our modern day MTA's 456 lines that transport countless uptown residents downtown to the

current court and jail megaplex at 111 Centre st. to testify at their own trials and/or those of loved ones. We don't wish for the new jail to be built downtown on top of the horrible legacy that the site invokes. If the new jail must be built on Centre street we would support the plan but not for women and girls.



ALTERNATIVES TO DETENTION (ATD) AND INCARCERATION (ATI) PROGRAMS ARE NOT THE PANACEA WE NEED TO KEEP WOMEN, GIRLS, TRANS, INTERSEX AND GENDER NON-CONFORMING PEOPLE OUT OF JAIL: OVER THE PAST FIVE YEARS 72% OF ALL WOMEN AND GIRLS WALK FREE FROM ROSIE'S WITHOUT CONVICTION AT TRIAL OR TAKING A PLEA DEAL. It is untenable to ask an innocent woman to make a choice between enrolling in a housing program where she will be subjected to erratic program staff, a strange new environment, possible separation from her family and community or being sent to Rikers.

Furthermore NYC has already lived through this experiment of housing women and girls in "reform" programs instead of jailing them:

In Brooklyn, according to a state statute passed on 1872, any "female between the ages of 14 and 30 years" who had been "arrested and brought by the police . . . charged with being an habitual drunkard, vagrant or prostitute, and proved to be such" could be committed by the judge "to the care, custody and instruction of the managers of "The House of the Good Shepherd"" unless she was "a member of the protestant faith" (*Laws of New York 1872*).

These Houses of the Good Shepherd or the antecedent to modern-day ATI and ATD programs were notoriously violent and brutal. One woman told the story of how she endured brutal violence from the Solidarity Sisters and the nuns themselves. She was “struck on the back of the head so hard by one of the sisters that her vision was blurred for days.” “Solidarity Sisters”, meanwhile, would commit any acts of violence ordered by the nuns. “Never able to become nuns, they instead became the ‘enforcers’ of the Mother Superior, carrying-out punishments that were handed-down for violation of an ever-changing Rulebook.” Similar recent testimony has come from several public defenders’ offices about the lack of programming for trauma survivors, gender non-conforming, intersex and trans in ATD (alternative to Detention) programs currently run by partners of the city. We urge the planning commission to consider these factors and to discuss them with the mayor in the coming weeks.

**CONDITIONS FOR APPROVAL OF MAYOR’S ULURP PROPOSAL:**

**1) We would be more supportive of this plan if we could be guaranteed that a SEPARATE facility for women and girls, trans, intersex and gender non-conforming would also be built in uptown Manhattan with an adjoining courthouse. The State’s current Lincoln facility on 110<sup>th</sup> St in Harlem can be retrofitted exclusively for women, with programming exclusively for women 24/7. The rebuild must also include a nursery for those mothers who qualify to be housed with their infants, this “nursery” must be under the supervision of Youth and Family Services which has qualified staff as opposed to officers from the Department of Correction.**

**2) We also ask that the NYC Planning Commission add as a condition that before any woman/girl/trans/intersex or gender non-conforming person is sent to Rosie’s that a mandatory Clayton hearing be held PRIOR to her being sent to Rikers. ATI (alternative to incarceration) and ATD (alternative to detention) programs ARE NOT THE PANACEA that will CLOSE ROSIE’S.**

- 72% of all women, girls, trans, gender non-conforming and intersex people sent to Rikers WALK FREE after their detention without taking a plea or being convicted at trial.
- Additionally 35% of all female persons on Rikers are there on a top charge that is a misdemeanor vs. only 6% of all men/boys detained on a top charge that is a misdemeanor.

We ask the NYC Planning Commission to require as a condition that before any woman/girl/trans/intersex or gender non-conforming person is sent to Rosie’s that a mandatory Clayton hearing be held PRIOR to her being sent to Rikers. The Clayton Hearing is ALREADY part of NYS CPLR MOTION PRACTICE. The Clayton hearing It is a little-used tool that is already part of the NYS CPLR and could be employed to stave the flow of survivors into our criminal justice system: **N.Y. Crim. Proc. Law § 210.40** grants the defendant (or the prosecutor or the court) the power to apply for relief: **NYS Criminal Proc. Law § 210.40 allows for a motion to dismiss to be entered when the facts of the case make a showing that prosecution will further an injustice—current language makes the motion practice *optional*. New language could include teeth/oversight measures.**

**3) Bayview was closed after Hurricane Sandy in 2013 and we lost our only women’s prison in the city. We encourage the Planning Commission to require as a condition of approval that the Mayor undertake an initiative to work to change the NYS Correction Law requiring anyone with a sentence of more than a year to serve that time upstate. We need to bring back to NYC the 80% of our women and girls who are sentenced to one to five years prison terms to NYC and to build borough jails in four of the five boroughs to house them (only 20% of all NYC women/girls have been sentenced to a prison term of ~five years or more over the past ten years.)**

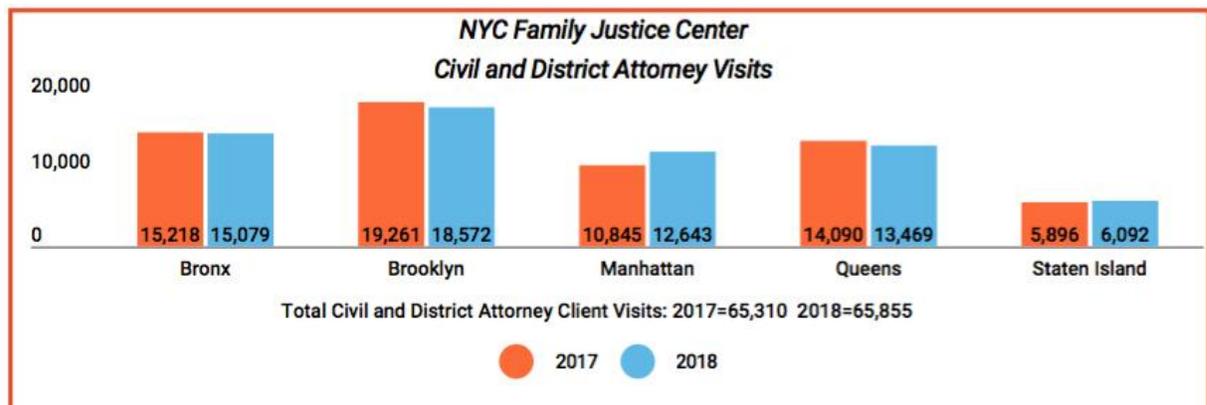
**4) The predominant argument for only building one jail for women is allegedly that it is “cost prohibitive” to provide trauma-related services for women/girls in any facility opened which will house women. Trauma, domestic violence and sexual abuse counseling services must be made**

available to not only those housed in a particular City facility but **MUST** be made available to the community as well. Let us be clear: we currently **DO NOT** have trauma-related services in all boroughs for survivors of sexual violence. These facilities are for community member and must be staffed with full-time personnel professionally trained in working with a population who has suffered trauma, abuse, domestic violence. This must not be a part-time staff there must be a dedicated full-time staff available.

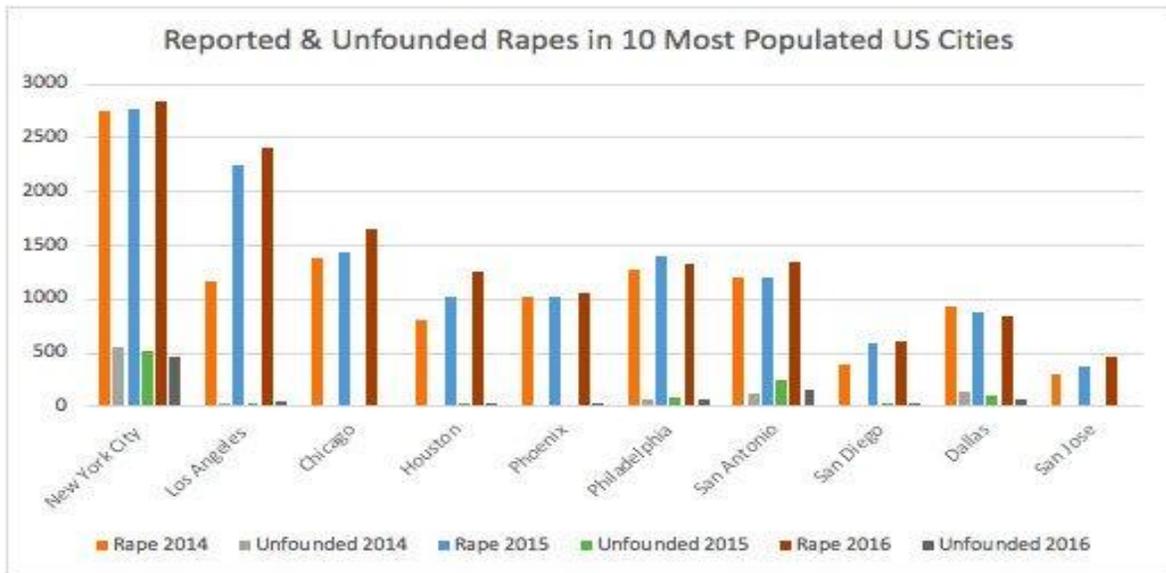
The family justice centers are a joke and each has a waiting list hundreds of people long. Additionally the FJC's are co-located in the borough DA's offices and many people who would benefit from their services are either banned from entering the centers b/c of their lack of rapport with the DA's offices or they just will not enter the centers b/c they have already be victimized by lazy or callous borough DAs and their staffs. When we do not heal from trauma/crimes against us we learn how to not respect the law or the agencies and personnel that enforce our local, state and federal laws.

In May of 2019 the Mayor's Office to End Gender-Based Violence released numbers detailing how many complaints of rape/sexual assault/abuse and harassment were logged each year in NYC. The numbers are bleak:

- For every one complaint made FIVE more are not made.
- In 2018 there were ~20k sex assault/harassment complaints made to the NYPD in NYC. Correspondingly: 100k events of sexual assault/harassment transpired in the five boroughs.
- Family Justice Centers hosted approximately ~65k appointments (representative of appointments held for approximately only ~5500k clients).
- These numbers alone display the vast canyon that exists between the need for sexual assault/trauma related-services in our communities. We have an opportunity now to respond to the demands of the #Metoo movement with the re-building of our borough jails. We cannot squander it.

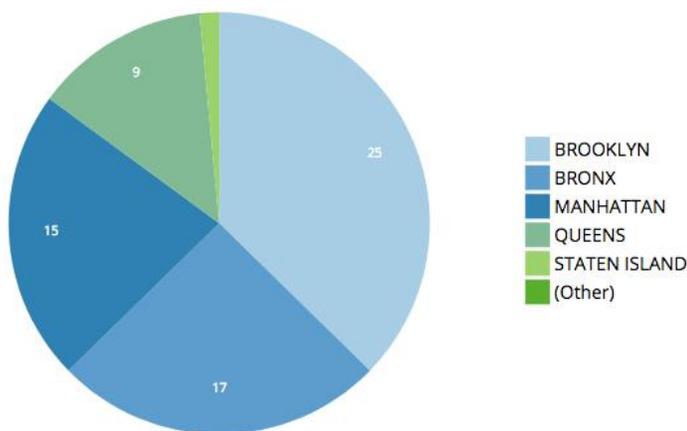


The City of NY has failed to respond to the #Metoo movement even though many of the narratives that have fueled the movement have spun out of our own criminal courthouse right here in lower Manhattan at 100 Centre Street. We cannot ignore this moment as an essential one to seize on to respond to the crisis of rape and sexual assault that has swept through our city unaddressed. Earlier this year the FBI released data showing that the NYPD "un-founds" rape and sexual assault at a rate **TEN TIMES** greater than Los Angeles:



| Case Closings for 2018 Rape Complaints     | BRONX      | BROOKLYN   | MANHATTAN  | QUEENS     | STATEN ISLAND | Total       |
|--------------------------------------------|------------|------------|------------|------------|---------------|-------------|
| OPEN                                       | 40         | 46         | 16         | 16         | 6             | 124         |
| ARREST                                     | 140        | 225        | 108        | 194        | 28            | 695         |
| C-4 INVESTIGATIVE LEADS EXHAUSTED          | 63         | 79         | 130        | 68         | 6             | 346         |
| COMPLAINANT NOT PARTICIPATING AT THIS TIME | 99         | 150        | 127        | 79         | 28            | 483         |
| OTHER                                      | 44         | 46         | 24         | 30         | 7             | 151         |
| <b>All</b>                                 | <b>386</b> | <b>546</b> | <b>405</b> | <b>387</b> | <b>75</b>     | <b>1799</b> |
| B-6 UNFOUNDED                              | 25         | 32         | 38         | 64         | 7             | 166         |

Over the past fifteen years the NYPD has only arrested 67 sex traffickers/pimps:



**An essential part of the Borough Jail rebuild plan must be to construct sites in all five boroughs to serve the needs of people burdened with trauma and mental health conditions arising specifically from sexual violence/inter-partner violence/domestic abuse, rape, sexual assault, pimping, trafficking, and sexual harassment. The NYPD and borough DAs are failing us and our City government's most sacrosanct promise to its citizenry: protection. *We cannot continue to ignore the ubiquitous trauma that impacts our trans, intersex, gender non-conforming and female population(s) that untreated virtually guarantees these same survivors will be criminalized again and again because of behavior that is a result of this very same trauma.***

The current Family Justice Centers (which are co-located in the borough DA's offices) preclude many people who have been prosecuted by these same offices from being allowed on the premises and in some cases the location of these services discourage people from seeking help. We cannot allow this crisis to continue unfettered. Trauma breeds conflict and by not addressing the needs of women and girls who have experienced inter-personal violence, trafficking, rape and sexual harassment we are sentencing our survivor population to continuous police contact, court-mandated programs and a life conscripted to law-enforcement control. Nowhere in any of the versions of the Mayor's borough jail rebuild plan is there mention of building spaces to serve these specific needs and this specific community. We hope the planning commission agrees that addressing the needs of trauma survivors is an essential aspect of the borough jail rebuild plan.

Thank you for allowing us to share our testimony with your committee. We are encouraged by the Mayor's first proposal and ask you to vote "YES WITH the above FOUR PRIMARY CONDITIONS." We look forward to the day that we #CloseRosies.

September 5, 2019

Kathy Morse

Kelly Price

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Jail Planning Public Comment.

Hi,

I was turned away from today's opportunity to give public comment on the Mayors jail plan and so I am submitting my testimony here.

I'm writing a Brooklyn resident and as a long time social worker with LGBTQ people. In my experience providing counseling, some of the biggest traumas that my clients faced came from their times in jails and prisons. Many were brutally sexually and physically abused by other inmates and by prisoners, or they spent months to years locked in solitary for being someone too risky to put in general population. I'm called on by the spirit of Layleen Polanco, a trans women who died while being held in solitary, to ask that New York establishes itself as truly being the beacon of the future and turns away from the ruinous practice of incarceration.

A society without prisons and jails is a safer community, as these institutions don't diminish violence and harm - they breed it. With the money that is spent locking up we could invest in providing opportunities for employment, education, in creating stable living environments and drug and mental health treatment that will do so much more to positively change society and make our neighborhoods and communities a safer place to be. The world is changing right now and we no longer have to continue on with the same harmful practices that were handed onto us. Mass incarcerations history is short, and it's time to build a plan out of it now.

Please vote no to Blasio's new jail plan and lets do something better

Thank you,

Cyd Nova  
Trans Equity Consulting

cyd.nova@gmail.com

I am writing as a concerned neighbor who lives 1,300 feet from the site, in support of the City Council approving the borough jail plan, so as not to continue to let thousands of our fellow New Yorkers waste away on Rikers Island.

Thank you.

Heather Norton  
Schermerhorn St  
Brooklyn, NY 11201

[noheatmac@gmail.com](mailto:noheatmac@gmail.com)

borough based jails

Good evening honorable city council members, activists and my people from the community,

“Sometimes you find out what you are suppose to be doing by doing the things that you aren’t supposed to be doing” this quote was said by Oprah Winfrey at her 2007 commencement speech. This quote also resembles the story of my journey into the transformation of a new me

My name is Edgar Acteopan i am 20 years old and a graduate from the exalt youth organization. I am here today to tell you that I support this plan to invest in alternatives to young people being incarcerated.

My story of me being able to stand here and being able to talk here in front of you all starts the day I was standing on trial for accidentally assaulting an undercover police officer, during my first few visits to the court, things weren’t looking so great for me. I already had a history of misdemeanors, nothing really major, but the new case I caught was more serious than anything I had ever faced. Luckily thanks to my age and the date of which such action took place i was given my last and final chance, i was given the choice to attend an alternative program, exalt youth.

Fortunately, I was given the chance to make the most of my situation and turn my life around. And that’s exactly what I did. I’m now working hard to achieve my high school diploma and hoping to be able to attend John Jay criminal justice college to Continue what I have started, I’m also working at a paid internship and my only plan right now is to stay out of the justice system for good.

My story is an example of why we should close rikers and support opening community based facilities. Imagen if someone like me had been send to Rikers instead of given the alternative to changing my future and how different my outcome would have been? I wouldn’t be here in front of the committee giving this statement and experience of what other alternatives can really impact in a teens future. We need alternatives that provide youth with services, and intervention and support and they should be able to get that in the community rather than being sent to the boat or rikers.

I want to thank you all for takin the time to listen to my story. Please support the plan to close rikers and invest in alternatives in the community that help young people like me empower ourselves and experience the kind of transformation I experienced.

Edgar Acteopan

acteopanedgar@gmail.com

Greetings members of city and council and members of the public here today,

My name is Monica Vaughn. I'm 19 years old. I am a graduate of exalt Youth and now work there as a space and time facilitator, working with other youth who are involved in the criminal justice system, just like I was at one time.

I was involved in the criminal justice system.

I was lucky and was referred to a program, exalt Youth, that helped me resolve my case, get a paid internship and just showed me how to actually do this whole adult thing right. It's amazing how far I have come, my attitude is better, i dream bigger, I actually want a future, I want to further my education, I want my own business.

Not every person who is involved in the criminal justice system is as lucky as I was and many spend time on Rikers Island. It is important that the City close Rikers Island. We should close Rikers because it is a dehumanizing place and does not actually allow young people like me to succeed and get the things we need in life.

It is important that young people like me are given alternative to punishment and jail and that we have opportunities to achieve greatness through the support and people and programs that care about us.

Please vote yes.

Thank you for the opportunity to testify today.

Rikers/BK Jail Expansion Opposition Testimony from someone who waited 5 hours to testify today

Dear City Council Members and Councilman Levin,

My name is Amanda Gabai. I came to City Hall today to testify against the Rikers proposal, but after waiting for 5 hours for my name to be called, I had to leave due to other obligations.

I'm an attorney here in NYC and a resident of the Boerum Condominium, across the street from the Brooklyn Detention Center, in Councilman Levin's district. I watch the inhabitants of the jail play basketball on the roof every day from my living room window. I also live across the street from a bail bondsman, and at least 3 other bail bondsmen are located within 3 blocks of where I live.

This January, I went with a group of constituents, organized by Indivisible BK, to meet with our State Senator Velmanette Montgomery. Senator Montgomery and her staff told us that the vast majority of the inhabitants of the Brooklyn jail were there for a total of 36-48 hours, while they scraped together the funds to post bail. Something is wrong with this picture. They had calculated that if they enacted comprehensive bail reform in NY State, they should be able to close Rikers without expanding community jails. And do you know what they did then? Not 3 months later, NY State passed comprehensive bail reform this past April. After this legislation was passed, experts estimated that 43% of the City's current jail inhabitants wouldn't need to fill NYC's jail cells.

The current jail proposal was crafted before bail reform was enacted. The new bail reform law goes into effect in January 2020. I urge you to craft a new plan that takes into account this bail reform legislation and the reduced need for detention centers that it will yield. This is not a time for "If you build it, they will come." The new bail reform law should allow the closure of Rikers while simultaneously reducing the remaining jail population. The plan for the local borough jails should be modified accordingly, and the size of the new or expanded facilities drastically reduced, to take into account this reduced jail population starting in 2020. This will combine the benefits of bail reform with having smaller community jails that still fit with the character of the community.

Please close Rikers. It needs to go. But do it right. Reevaluate the need for new or expanded jails, given that you will no longer need to fill borough jails with non-violent defendants for 2 days while they try to scrape together bail funds.

Please create a new plan that takes into account the current landscape and the impact of the new bail reform legislation, and close Rikers without so drastically expanding borough jails.

Amanda Gabai

Brooklyn, NY

algabai@yahoo.com

Borough Based Jails

Good evening -

My name is James Boyd and I am a constituent to Councilmember Cumbo. I would like to publicly voice my opposition to the borough-based jails plan. As the plan exists, it appears that this plan will merely create Rikers Island 2.0 and reproduce the violence that so many testimonies have described throughout today's hearings.

Jails are inherently violent and create more harm than they resolve. Echoing Councilmember Barron's words from this morning: "If you build them, you will fill them." This is hardly the solution to mass incarceration in NYC. The only solution to reduce harm and violence must be large-scale investment in communities. I suggest rerouting the \$9 billion towards NYCHA, or the city's public schools.

I beg you to please consider the humanity of New Yorkers: close Rikers Island and refuse to build borough based jails.

Sincerely,  
James Boyd

boydjames2015@gmail.com

## Borough Based Jails

I am against building new jails and urge the council members to vote “No” on the borough jails proposal.

Today I listened to testimony from hundreds of fellow New Yorkers. Not a single person wants to keep Rikers open. Not a single person wants mass incarceration. We all agree that we need to invest in our communities.

This proposal is pitting community members who are in agreement against each other by falsely linking this city’s ability to invest in communities with the borough jails proposal. We can close Rikers AND invest in our communities WITHOUT building four new jails.

Rikers opened in 1932 and still remains in operation. If we build these jails, we will fill them and keep them filled. It is much harder to close a jail than to open it. If we build these jails, we are committing to having jails for decades to come. That is not is how we decarcerate.

I have a daughter and in many ways New York is a great place to raise her. However, I want to raise her in a city that reflects the values that I am teaching her: justice, compassion, and respect. If the city council approves the proposal to build four new jails, I can’t say that this city reflects any of those values. A city that would prefer to spend \$10 billion putting humans in cages over spending that money on healthcare, housing, education and ensuring living wages is not a city that I can be proud to show my daughter.

This city's criminal justice system disproportionately affects black and brown people. It disproportionately affects poor and working class people. Building new prisons affects no positive change and only serves to squeeze more money out of the most vulnerable members of society through the predatory bond system, charging prisoners for basic necessities, and exploiting them for their labor. If the members of this council are serious about creating a better New York for all New Yorkers they should seek to better the lives of those in need rather than criminalize them.

Thank you,  
ann

ann.haeyoung@gmail.com

## Borough-Based Jail System Hearing Testimony

Dear members of the City Council,

As Angela Davis has noted, the history of prison is a history of reform. The prison was borne of campaigns to stop public and often brutal corporal punishment, including capital punishment. The first builders of prisons were responding to arguments that people accused and convicted of offenses could be “reformed” or “rehabilitated” in solitary cells, dedicated to penitence and quiet work. As both social and cultural ideas about crime and about punishment have shifted since, we can see the histories of those reforms in prison and jail buildings themselves. These have included both hyper-restrictive spaces, like super max prisons and the solitary confinement units at jails and prisons around the country; prison units built explicitly for torture through means light sleep and touch deprivation; and jails and prisons built to minimize isolation in favor of “pod” structures that - depending on who you ask - are intended to create more capacity for people locked up to engage with each other and with guards, or to enable guards to see and control larger groups of people from one place. We can see the logics, concerns, and convictions of prison architects - the designers, the policy makers, and usually the guards - in all of these, as they change decade to decade, especially as the US came to endorse and rely on locking people up as a primary mode of social and economic control. These reforms built the prison industrial complex, literally and figuratively.

The proposal on the table today, to replace Rikers with four new borough-based jails ignores this history and all we could and should learn from it. It presumes that the cultures of violence, experiences of which are so familiar to people who have been at Rikers, and to those who perhaps have not, but do see the local news, are bound to that place, and to those buildings. But, as the No New Jails coalition has made clear, there are no humane cages. We cannot build our way out of the violence of Rikers, because that violence is not specific to Rikers; it is endemic to the fact and processes of imprisonment. If Rikers is, as one planning commissioner said this week, a stain on the city, so will each and every one of these new tower jails. Putting people in cages, to be guarded by people who have absolute control over their bodies, movements, and lives is violent, and the exertion of that control authorizes more, specific forms of violence. There are no humane cages.

I am a designer and Associate Professor at Parsons School of Design. In my deep concern and outrage as both a New Yorker and a person working in design fields with communities deeply impacted by imprisonment and policing, I sought to better understand the design process that led to the proposal being considered today for so-called “Justice Hubs” throughout our city. I want to call attention to one of the critical concerns with what happened in this process, which I understand was undertaken with good intentions. The Justice in Design team and report highlighted the participatory nature of the process they convened to engage people in discussion and idea-generation about “replacing Rikers.” They created participatory sessions for exploring people’s experiences of Rikers that included former prisoners, loved ones, COs, policy-makers, and more. They created processes by which complex questions and concerns could be voiced and worked with by this range of people affected by and with links to Rikers Island. But, and this is important, the questions around which they framed this process - the questions participants we

given to shape their participation - all already had a jail at their center. These questions all what a new, better jail might look like. Thus, these participatory sessions that led to the proposal for “Justice Hubs” began with the presumption that whatever might be proposed, designed, and made would, necessarily, be a jail.

But what if the question had been posed another way? In my design practice, one of the first pieces of work is the collective process of framing the question. As designers working with communities, sometimes our own communities, we can’t presume to know what we’ll make before we’ve begun. What if, in this instance, the process began by asking: We have \$10 billion to invest in well-being and people’s security (broadly defined) in New York City, what do we think would achieve those aims best, for all New Yorkers? I would venture a guess that while some in the room might argue for a jail, many - a majority - would not. Framing the question differently allows for real and dynamic investigations into what New Yorkers need and want. Asking about how to make a jail that is less bad than Rikers does not.

I want to ask the Council to step up, to follow in the recent actions and votes taken by County and City Supervisors in Los Angeles and San Francisco who recently heard the people of those cities and voted not to invest millions of their cities’ (and people’s) dollars in prison and jail construction. I want to ask you, as our representatives and as New Yorkers yourselves, to imagine a different future for New York City. One in which neighborhoods are supported in sustaining themselves and their residents and their histories to make space and homes for all New Yorkers, and not built up to surround, support and serve more jails.

Thank you.

Sincerely,

Shana Agid

shana@rindpress.com

Thank you very much. I also somehow forgot to note that I did come to the meeting yesterday and waited two and a half hours to get into the building, but had to leave for work before I was able to. When I left, there were still at least 50 people still being made to wait outside the gates to the open space in front of city hall. I hope that the Council will consider a second public hearing or, in cases like this one where there is so much public concern and need for discussion, that the Council would consider using a larger space.

Best,

Shana Agid

NYC Borough Based Jails

Grenfell Street  
Kew Gardens, NY 11415

September 5, 2019

Dear City Council Members,

People are supposed to have equal rights, but it seems that the rights of detainees and their families are taking precedence over those of the hundreds of thousands of people who live in the communities that would be adversely affected by the 27/30/40/45 story jail complexes that the Mayor plans to build in four boroughs. All four Community Boards voted against the jail complexes, three of them unanimously.

Kew Gardens is an historical neighborhood with a diverse population. The Mayor's people working on this faulty borough-based jail plan ridiculously claim that this high rise jail complex will be good for the people of Kew Gardens, Briarwood and Forest Hills. My question to all of them is: "Would you like a high rise massive jail complex across the street from where you live or anywhere else in your neighborhood?"

I taught my young students that a community is a place where people lived, worked, went to school and played. The definition did not include a 27 story jail complex. When a child looks out their window in the morning the first thing they see should not be an enormous penal institution, nor should it be the last thing they see before they go to sleep.

The proposed 27 story Kew Gardens jail complex is being lauded for all the sunlight it would have. What about the sunlight that residents would lose from the shadows this monstrosity would create? Where is our sunlight?

There is a 14 story detention center in Kew Gardens that closed in 2002. The proposed mega jail plan would require tearing down this building to build the new jail complex. This detention center could and should be renovated.

People have a right to say what happens in their neighborhood. We say no to monolithic jails in our residential communities. In the words of Patrick Henry, "We have just begun to fight."

If this is a democracy, this jail will not be built. If this jail is built against the will of the people, then we have a bigger problem.

I will continue to work to stop this jail from being built and destroying the neighborhood that I have loved for 19 years. Our communities matter. All communities matter.

Sincerely,

Ellen Pustelniak  
epustelniak@gmail.com

## Borough Based Jails

Dear Council Members,

Thank you for this opportunity to share my thoughts on the Borough Based Jails Project.

The 3 meetings I've attended (1st announcement, Brooklyn Boro, and Today's City Council) have mostly been reiterations of groups for closing all jails, and calls for true rehabilitation with decent treatment in jails. No information has been made available regarding prisoner rehabilitation plans or desired outcomes. What is known is the height and design of the buildings, the retail opportunities, and the amenities for the prisoners.

This seems to me a planned distraction for Real Estate gains and possible political donations as discussed in this article regarding Mayor DiBlasio: (<https://www.cityandstateny.com/articles/politics/new-york-city/de-blasio-campaign-finance-scandals.html>).

I say this because the Lippman Report which is the underlying advertising basis for the plan is signed by Real Estate interests. This alerts my attention to the true intentions - Real Estate Corporate gains and future political donations by Real Estate Corporations to candidates.

The Lippman Report available on line has 6 signers - half of which are Real Estate related Corporations:

Honorable Jonathan Lippman

CUNY Institute for State and Local Governance

Vera Institute of Justice

Forest City Ratner Companies (Real Estate)

Global Strategy Group (A Public Relations Firm specializing in **strategic communications, digital strategy, grassroots organizing, marketing and branding. Clients include political candidates, corporations, and advocacy organizations worldwide**)

HR&A (Real Estate and Economic Development Consultants)

The strength of the Lippman Report comes from statements in the report:

1. Rikers should be replaced with "smaller, modern facilities in each borough that are more accessible to family members who seek to visit their loved ones.
2. "study after study demonstrates that visitation improves behavior inside jails and leads to better outcomes when a detained person returns to society".

No community had an opportunity to vote on this and the Brooklyn boro meeting was quietly held with an entourage of police on a day's notice in a school a mile away from the Brooklyn House of Detention so community attendees were minimal. All the meetings had "well organized" groups advocating against jails all together. (Global Strategy Group perhaps was involved as this was a large theme at the 3 meetings I have attended). Addressing these groups will bring down the numbers perhaps by half and add some reality of Justice for so many of those being held in jails. The conversation must be around the needs of the people, Justice, and not the buildings for corporate profit.

Many of us believe the prison system does need to change to focus on rehabilitation rather than punishment ,and a 40-50 story jail in Brooklyn nor any other Borough will not bring about rehabilitation. The need is to understand the causes of crimes and cures to rehabilitate, and to assist the Correction Officers in methods for understanding and actions. Correction Officers are being maligned despite the tremendous stress they are experiencing due to poor training in psychology and beneficial communications with prisoners or establish a different system.

The 10 Billion dollar cost mentioned undermines the Lippman Report focus on “family/community“ closeness because that plan does not exist for our Republican borough of Staten Island which perhaps poses the most difficult travel for family and friends and as I’ve been told has buildings available now.

For the reasons above, and the failure of Ratner to get the Barclay Building he wanted, my concerns are that:

- 1; this initiative is primarily for Real Estate Corporate gains
2. these gains will or already have been received in outrageous political donations to candidates like DiBlasio for President.
2. no information on rehabilitation programs has been shared if it does indeed exist
3. no community meetings have been initiated to discuss wants, needs, expected outcomes.
4. no constituents (families/neighbors/citizens) have had input other than the meeting where the communities were told what the Mayor had decided
- 5.10 Billion dollars could wind up in significant changes in many areas (family, education,health,environmental, decision making, values building) that would decrease crime and grow our communities with healthy results. This would provide a great opportunity for community building and discussions.

Closing all jails without revealing alternative plans is irresponsible as is lack of planning information for the public. I do not believe this is an honest and fruitful plan but am hoping that the conversation and discussion about crime/criminals/rehabilitation will bear the fruit that will make the basic plans of the Lippman Report into a reality.

Sincerely,  
Anne Renda

annerenda@mac.com

Dear Council Members,

I intended to share these thoughts during my allotted time today during the public hearing, but I was unable wait until my name was called. Instead I have chosen to voice my concerns here.

I am absolutely 100% in support of the closure of Rikers Island. However, to combine the decision to close Rikers Island with the decision to build 4 new jails while also projecting that the capacity requirements for jails will continue to diminish is doing this process a disservice. I have 3 points I wish to express:

- After hearing several of the testimonies today, I still am convinced that the problems that have created the toxic and inhumane conditions at Rikers Island will continue to exist long after its possible closure. I have yet to hear any information about how the Department of Corrections will be held accountable for its abuses of people held at Rikers and its complete neglect for the maintenance of its facilities. If these systemic problems are left unaddressed, we can all expect to be attending similar hearings several years in the future calling for the closure of Brooklyn Detention Center, Kew Gardens and their counterparts in Manhattan and the Bronx.
- I am concerned about the current "design" of Brooklyn Detention Center and how this design was approved. While we have been told that the design is still being developed, the 1.1million sqft floor area that has been proposed for the 60,000 sqft site is highly problematic. As a prior architectural professional, I can say without hesitation that this will not work. While a height limitation of 395' has been recently granted, the bulk of the building will require extremely large, 30,000-40,000 sqft floor-plates that will make providing access to light and air for detainees extremely challenging. The renderings shown are a complete fiction until a floor plan can be produced that is specifically being designed for this site. Likewise, building this tall would yield potentially hazardous conditions if an evacuation was necessary due to a fire or other disaster. Hopefully an alternative design scheme can be approved with a vastly reduced FAR and smaller floor-plates.
- The plan to demolish the existing 165,000 sqft Brooklyn Detention Center to make way for a 1.1million sqft facility is an extremely wasteful use of New York City's scarce resources. Combined with the reluctance for finding additional sites, this process has been plagued with a complete lack of creativity or innovation. An alternative solution could include a renovation of the existing Brooklyn Detention Center to accommodate safer sight-lines and more humane facilities while searching nearby to cover the 300 inmate deficit.

I wish to conclude with this point: the imperative to close Rikers Island should not be combined with the decision to build 4 new jails. Without meaningful reform to the system of incarceration in this city, we are only guaranteeing that the inhumane legacy of Rikers Island will be carried forth in the new facilities. Please reject this plan and consider alternative innovative approaches to this issue. The solution to closing Rikers Island is not building 4 Rikers Islands throughout the city.

Thank you,  
Lucas Chung

lkkchung@gmail.com

## Say NO to 4-borough jail plan

I am a lifelong New Yorker and I STRONGLY OPPOSE the proposed the borough based jail plan, especially the high-rise jail proposed for Manhattan.

This is an expensive and poorly conceived plan that, in the end, will not achieve the goals of true criminal justice reform, and instead will be destructive to working, functioning neighborhoods.

Among some of my concerns:

1. The current ULURP process is deeply flawed. One ULURP process for 4 sites in 4 separate boroughs is illogical. Land use issues are completely different for each site. And, in Manhattan, the original scoping was for a different physical site. When the site was changed, they simply crossed out the old address wherever it appeared in the Draft Environmental Impact Study (DEIS) and wrote in the new one! This is simply irresponsible, invalid and a complete dereliction of duty.
2. The proposed Manhattan jail will be the tallest jail in the country. A vertical structure for a jail is dangerous and difficult to operate. This puts everyone from staff, detainees and the community at risk. Corrections professionals have warned the public about this untested jail structure.
3. Buildings do not by themselves create change. The abuse and violent culture in Rikers Island will not be reversed simply by transferring everyone to a beautiful new facility. There has been insufficient details about the building and even less information about how the systems and operations will be changed within a new building. How can the City approve a plan of this magnitude without these and other critical details?
4. The demolition and construction will destroy already vulnerable neighborhoods and imperil the health of residents with nearly a decade of noise, toxic air, and traffic congestion. Moreover, instead of closing Rikers as soon as possible, during the 10 years that the current Brooklyn and Manhattan jails are demolished and rebuilt, detainees will be SENT to Rikers.
5. The height of the proposed Manhattan structure will effectively block air, light, circulation and visibility and blockade Chinatown from the west. Shadows cast by the tower would cast Chinatown's already narrow streets into darkness year round.
6. The near closure of White Street will reduce already limited public space from the community. When the current jail was built, the entire plaza was promised as a pedestrian plaza. Instead, it was almost immediately commandeered by the DOC for a parking lot. We do not trust that promises of future public amenities will be kept.
7. The staffing and support services to run a facility of this size will result in more traffic and strain to the area. Already the streets are congested and the subway stations are crumbling and perilously crowded at peak times.

This plan is experimental, untested and not fully conceived. Why not test it out at just one site, see the results, and work out the problems first instead of embarking on 4 massive sites simultaneously.

There has been insufficient community engagement and input and numerous serious unanswered questions. It has been foisted on our communities with little time to respond and no accountability. In ten years few of the elected officials and administrators pushing this plan will still be around.

For a project as large, costly and important as this, it is important to do it right. I am perplexed by the forces trying to ramrod this seriously flawed plan through. In the end, all New Yorkers lose.

Think about what 10 BILLION DOLLARS can do for New York that is positive and life affirming. Don't destroy MORE lives inside and outside Rikers by building 4 NEW MONOLITHIC JAILS.

I urge the City Council members to do what is right for the citizens you represent and vote a resounding NO!

-Amy Chin

chinowitz@aol.com

TESTIMONY OF BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.  
BEFORE THE NEW YORK CITY COUNCIL PUBLIC HEARING  
ON THE BOROUGH BASED JAILS SYSTEM

Good afternoon, and thank you for having me here today. My name is Deputy Bronx Borough President Marricka Scott-McFadden, and I am here on behalf of Bronx Borough President Ruben Diaz Jr. to discuss the de Blasio administration's wrongheaded proposal to build a new jail in Mott Haven.

The only thing that stands in the way of a dramatic mistake, one that will negatively effect The Bronx for decades to come, are you and your colleagues on the City Council. I hope you will act to protect The Bronx and its people from the consequences of poor planning and political expediency.

Before I begin, I must make it clear as I always do: Rikers Island must be closed. It is an abomination, and a stain on the soul of our city.

But that closure should be handled in the right way. The necessity to close this prison does not excuse the de Blasio administration's selection of the wrong site for a new jail in The Bronx, 320 Concord Avenue, which is currently operating as a city-owned tow yard. Instead, the administration has weaponized the land use process against The Bronx in order to protect their plans to build a new jail on the wrong site.

Mott Haven and the residents of Diego Beekman have fought for decades to overcome the crime, drugs, despair and abandonment that plagued their neighborhood. They rolled up their sleeves to turn it back into the livable community it is today. I am adamantly opposed to the burden the proposed borough-based jail for my borough will place on one of the country's poorest urban communities.

Unfortunately, this site ignores both their hard work and the Lippman Commission's proposal to place borough-based jails near courthouses. Instead of reaching out to the community and engaging on this site selection, the administration has decided to impose a monolithic, oppressive structure adjacent to a community of reclaimed apartments, homes and schools, in the name of political expediency.

There is an obviously better site for this proposed jail, one that heeds the Lippman Commission's recommendation to site new jails adjacent to existing justice facilities, located right next to the Bronx Hall of Justice. Despite the clear and obvious benefits of this site, the city has refused to budge from their current position.

You, members of the City Council, have the ability to right this absurd wrong and force the city to select a better site for a new Bronx jail.

It is now up to the City Council and its members to listen to the people of this borough and adjust this proposal accordingly. Any failure to do otherwise will deleteriously alter the face of this borough for decades to come. We need your support.

Thank You.

JOSEPH A. FARALDO

ATTORNEY AT LAW

125-10 QUEENS BOULEVARD-KEW GARDENS, NEW YORK 11415  
718-544-6800

September 6<sup>th</sup>, 2019

Dear Council member,

I am writing to you because I believe that the ULURP process is being abused as it has never been before in trying to site 4 different and diverse jails in neighborhood boroughs, one of which is yours.

So furious have I become since this was sprung on us without real input other than the Mayor's "dog and pony" shows artfully created to only tell the communities what was in the hopper for some time, and outrageously excluding the press, that I have become active in organizing rallies and protests against this abuse of both the process and the people.

The best thing I can say is that this whole thing stinks to high heaven.

Rikers reform is important to all humanity, but moving housing from one venue to another does not resolve the underlying and fundamental flaws in the system, by the current proposal. The 12 story Metropolitan Correctional Center, according to the NY Times, was once hailed as a jail which would facilitate criminals return to society, yet just recently, after the suicide of Jeffrey Epstein, the Times noted, was plagued with rising violence. Questions about the safety of prisons became highlighted last year when James (Whitey) Bulger, the famous notorious Boston gangster, was brutally murdered in a West Va. Federal prison. Prison violence will continue regardless of the praise heaped upon the construct of a new high rise jail. A jail with even less recreational outdoor space than currently exists in the properly maligned Rikers Island.

The Mayor's proposal, apparently with the support of Speaker Cory Johnson will have lasting impacts, on noise, congestion and severely diminish, what since 1868, has been a purely residential neighborhood. I live directly opposite the Kew Gardens proposed jail site, which for the past 17 years has had no reason to operate that detention center, or even have any need for a jail. As a matter of fact the Queens Detention center is so unnecessary that, it is being rented to the film industry for TV shows. It is ludicrous to think that the move is an aide to a lawyer's

JOSEPH A. FARALDO

busy day by advancing the proposition that there will be speedier access to detainees, when the detention center was, as in the past, located adjacent to the Kew Gardens Courthouse. That was where the detainees' next appearances were required. Back then a detainee was brought in and the attorney wait time to see a client was negligible. Will constructing a Mega jail where hardened criminals will be housed, and putting detainees awaiting a Queens court appearance in with them, be an aid to helping those detainees' back into society.

In my building, Silver Towers, located directly on Queens Blvd. opposite the Queens County Criminal Courthouse, a petition (attached) was signed by just about every resident in this building of 400+ units. We vote and remember and may just take a page out of the Mayor's campaign and do an "Anyone But Campaign", as was done to former Council Speaker Christine Quinn by allies of the current Mayor. In addition a separate on line petition collected by The Community Preservation Coalition has over 6,900 signatures and is growing in number.

As said earlier, I strongly believe that the ULURP process has been abused and a very bad precedent will be set allowing for concepts and not actual defined plans to become the "new" mode of doing business within the City Planning Commission with the approval of elected in the City Council.

I ask you to consider ways out of this and speak to other council members. Karen Koslowitz has apparently focused on merely a strategy of going along to secure a seat at the negotiating table. That is not a strategy endorsed, requested or reflective of the expressed will of her constituents. It is believed to be more an unfortunate, unintended consequence of a well envisioned "term limit policy". It is believed to be a big mistake, leading other council members to think a) she does not care, so it must be OK, and b) at least it is not therefore, a concern in this district. As a member of our Queens Residents United, Charlotte Picou, appropriately reminded Council members at yesterday's hearing, that electeds have an obligation to their constituents. That does not mean, as a "term limited" Mayor told us, again in the absence of the press, I can and will do "what I deem best", you have no say.

JOSEPH A. FARALDO

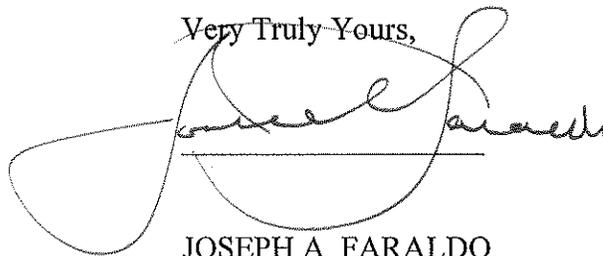
I think we shall continue to hold accountable anyone not term limited that ignores the ULURP process, their own constituents and does not seek alternative measures that will insure the goal of criminal justice reform. A goal not achieved by a physical structure.

I know some council members are seeking to achieve the goal by not merely "doing something" for the reason that they really have no other creative ideas to solve the problems based upon race and judicial intolerance.

Again, I ask for your help in restarting and rethinking the Borough based jails initiative and come up with concepts that can actually achieve the stated laudable goal.

Thank you for all your past courtesies and anticipated cooperation.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Joseph A. Faraldo", written over a horizontal line. The signature is fluid and somewhat stylized, with a large loop on the left side.

JOSEPH A FARALDO

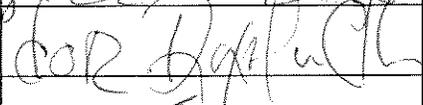
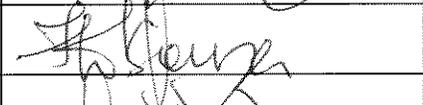
We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

| PRINTED NAME        | SIGNATURE                  | E-MAIL                   |
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| R GREDINGER         | <i>Bundy Greninger</i>     |                          |
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| HELEN ROGU          | <i>Helen Rogu</i>          |                          |

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| PRINTED NAME      | SIGNATURE | E-MAIL                         |
|-------------------|-----------|--------------------------------|
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| Merlyn Lawrence   |           |                                |
| Ellen K Kruse     |           |                                |
| Kimberly Todd     |           |                                |
| SONAM WANGSU      |           |                                |

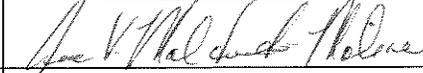
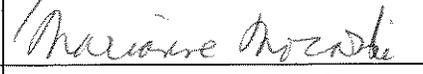
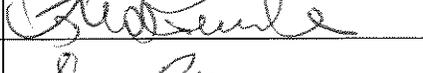
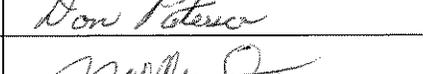
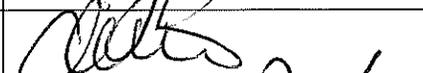
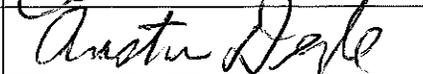
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| PRINTED NAME     | SIGNATURE                                                                            | E-MAIL                      |
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| PRINTED NAME           | SIGNATURE | E-MAIL                     |
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| Chandrea Persaud       |           | clpersaud@gmail.com        |
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| Danielle Dimmeler      |           |                            |
| OPHELIA LABUGUEN       |           |                            |
| ELLEN PICKELNY         |           |                            |
| Samantha Dolit SKY     |           |                            |

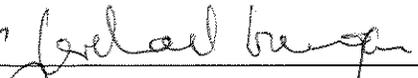
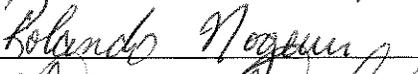
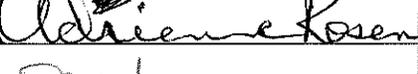
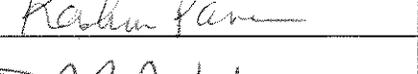
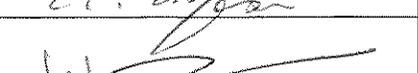
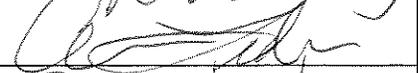
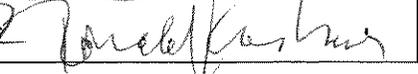
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| PRINTED NAME         | SIGNATURE                                                                            | E-MAIL                           |
|----------------------|--------------------------------------------------------------------------------------|----------------------------------|
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| Carla Deazle         |  | Parkero718@gmail.com             |

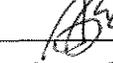
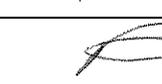
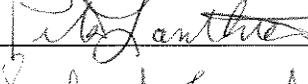
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| PRINTED NAME      | SIGNATURE | E-MAIL                      |
|-------------------|-----------|-----------------------------|
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| ARTUR DABROUW     |           |                             |
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| Faina Vretskaya   |           | 1221                        |
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| PRINTED NAME            | SIGNATURE                                                                            | E-MAIL                    |
|-------------------------|--------------------------------------------------------------------------------------|---------------------------|
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| <del>Wanda Carley</del> |                                                                                      |                           |
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| Craig Brown             |  | craigbrown@startmail.com  |
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| Colleen Liddle          |  |                           |
| RONALD KUSTNER          |  | RK4690 COLUMBIA.EDU       |

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| PRINTED NAME              | SIGNATURE                                                                           | E-MAIL                  |
|---------------------------|-------------------------------------------------------------------------------------|-------------------------|
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# OPPOSITION TO KEW GARDENS JAIL

We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

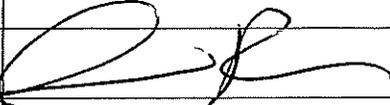
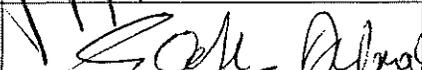
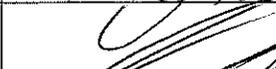
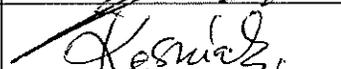
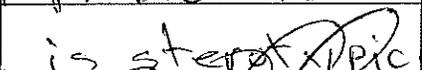
| PRINTED NAME           | SIGNATURE              | E-MAIL                    |
|------------------------|------------------------|---------------------------|
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| <del>[Signature]</del> | <del>[Signature]</del> |                           |
| MUSA                   | [Signature]            |                           |
| Manana Gagnidze        | Manana Gagnidze        |                           |
| Alida Eder             | [Signature]            |                           |
| BETTY SING             | [Signature]            |                           |
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| April Star             | [Signature]            | April Star 1160 [unclear] |
| Margaret Lay           | [Signature]            |                           |
| Zhi Jun Qian           | [Signature]            |                           |
| ADELAIDA B. AGUIA      | [Signature]            |                           |
| Alexander Warren       | [Signature]            |                           |

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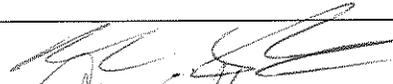
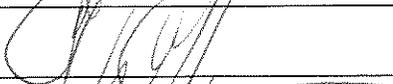
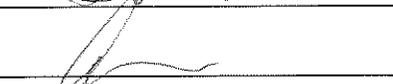
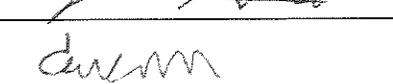
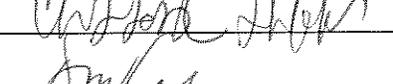
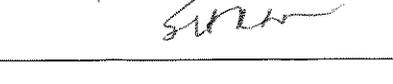
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| Richard Nunez Lawrence |           | rnunez-lawrence@hotmail.com |
| Christina Persaud      |           |                             |
| John Zylowski          |           |                             |
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| ARTHUR DABROWSKI       |           |                             |
| MICHAEL ROYCE          |           | MROYCEENG@AOL.COM           |
| Hany Persaud           |           | harpers1@aol.com            |
| Chandva Persaud        |           | clpersaud@gmail.com         |
| Jane Cha               |           | jdc505@gmail.com            |
| Danielle Dimmler       |           |                             |
| OPHELIA LABUGUEN       |           |                             |

ELLEN PICKELNY  
Samantha Dolitsky

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| PRINTED NAME                                       | SIGNATURE                                                                            | E-MAIL                  |
|----------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------|
| Sheila Pion                                        |     | sheila.pion@gmail       |
| Selina Rahm                                        |                                                                                      |                         |
| Herman Peters                                      |     |                         |
| Erbelte Jelusz                                     |    |                         |
| Joseph Recupillo                                   |    |                         |
| Kristina Lesniak                                   |     |                         |
| Veronica Newton                                    |     |                         |
| We need <u>more</u> jails. Criminals don't stay in |                                                                                      |                         |
| areas with jails, they get as far away from jails  |                                                                                      |                         |
| as they can. Your problem is with the people who   |                                                                                      |                         |
| visit jails. Which is stereotypical and racist!    |                                                                                      |                         |
| B. Yanovsky                                        |  | RONALD.HAN@YANOVSKY.AOL |
| Jennifer Franzese                                  |  |                         |
|                                                    |                                                                                      |                         |
|                                                    |                                                                                      |                         |
|                                                    |                                                                                      |                         |
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|                                                    |                                                                                      |                         |
|                                                    |                                                                                      |                         |
|                                                    |                                                                                      |                         |

We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

| PRINTED NAME       | SIGNATURE                                                                            | E-MAIL                     |
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| Christina Cottone  |    |                            |
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| Diane Kolnik       |  |                            |
| mmfruh             |  |                            |
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| Shahnawaz Khan     |  |                            |

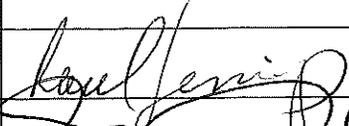
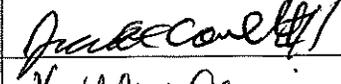
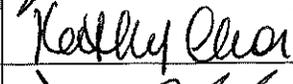
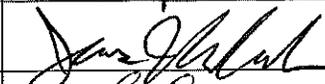
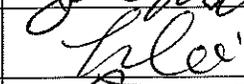
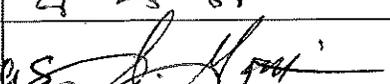
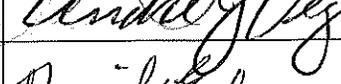
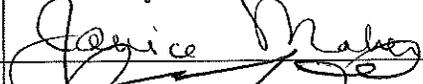
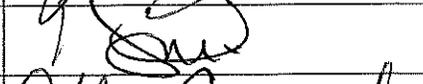
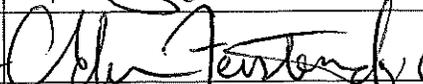
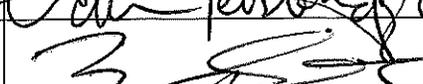
*Q*

We the undersigned being residents of Silver Towers apartment building hereby express our opposition to the construction of a MEGA jail on 82<sup>nd</sup> Ave. in Kew Gardens

| PRINTED NAME       | SIGNATURE                | E-MAIL                  |
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|                    |                          |                         |
|                    |                          |                         |

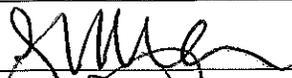
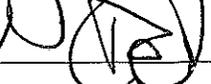
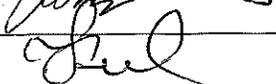
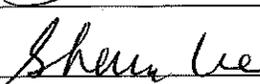
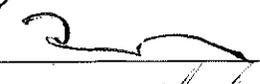
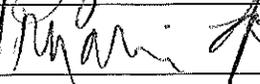
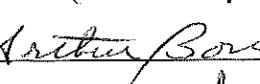
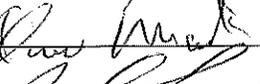
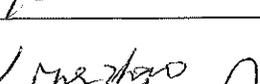
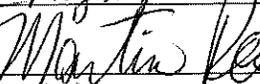
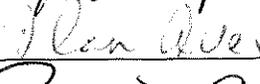
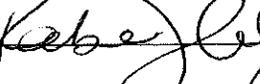
# OPPOSITION TO JAIL IN KEW GARDENS, NY

opposition to the construction of a jail in Kew Gardens, NY

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| Dan Ferstendig    |  |                                     |
|                   |                                                                                      |                                     |

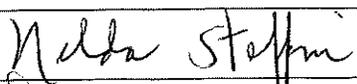
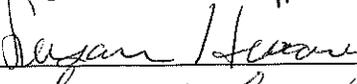
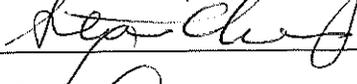
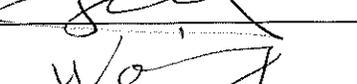
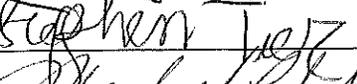
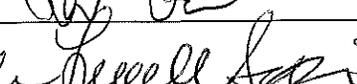
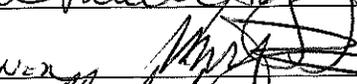
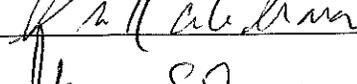
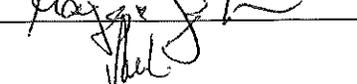
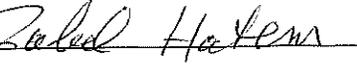
opposite to Jans in Queens Kew Gardens NY 2

OPPOSITION TO THE CONSTRUCTION

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# OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail in Kew Gardens

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| Larissa Khanima       |  |                           |
| ZABEL HATEM           |  |                           |

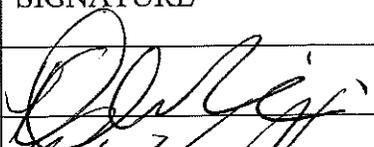
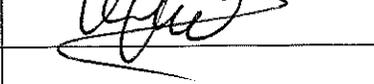
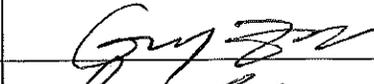
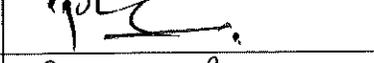
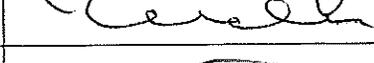
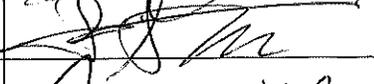
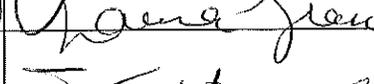
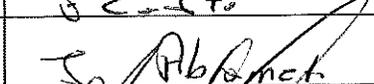
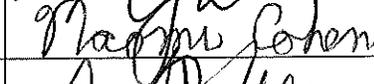
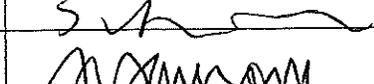
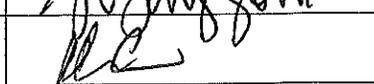
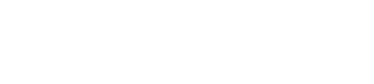
# OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail in Kew Gardens

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| Ronnay Rosenbaum  |           | no jail in Kew Gardens! 1/1 |
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| Mina IVKOVIC      |           |                             |

# OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail in Kew Gardens

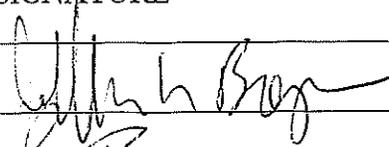
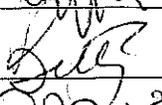
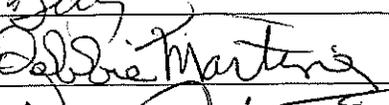
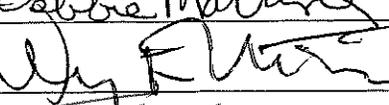
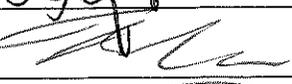
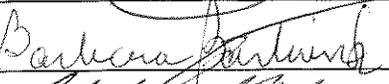
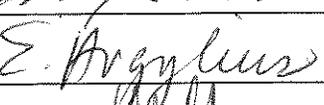
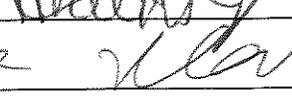
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# OPPOSITION TO THE JAIL IN KEW GARDENS

opposition to the construction of a jail in Kew Gardens

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| EDUARDO GALDAMEZ      |                             | 8KA1136@aol.com          |

OPPOSITION TO THE CONSTRUCTION OF THE ...

| PRINTED NAME      | SIGNATURE                                                                            | E-MAIL                     |
|-------------------|--------------------------------------------------------------------------------------|----------------------------|
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| Richard SARD,     |   |                            |
| Esther Sark       |   |                            |
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| Fotis Gomez       |   |                            |
| Ben Kirscher      |   |                            |
| Heather Lazans    |   |                            |
| Harnett Lawbe     |  |                            |
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|                   |                                                                                      |                            |

Friday, September 5<sup>th</sup>, 2019

Active Member of Vocal NY

Hello my name is Daybelis Ramirez, I am a Licensed Master Social Worker and active member of Vocal NY. I strongly believe Rikers Island should be closed because it is not helping the community as a whole. Too much money being invested in keeping people incarcerated without receiving supportive services to prepared them for the general population and coping skills to deal with being behind bars.

I know that these problems are real because I have seen it throughout my entire life. As long as I could remember there has always been a story about someone being incarcerated and not getting the proper help to meet individual needs. In 2011 I was incarcerated and I experienced the following injustices, the ugly truth of the criminal justice system and discrimination against minorities. The police officers whho came to get me at my college of residence at the time did not read me my rights. After asking me several questions I was told I needed to go to the nearest precinct for questioning. I was not informed that I was being arrested. I was handcuffed, taken into the precinct, my picture was taken. I spent my first long night in there which turned into a week in a county jail. To find out I was being charged with a felony – this was my first offense, never had a criminal record, excellent college student, but the public defender still encouraged me to plead guilty. Nobody cared that I was a 19 years old female with a future ahead. At that moment, I realized for the first time in my life I had not rights– I was put behind bars for punching a Caucasian female in the face. My side of the story was irrelevant.

My personal story is not unique and even though I was not incarcerated at Rikers Island I was affected by the injustice of the mass incarceration system. Minority females are being targeted and not protected - they experience sexual harassment, discrimination, and backlash for speaking up. I am urging you to please make a change and end mass incarceration with an effective plan – building new buildings is not the solution. Providing services and creating opportunities to meet individuals' daily needs is what will resolve this issue. Let's remove the stigma that all minorities are criminals. Instead, let's focus on getting the message across that All Lives Matters, and Black Lives Matters too!

Thank you in advanced,

Daybelis Ramirez, LMSW  
Licensed Master Social Worker  
Divorce & Peer Mediator  
Life & Self-care Coach

No to Chinatown mega jail

Dear Speaker Johnson,

Please oppose the mega jail proposed for Chinatown. This construction and presence will destroy Chinatown and Lower Manhattan.

We are already suffering from District 1's increased construction; extreme sound, light, and dirt pollution; increased people on the streets; Essex Crossing's mallification and destruction of the Latin American Essex Street Market; and gentrification without participation in public schools and the community.

Relocating 1 of Riker's 4 jails to our neighborhood will surely contribute to the destruction of the community's quality of life.

Oppose it.

Sincerely,

Dr. Mark B. DeGarmo, Ph.D.

Founder, Executive & Artistic Director

Mark DeGarmo Dance

107 Suffolk Street, Studio 310

New York, NY 10002

[mark@markdegarmodance.org](mailto:mark@markdegarmodance.org)

*Enlivening Bodies*

*Shifting Perspectives*

*Changing Lives*

[markdegarmodance.org](http://markdegarmodance.org)

[Vimeo](#) [Facebook](#) [Twitter](#) [Instagram](#)

Chinatown prison

Dear Council Members

I am writing to urge you to oppose the 40 story prison complex proposed for Chinatown. It is out of scale with the community and will cause harm to the businesses and residents there

Sincerely

Bruce Allardice  
E 20 Street  
NYC 10009

[bruce@pingchong.org](mailto:bruce@pingchong.org)

Stop the high rise jails masquerading as a solution to Rikers Island

To Speaker Johnson, Council Member Chin, and Council Member Salamanca,

I am mortified that you are supporting a high rise jail at 125 White Street in Chinatown. Why are you treating the City Planning Commission as an automatic approval signal? We, the taxpayers, know that a number of commissioners have serious reservations and concerns about the use of design/build to the site selection to the size. The negative health impact on neighborhood citizens, especially the elderly, caused by the construction has also been documented by the NYU Center for the Study of Asian American Health.

The problems at Rikers are primarily systemic and cultural. Changing the architecture and constructing high rise jails will not solve these problems.

Please think again and make taxpayer, community board, and borough president concerns your priority over replicating the problems at Rikers in 4 different high rise jails. Why with the well-documented issues fueling the prison industrial complex would you support this short-sighted band-aid approach to addressing the issues without also simultaneously address social services, employment, mental health, and education?

You have the power to fight for New Yorkers. Use it.

Sincerely,

Kim

Kim Chan

[kimchan412@gmail.com](mailto:kimchan412@gmail.com)



**STATEMENT OF THE NATURAL RESOURCES DEFENSE COUNCIL**

**BEFORE THE NEW YORK CITY COUNCIL**

**SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING & MARITIME USES**

**RE: THE CLOSURE OF RIKERS ISLAND, RELIANCE ON A BOROUGH-BASED**

**JAILS SYSTEM AND CONVERSION OF THE ISLAND INTO A MODEL OF**

**ENVIRONMENTAL SUSTAINABILITY TO THE BENEFIT OF ALL NEW YORKERS**

Eric A. Goldstein and Sara Imperiale

September 5, 2019

The Natural Resources Defense Council (“NRDC”) is a not-for-profit legal and scientific organization active on a wide range of public health, natural resource protection and quality-of-life issues across the county, around the world and in New York City where our main office has been located since our founding in 1970. For almost five decades, NRDC has had a team of lawyers, scientists and other experts working exclusively on environmental matters affecting New Yorkers, including support for public transit, enhancement of parks and community gardens, air and water quality protection, solid waste reform, clean energy, sustainable development and environmental justice.

We are pleased to be here today to support the closure of Rikers Island jails and the conversion of this island into what we believe could be a model of environmental sustainability.

At first blush, it may sound strange that an environmental organization is testifying in support of a plan that would shut a citywide jail facility and instead create a borough-based jail system. Some may ask if this is really an “environmental” issue. At NRDC, we believe the answer is yes. The definition of “environment” should be broad enough to include the conditions under which thousands of our fellow New Yorkers are forced to live as they make their way through the criminal justice system. The report of the Independent Commission on New York City Criminal Justice and Incarceration Reform, chaired by former New York State Court of Appeals Chief Judge Jonathan Lippman, said it all: “Closing Rikers Island is a moral imperative. The island is a powerful symbol of a discredited approach to criminal justice – a penal colony that subjects all within its walls to inhumane conditions.”

Moreover, the closure of Rikers would present a once-in-a-lifetime opportunity to convert this island of shame into a showpiece of green development. This island could be transformed into one that houses energy-producing solar arrays, along with modern sewage and organic waste treatment facilities, allowing older waste facilities and polluting powerplants located in densely populated city neighborhoods to close. In short, the proposed plan to close Rikers Island jails is

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one that demonstrates how social justice and environmental protection can walk hand-in-hand to the benefit of all New Yorkers.

While New York City has an unprecedented need for affordable housing, a re-imagined Rikers Island is not suitable for such development. The 413-acre island is largely composed of landfill, with ash, garbage and other unsavory substances remaining just below the surface; cleaning up this land to acceptable residential standards would be enormously expensive. Additionally, the island is adjacent to LaGuardia airport; height restrictions and noise pollution would further impede residential development.

What a jail-free Rikers Island does present is an unparalleled opportunity to repurpose this land mass for environmental projects that will be broadly beneficial to the city for decades. We see at least three potentially transformative land uses that warrant serious consideration.

The first is using a portion of the island's acreage for green energy. For example, the island could provide space for a giant solar array and energy storage facility that could provide New Yorkers with clean and reliable energy in perpetuity. Such energy plans might even allow for the closure of older, fossil-fuel "peaker" power plants that are currently located in densely populated city neighborhoods and whose emissions pose localized air quality problems, especially for residents suffering from asthma and other pre-existing lung diseases.

A second worthwhile land use would be to create a modern facility that could convert city-generated food waste and yard waste into compost. Such an operation would prevent such wastes from being buried in landfills where they become a major source of global-warming methane emissions. And an in-city composting operation would save city taxpayers tens of millions of dollars a year that would otherwise be spent shipping food wastes and yard wastes to distant landfills or incinerators.

A third sustainable project would be to construct a state-of-the-art sewage plant on the island. Four existing city sewage plants closest to Rikers Island – located in Queens, the South Bronx, and Wards Island – are nearly 80 years old; as they approach the end of their useful lives, they will require expensive upgrades. Constructing a consolidated new plant on the island could allow the city to shut down one or more of these older facilities – freeing up the waterfront acreage where they are now located for more desirable, community-friendly land uses.

Of course, a comprehensive land use planning process that fully engages the public should precede any final decisions.

Councilmember Costa Constantinides has given such ideas a much-needed lift by proposing the Renewable Rikers Act. Among other things, the legislation would transfer control of the island from the Department of Corrections to the Department of Environmental Protection, forever ending Rikers history as a home of jails and paving the way for a sustainable future.

Finally, we propose that as part of the transition, the City Council officially rename Rikers Island as "Green Island," or maybe "Green Jobs Island." What could be better than transforming this land mass from a collection of jails into a place that offers hundreds of good-paying, society-benefiting green jobs for New Yorkers?



Creating Communities  
Transforming Lives

September 5th, 2019

Subject: Borough Based Jail System

ULURP No.: C 190333 PSY

Borough: Citywide

Position: In Favor

Name: Danielle Minelli Pagnotta, Executive Director, Providence House, Inc.

Recommendation on ULURP Application Nos. N 190334 ZRY, C 190336 ZMX, N 190337 ZRX, C 190338 HAX – Borough-Based Jail System

Chairperson Adams and Members of the Subcommittee on Landmarks, Public Siting and Maritime Uses,

I appreciate the opportunity to address the Subcommittee as the Executive Director of Providence House, an organization that provides transitional housing for women coming out of corrections settings and/or women and families who are homeless. Providence House is a Brooklyn based organization and I am also a resident of Queens, having lived in Astoria for the last 14 years. I am a current member of the Beyond Rosie's 2020 campaign and a Board member of the Women's Community Justice Association (WCJA). I want to thank Chair Adams and the members of the Subcommittee for holding this public hearing and listening to public testimony.

As an organization that strives to address the root causes of injustice and do work with people who have experience with trauma, Providence House strongly encourages the Council to vote yes to a borough based facility plan with conditions. Providence House and the WJCA supports the City's plan to close Rikers and keep women at one location. We urge the Council to approve the plan, however recommend modifications that include a stand-alone facility in Manhattan, which would be centrally located (closer to families and courts) and better serve the unique needs of women, incorporating trauma-informed care and programming in a safe and secure environment rather than the current plan to attach a wing to the proposed Queens's detention facility for men.

Women deserve and should have their own facility. 86% of women at the Rose M Singer facility have had severe trauma inflicted upon them by men. We are interested in program and facility design components that supplement the existing plan and will further shape the stand-alone women's site. The new space will be a safe, trauma-informed and accessible space that will allow women to maintain crucial ties with their children and other family members. We are advocating that the new facility have important components that will lend itself helping women make a more seamless transition back to their communities. These components include:

- Trauma and gender informed programming model that is led by a social service entity
- Small units with 6-8 private rooms and private bathrooms
- On-site women's health, wellness and maternity clinic
- Adequate space for counseling groups, education and vocational programming, etc.
- Separate intake and visitation spaces
- Ease of accessibility for service providers, families and other supports

The closing of Rikers is urgent and must not be delayed. The conditions, both physical and environmental experienced by those in custody, working or visiting Rikers are detrimental and have lasting impacts on those affected, for years after their time spent on the island. The City has progressively moved to reduce the census at Rikers and should continue to do so as more criminal justice reforms roll out. We believe that with a concentrated effort to divert women off Rikers or connect them to more appropriate settings, that the population of women remaining could be decreased to under 100. This is a goal that can be obtained in the next 12-18 months and should be prioritized within the timeline to close Rikers. The organizations that make up the consortium of the WCJA stand ready to receive women leaving Rikers who are in need of transitional housing.

We also strongly encourage the Council to look at the soon to be vacant Lincoln Correctional Facility as an option for the women's site. We are calling for the Rose M. Singer detention center to be shuttered in 2020 with the women rehoused at a stand-alone facility.

Providence House and the WCJA continue to explore ways to do more for women exiting corrections facilities. We have an on-going dialogue with the MOCJ to expand a current demonstration project for women coming off Rikers. This will include a component that allows them to reunify and live with their children in transitional housing. We are grateful to the City for the opportunity to pilot the existing program and are eager to see reinvestment funding from the closing of Rikers, support more projects of the same vein.

Thank you again for the opportunity to share testimony on this topic. Please feel free to contact me with any questions.

Sincerely,



Danielle Minelli Pagnotta, LMSW  
Executive Director

Comments on BBJ hearing at City Hall

Council Members,

Since when do prisoners/criminals/inmates/residents or what ever the politically correct name is, take precedent over your regular law abiding citizens?

One does realize that not every one in jail is guilty but nevertheless the law put them there.

Surely the people who live and struggle every day to stay honest and hard working deserve better than to be abandoned by their council members who think criminal justice reform is building mega jails and hope the problem goes away.

This ideology leaves little money over for prevention of crime programs, NYCHA (who desperately need help), where is the compassion for those people?

Sort out the broken justice system, make it grand, make it something all New Yorkers can be proud of... because they are the ones that count and the ones who pay.

Scrap this ill advised ULURP, start again with better solutions for all.

Thank you for time,

Yma Sherren

ymasherren@me.com

# Testimony against Closing Rikers Island - Remodeling Rikers Island is the real Justice Reform.

-  
City Hall Practice Justice Reform with many Contradiction  
and Inconsistency:

1. Establish a Rikers Island Branch Office of Manhattan District Office could save a lot of money by not shipping prisoners to the current court office, instead by transporting the judges only with less expenses. It was about 40 years ago, one of my neighbour, an Assistant DA was assigned as Harlem Branch Office Manager of DA by Morgenthau.

2. As a Clinical Psychotherapist, I consider remodeling Rikers Island is the ideal therapeutic environment, safe, secure, tranquil, surrounding with water are able to facilitate cultivation of the growing self awareness to rehabilitate body and mind. If moving to a new high rise building in Chinatown. There would be too many attraction, diversion and first thing in their mind everyday is thinking about how to escape.

3. Remodeling Rikers Island is less than half of the cost of \$11 Billion in building a new high rise building in Chinatown. According to City Hall evaluation, over the years, prisoners population would be decreased. It is wondering what are the rationals to over build 45 stories high rise building. You would be naturally wondering what is the purpose of the collaboration between the developers and the politicians.

4. Chinatown is well known for its narrow street, traffic congestion, air pollution and pedestrain risk, etc. Building a 45 stories tall building is totally not harmonious and endangering the environment, community and residents. This is totally against the wishes of Chinatown community people. In another words, building a 45 story high rise building is literally superly imposed onto the Chinese people. Where is justice, equality and democracy. This is tantamount to a new edition of 1822 Chinese Exclusion Act

## Borough Based Jail Plan

My name is Brian Holbrook, and as a constituent of Council Member Lander and a supporter of the #CLOSErikers campaign, I urge you to vote yes with conditions on the ULURP application to build four borough-based jails and close the jails at Rikers Island and the Boat.

At my job, I represent parents with ACS cases in Family Court in Brooklyn. Unfortunately, people of color and poor people in our city are targeted by child protective authorities just as they are targeted by NYPD, and some of my clients are incarcerated at Rikers Island while also experiencing enforced separation from their children. I've seen time and again how the isolation of and long travel times to Rikers prevent parents and children from being able to see each other and maintain the bonds that are so critical both for preserving family and to successfully transitioning from Rikers back to the community. Parents who would be entitled to at least two visits per week with their children if they were at liberty end up seeing their children once per month or less, all because family members and foster parents cannot spend hours on a bus every weekend bringing children to and from Rikers for visits. Moving to borough-based facilities would reduce travel times and make it significantly easier to bring kids to see their incarcerated parents, and regular contact with parents is one of the best ways to mitigate the trauma to children associated with foster care and parental incarceration.

In addition, my clients' Family Court cases are too often delayed when DOC fails bring them from Rikers for scheduled court dates. When an incarcerated parent is not brought to Family Court for an important court date, families and children are left in limbo, often for months between court dates. In a borough-based jail system, incarcerated parents would be much closer to court, enabling them to come and participate in their cases and avoiding numerous unnecessary delays.

For these reasons and for all the reasons given by members of the #CloseRikers campaign, I urge you to vote yes with conditions on this plan, including the conditions that the planned capacity of the borough-based facilities be reduced to 3,000 or fewer, that DOC not be allowed to run the borough-based facilities, and that the city make long overdue investments in poor communities of color to remedy the systemic injustices that produce both family separation and incarceration.

brianaholbrook@gmail.com



## **#CLOSErikers POSITION and MESSAGE TO CITY COUNCIL re: borough based plan**

**We urge the City Council to support this land use proposal that will enable the closure of Rikers, with the inclusion of the conditions we outline below.**

The #CLOSErikers campaign is led by people who have personally experienced the horrors of Rikers Island, and their voices are paramount in this process. They know that closing Rikers is urgent, and cannot be delayed. We support building borough based facilities to enable the fastest possible closure, and we ask the City Council to ensure that passing this plan comes along with a commitment to invest in resources that support our communities and shrink the jail population even further.

Rikers is the last penal colony in the United States, and you have the power to ensure its closure, or to help ensure its continuation. We cannot stop or restart this process when we have the potential to close Rikers by 2024. We cannot risk seeing the torture that happens at Rikers continued indefinitely. We cannot leave anyone behind on Rikers Island.

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### **1) THE CITY CAN REDUCE THE CAPACITY FOR WHICH IT IS BUILDING THESE FACILITIES**

- a) The current City jail population is 7,200, and the City has committed to reducing it to 4,000 or below
- b) The #CLOSErikers campaign knows that the City can further reduce our system wide jail population to less than 3,000.
- c) The City has already considered the effects of many charges becoming ineligible for bail and for detention (effective January 1, 2020), and future parole supervision reform (proposed in New York State legislature) to project a jail population below 4,000
- d) By considering the effects of further changes in NYS bail laws - including the requirements that judges consider supervised released for all cases when available, and when bail is set, that judges must consider ability to pay, and offer three forms of bail, of which unsecured or partially-secured bond must be one - the City can plan for 800 less people in the jail system
- e) To further reduce the jail population, the City Council can push for these commitments
  - i) A targeted \$100 million investment in resources for people with serious mental health needs, who currently account for 16% of the jail population. With this investment, we believe the City can plan for at least 250 less people in the NYC jail system on a given day, (after bail reform goes into affect).
  - ii) A targeted \$37 million investment in alternatives to incarceration and alternatives to detention. With this investment, the City can plan for 550 less people in the NYC jail system on a given day. Funding should be focused on cases that are harder to divert or where capacity of existing programs is especially

limited, including more serious charges, defendants with a higher level of need, and/or people who do not fall into special populations that current ATI funding targets. Programs should also be trauma-informed, and proven to provide those involved not just with an alternative sentence, but with skills and resources to lead more stable lives. The following distribution of funding could support these goals, though flexibility for providers to design their programs in the ways they know best should be prioritized as well:

- (1) 10% of funds for lighter touch programs appropriate for people with a lower level of need or less serious charges - \$4000/participant, 700 participants
  - (2) 20% of funds for slightly more intensive programs, appropriate for people with a higher level of need charges - \$10,000/participant, 550 participants
  - (3) 30% of funds for intensive programs appropriate for serious or statutorily violent charges - \$18,500/participant, 440 participants
  - (4) 40% of funds for intensive programs for people with mental health and supportive housing needs - \$25,000/participant, 400 participants
  - (5) Additional capacity-building investment at 25% to help small but effective providers better access funding
- f) By decriminalizing sex work, the City can plan for 50 less people in the jail system
- g) The separate facility for women should be completely separate, and the City should explore options to repurpose buildings, in areas well-served by public transit, that could house the 100 or so women who might remain in a secure facility after the above reforms are enacted. This could reduce the capacity in the four proposed facilities by 100 overall, and the size of each facility
- h) Because there is some overlap among the effects of these reforms, we estimate their combined effects would reduce the City jail population by about 4,300 people, bringing the average daily jail population to less than 3,000.

**2) THE CITY MUST COMMIT THAT THESE FACILITIES WILL NOT ONLY BE DESIGNED DIFFERENTLY BUT OPERATED DIFFERENTLY**

- a) As long as any person is held in secure detention in New York City, the City must create facilities with the least restrictive conditions. People can not be locked in cells or cages, and definitely not in solitary.
- b) The people managing and running the facilities would have to be capable of and willing to provide a healing environment. The Department of Corrections cannot and will not do that. It's an entire agency built on a model of punishment. In the past several years, even under a Federal monitor and with a shrinking jail population, violence in City jails is increasing. The Department of Corrections (DOC) has proven themselves to be unable and unwilling to end the culture of violence that consumes Rikers Island.
- c) For facilities to serve the purpose of healing or rehabilitation, the people held there would need to mostly interact with staff who are trained for that purpose. Staff who serve a security function - like DOC - must not be in housing areas. If they have any role, it would be only at entrances and exits. As the Officer's Union president said himself "We're not mental-health workers, we're not social workers... We're the police of the jails." "The police' cannot run the new facilities. Community-based secure facilities under different management structures already exist in other cities and states.
- d) Along with this, we need a complete shift in language to be more humanizing. The City should remove the words 'inmate' and 'offender' from all City documents, guides, training, and practice. People must be called people, and treated as people.
- e) These facilities must be designed to drive themselves out of existence. We have every reason to think the number of people incarcerated in this city will continue to drop - that has been the trend over the past twenty-plus years, and a trend which could be accelerated even faster by the kinds of investments we're calling for in our

#buildCOMMUNITIES campaign. As that happens, there should be a commitment to switch detention areas over to other community uses. Visit: [jlusa.org/buildCOMMUNITIES](http://jlusa.org/buildCOMMUNITIES)

**3) THE CITY MUST COMMIT TO INVESTMENTS IN COMMUNITIES**

- a) These facilities provide a way to reduce harm by shrinking the system and improving conditions. But we know the change we truly seek is an investment in our communities.
- b) New York City has robbed poor communities of color of vast resources over many decades by relying on incarceration as the solution to drug use, mental health needs and poverty.
- c) This plan has the potential to save more than \$500 million dollars per year, which must be invested all of the things that have been proven to create *true* public safety – including expansive affordable and supportive housing and programs that address educational, employment and mental health needs outside of the carceral system. Even before the savings from this plan are realized, the City could begin justice reinvestment by divesting from policing and incarceration, and investing in the kinds of community resources outlining in our #buildCOMMUNITIES platform.

**4) THE CITY MUST BEGIN DEMOLISHING EMPTY BUILDINGS ON RIKERS**

- a) The 2018 “Worst Offenders” report from the State Commission on Corrections indicated that there are at least 5,400 empty jail beds on Rikers Island.
- b) The City can transfer the remaining population to a few facilities and begin demolishing those that are empty, with a focus on the best possible care and conditions for the people being transferred.

**For further info, please contact Brandon Holmes, Campaign Coordinator, [brandon@jlusa.org](mailto:brandon@jlusa.org)**



September 5, 2019

## ULURP Hearing Testimony to City Council

### #CLOSErikers organizer, Vidal Guzman

My name is Vidal Guzman. I'm from Harlem and I'm a community organizer with JustLeadershipUSA and the #CLOSErikers campaign -- which I have been a part of for the past 3 1/2 years. The #CLOSErikers [plan](#) forced the City to respond. Today you have the honor of listening to my fellow campaign leaders that have been directly harmed by Rikers and who are now taking action to ensure our needs and demands are met.

I am so proud of the movement we have built - no other effort has come this close to closing Rikers. **We now urge the City Council to support and improve this land use proposal so the City** can move forward with construction of 4 borough-based facilities in order to facilitate closure of Rikers and go from 12 jails citywide to 4 facilities with transformed conditions.

We had important wins in Albany this year that will help decarcerate and we will push the city and state further. But we did the math and the jail population will not get low enough in the next few years for the city to close Rikers without building anything.

I was incarcerated at different times for a total of 7 years - between the ages of 16 and 24. The most basic things make you feel more human are important when you're locked up. I survived 2 years of solitary confinement - and when I was at the Tombs, I once climbed the wall to try to look out the windows - just to get a glimpse of sunlight. I survived darkness and I know that sunlight is as important to humans as fresh air. People who wanna use the Tombs, the Brooklyn House and the Boat are not thinking about the people who will be remanded or about conditions or the space needed to support people with more room to move and with programs to prepare people to come home.

The city only agreed to #CLOSErikers because we came with demands and a plan - therefore directly impacted people get to decide how we will spend cost savings based on priorities in our [#buildCOMMUNITIES platform](#). City Council must also support us to divest funds from law enforcement - you can start by reducing the NYPD budget, and the number of correction officers.

Again, my name is Vidal Guzman. We can't accept any more delays in closing Rikers Island.

###

**Statement to City Council**  
**re: borough based plan**

**Written testimony, Akyla Tomlinson**

My name is Akyla Tomlinson, and I am one of many advocates apart of JLUSA's #CLOSErikers campaign and We support closing Rikers, shrinking the jail system, and improving conditions for anyone who remains detained. I ask you to vote yes to this proposal WITH modifications - to ensure that investments are made in the kind of community resources that get us to a point of having no jails in the future.

For our campaign, the first priority is to reduce the jail population as fast as much as we can and as fast as we can. But we also recognize a responsibility to think about the people who may still be detained. Like my brother. My brother was remanded to jail before his trial. That means that even with the important changes that passed in Albany this year that will reduce the jail population, my brother would still be held, and I know that Rikers is not a place for humans to be. My brother was held on Rikers for over 600 days waiting for his case to go to trial. That environment is not safe. My brother is not the same after the time he has spent on Rikers Island. The Department of Corrections is an agency built on a model of punishment and have proven themselves unable and unwilling to end the culture of violence that consumes Rikers Island. While planning these new facilities, the City must also making plans to also ensure an entire culture of transformation - including removing DOC from the management of these facilities.

My experience as a visitor there is almost as tragic as a person being detained there. I would reserve an entire day to visit my brother, as the trip alone is both physically and mentally exhausting. Once I arrived at the Island, I had to strip myself of anything that is considered a threat, whether that be my jewelry or something as simple as a pen. Afterwards, I had to go through security. The first time I visited my brother the metal in my bra strap set the metal detector off. I was led into a private room to be thoroughly searched afterwards. I was patted down by a female Correctional Officer six times. I felt violated and humiliated. I made it known that I had nothing on me and that my bra strap was likely the reason for the metal detector going off. This didn't seem to matter, she sternly said, "It's procedure." I stood there and cooperated, I wanted it to be over as soon as possible. Afterwards, I took a bus to the facility where my brother was being housed, where I had to go through security again. That day I waited an hour to see him because he was waiting for an escort. I never looked forward to the screening process I must go through when I would visit my brother because it felt like I was being treated as a prisoner myself.

The City can change this, and our campaign recognizes that it will take all of us working together to accomplish this goal. We urge the City Council to decide yourself to supporting and improving this plan. Through the direct modifications the #CLOSErikers campaign is suggesting, the City could reduce the average daily jail population to less than 3,000 individuals, by investing in effective alternatives to incarceration and to mental health resources, including supportive housing.

###

**Statement re: borough based jails plan  
From Anastasia Tomkin**

If you google right now - the world's largest penal colony - Rikers Island pops up. A penal colony is a settlement used to exile prisoners from the general population by placing them in a remote location, often an island or distant colonial territory.

*[Let's zoom out for a second, and understand that mass incarceration is the biggest humanitarian crisis plaguing the US. The US has 5% of the world's population, and almost 25% of its prisoners. Not only is there state-sanctioned genocide of black men at the hands of those who are supposed to protect and serve them, but there are now more black men involved with the criminal system - meaning in prison, on probation or on parole - than were in slavery.*

*Let's zoom back in to Rikers Island in particular, where 90% of the people caged in that hellhole are black and Latino. If you do adequate research, you'll find a number of books and documentaries showing that the US does not face a crime problem that was racialized, it faces a race problem that was criminalized.]*

**Don't let people frame this as a question of re-directing resources. Communities should be funded, but not with the money allocated to rectifying this human rights crisis. People who've been incarcerated come from the same communities that have been neglected, and also want investments in communities. They know we can get that money from the 6 billion dollar annual budget of the police department that targets people of color, and by shrinking the Department of Corrections. But it should not come at the expense of improving conditions for people who are incarcerated.**

**Survivors of Rikers ARE part of our communities, and are deserving of these resources. They deserve the justice of a livable environment in a convenient location, that can both facilitate the process of their case, and allow for oversight into the practices of COs and management.**

**To the no new jails folks, we hear you. We are equally committed to revamping the entire concept of justice in this country. Our plan is a leap in that direction. And there will be work we'll continue to need to do together - to keep holding the system accountable, to dismantle the system, to ensure people have access to the things they need to prosper in their communities. In an ideal world, jails would not exist. But what is most urgent is to ensure that 5 years from now, Rikers no longer exists.**

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STATEMENT RE: BOROUGH BASED JAILS PLAN – September 5, 2019

#CLOSErikers campaign

by Anna Pastoressa

My name is Anna Pastoressa. I am speaking in support of building borough-based facilities to make sure that Rikers closes as quickly as possible. There are also a number of ways that the Mayor's Plan needs to be improved – **improvements that you all, as City Council, have the power to make.**

I have been living in Lower Manhattan, District 1 for over 35 years. My son was incarcerated on Rikers Island from 2010 to 2016 while waiting for trial. 6 years on Rikers Island became a daily torture for my son and for the whole family and our only hope were visits.

Visits did not come easily at all because we had to travel so far and for so many hours and for so many years to Rikers Island to face timeless mistreatment and abuse by correction officers before being able to visit him for one hour.

I do not believe that anyone should be locked up waiting for trial for years and years, and as a member of JustLeadershipUSA and a leader of the #FREEnewyork campaign, I helped win State reforms that passed in Albany this year, which will keep tens of thousands of people out of jail across New York State. But my son, for example, was remanded before his trial. While anyone is still detained, people must be given the opportunity to be near home, near their community, near their family and friends and near their attorneys, who can visit without enduring abuse and excessive travel.

**I also ask that the City of New York commit to replacing City sentences with alternatives to incarceration, and to diverting people with serious mental illness to appropriate programs. By doing that, you can plan for a more reduced jail population of less than 3,000 in the next few years.**

I do have a great concern about the Department of Corrections running any facilities where people would be housed. **While we move forward with shrinking the jail system, we must also move forward with a plan for the Department of Corrections be removed from running the new facilities. DOC is too corrupted, and, like Rikers, is beyond repair.**

My son is no longer on Rikers, but the 6 years of abuse on that infamous island have left deep scars on him and the whole family. I know what a difference it would have made to have had him closer to home and without the disgraceful abuse by DOC.

Let's move forward with real change: "Close Rikers NOW" and remove the Department of Corrections so that any new facility constructed can focus on healing and restoration. Thank you!!

###

## Darren Mack - Testimony on City Council ULURP Hearing

My name is Darren Mack. At the age of 17, I was arrested for being an accomplice to a robbery, charged as an adult, and incarcerated on Rikers Island for 19 months.. At that time, there were over 20,000 people detained on Rikers. After serving 20 years from a 20-40 year sentence in prison, I returned home to the city that I love and found that the culture of violence and human rights violations on Rikers still remained. That is why I got involved with the campaign to close Rikers. While New York City has capacity to incarcerate 15,000 people - thanks to years of advocacy and organizing, those beds are not filled. We must keep going. This is challenging and complex. This is not about one community over another or four communities. This is about our entire city.

In June of 2017, I approached NYC Mayor Bill DeBlasio in his gym to hand him a copy of the Lippman Commission report with highlights of the Commission's recommendations that were either totally absent or barely mentioned in his plan. The Mayor proposed a system that is fairer. 89% of the people on Rikers are Black and Latino, and they come from neighborhoods like Brownsville, East Harlem, and the South Bronx, which have been historically under-resourced. That's not fair. 300k to incarcerate a person on Rikers for 1 year, while community centers in communities of color and public libraries have closed due to lack of funding from the city. That's not fair. Crime in our city is at historic lows, but the NYPD budget is at historic highs of over 5 billion a year, and our schools have more cops than counselors. That's not fair. **Investments are choices and those choices have created a tale of two cities.**

Let's do something different! Let's do something bold! Let's do something historic! The #buildCOMMUNITIES investments must be in this ULURP process. [Our plan](#) is to shrink the system, decarcerate, and put forth historic justice reinvestments to [build communities](#). This would not just benefit some communities, but ultimately this benefits our entire city. To seize this moment and finally end this moral stain on our city, I urge you to support moving forward with the closure of Rikers with the borough based plan but with the important conditions outlined by directly impacted leaders who have brought us closer than ever to closing the last penal colony in the United States.

Thank you!

Darren Mack

###

## Statement to City Council

### Re: Borough Based Facilities

My name is Herbert Murray. In 2016, I joined JustLeadershipUSA to launch the #CLOSErikers campaign on the steps of City Hall, because I myself have suffered the inhumane conditions of Torture Island, and because I believe “Those closest to the problem are closest to the solution but often furthest from the resources and power.”

I urge the City Council to vote yes to this plan to build borough based facilities so we can close Rikers Island in the next few years. I also urge you to listen to and fight for the improvements that we’re asking you to consider.

When I was arrested, I was only 21 years old and my daughter was only 13 months. When I was held the Brooklyn House of Detention at first, my daughter and her mother were able to visit me, and so was my lawyer. But later I was transported to Rikers Island. Instead of one it was a whole complex of jails - it was chaotic, full of anger and despair. The only thing I looked forward to were visits from my family, but I almost didn’t want them to come because of that environment.

And my trial. It dragged on for two years. I remember being dragged back and forth to Rikers Island, waiting all day for court, sometimes missing court dates because it took so long to get there. It was demoralizing. I feel sure I would have had a better chance of fighting my case if I weren’t on Rikers. **A better chance at fighting my case could have saved me from serving more than 25 years upstate for a crime I did not commit.**

The smaller, borough facilities will give us a chance to start over. You hear me saying “facilities,” not jails, because I do not accept that these will be anything like the jails that exist in this City right now. Those jails, especially Rikers, were designed for punishment. Directly impacted people will keep fighting through the next stages of this process, to make sure these community based facilities create a true chance at rehabilitation, and are run by people who can and will create the environment.

###

## **Statement to City Council re: Borough Based jail plan**

My name is Marco Barrios. I'm a resident of Queens, and a member and leader of JustLeadershipUSA and the #CLOSErikers campaign.

I urge the City Council to pass this plan to create community-based facilities, so that we can set a real plan in place to close Rikers. In the course of my incarceration, on two occasions I was sent to Rikers Island to protect my rights to see my daughter. On both occasions the conditions of Rikers Island were so horrific, that I wanted to get back as soon as possible to the maximum security prison that I came from. I could not believe the treatment of a human being by our criminal justice system.

I am well aware that new buildings will not fix all of the problems in our criminal justice system. But they can be the start of progress - by bringing people closer to their lawyers, families and services; by moving the facilities into places where real oversight is possible; and by creating physical spaces for the kinds of programs and care that are needed. For the past few months, I have been engaged as a member of the Mayor's Justice Implementation Task Force, as part of the subcommittee on programming. In that role I have advocated - and will continue to advocate - for a comprehensive and effective rehabilitative model for anyone who is still detained, with transparency and accountability to see this approach is correctly implemented. When "anyone who is still detained," I say that because our focus is decarceration and shrinking the criminal justice system. Due to the reforms we've already achieved and the further changes we know are possible through our advocacy in the next few years, the City has reduced the planned capacity for the facilities from 5,000 to 4,000, and we know they can be planning for less than 3,000 in the next few years.

*Last and not least, closing Rikers Island and shrinking our jail system will put us on a path to save over \$500 million annually. The City can invest those savings in the kinds of community resources outlined in our #buildCOMMUNITIES platform. And we will be there to advocate for that.*

Thank you,

Marco Barrios

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## **Statement to City Council re: Borough Based Jail Plan**

### **Spoken**

My name is Marvin Mayfield, I'm a lifelong New York City resident, I'm a survivor of Rikers Island and the Boat, and I am here to show my support for their closure. Moving quickly to end the torture of Rikers is the right thing to do. We are already too late for all of the people who have died there, who have suffered there, and who are suffering there.

Just like lobotomies and blood-letting in the medical profession, Rikers Island is the tool of a bygone era which has been proven non-effective. And that includes the Vernon C. Bain Detention center, also known as "The Boat," a modern-day slave ship, which was supposed to be a temporary fix when the jail population was about twenty two thousand.

With the changes in the pre-trial detention laws that WE won, the number of charges that are eligible for detention or money bail have been dramatically reduced, prompting the city to propose a reduced jail capacity - less than 4,000 across all boroughs. We know that capacity can be less than 3,000 in the near future. For people who are not released by these reforms, who are detained for any period of time, we want to see them treated with compassion, in improved facilities much closer to their families, lawyers, and services.

Like any advocates, we are working on multiple things at the same time, and we also expect the City to. We are working on more state reforms, on advocating for improved and expanded programs within the new facilities, on transforming the way the facilities are managed and operated, and on winning more investments in community resources. And we recognize that this plan can and MUST proceed AT THE SAME TIME. As I said, the time to close Rikers was decades ago, but the next best time is now.

I am here today as a veteran who served my country, as a person who directly experienced the horrors of the Boat and Rikers, and an advocate who fought for those pre-trial reforms that will help get thousands of people across this state home to their families . The word "patriot" has lost some it's appeal to some. But that's who I am. I fight for what I believe in. And I believe that the way we treat the least of us, is how we will recognize what is in the best of us.

## **Statement to City Council re: Borough Based Jail Plan**

### **Written testimony**

My name is Marvin Mayfield, I'm a lifelong New York City resident, I'm a survivor of Rikers Island and the Boat, and I am here to show my support for their closure. Since the day that Riker's opened in 1932 it has become synonymous with violence and death. Moving quickly to end the torture of Rikers is the right thing to do. We are already too late for all of the people who have died there, who have suffered there, who are suffering there, who have seen and experienced things there that they cannot forget.

Just like lobotomies and blood-letting in the medical profession, Rikers Island is the tool of a bygone era which has been proven non-effective. And that includes the Vernon C. Bain Detention center, also known as "The Boat," a modern-day slave ship, which was supposed to be a temporary fix when the jail population was about twenty two thousand. There is no longer any justification for its existence.

With the changes in the pre-trial laws that WE won, the number of charges that are eligible for detention or money bail have been dramatically reduced, prompting the city to propose a reduced jail capacity - less than 4,000 across all boroughs. And for those who aren't yet covered by these reforms, who are not yet free, who are detained for any period of time, we want to see them treated with compassion, in improved facilities much closer to their families, lawyers, and services, and given the proper treatment that would facilitate a positive re-entry for those returning home.

Like any advocates, we are working on multiple things at the same time, and we also expect the City to. We are working on more state reforms, on advocating for improved and expanded programs within the new facilities, on transforming the way the facilities are managed and operated, and on winning more investments in community resources and alternatives to incarceration that could lead to an even lower jail population. And we recognize that this plan can and MUST proceed AT THE SAME TIME. As I said, the time to close Rikers was decades ago, but the next best time is now.

I am here today as a veteran who served my country, as a person who directly experienced the horrors of the Boat and Rikers, and an advocate who fought for those pre-trial reforms that will help get thousands of people across this state home to their families . The word "patriot" has lost some it's appeal to some. But that's who I am. I fight for what I believe in. And I believe that the way we treat the least of us, is how we will recognize what is in the best of us.

###

## **Statement to City Council re: Borough Based Jail Plan**

My name is Natasha White. I am a Bronx native, and I have been detained and incarcerated on Rikers Island approximately 26 times.

Unless you've been there, you may not realize that Rikers is built on a landfill. It is literally a cesspool of filth and a real health hazard for all parties involved. In 2010, myself and every female in my unit was treated for being exposed to TB. Rikers must be shut down now. And, the fastest and clearest way to do so is to vote to yes to this plan to shrink the system and improve conditions. But you can do even better than what the Mayor has proposed. You can make the system even smaller, with less than 3,000 people detained, by investing in more treatment and alternatives outside the system.

For anyone who is still detained, we need a completely different environment, more focused on rehabilitation. While on Rikers, I have been beaten and maced by correctional officers, illegally stripped searched, and treated inhumanely on a daily basis. Not once was my core problem (addiction and homelessness) addressed. The majority of women detained and incarcerated on Rikers are either addicted to drugs or survivors of domestic abuse. Where is the support for us? Why do we not receive trauma-informed care that addresses the root causes of incarceration that are unique to women? Where are the parenting workshops and narcotics anonymous meetings on Rikers? Rikers has never been equipped with the programs needed to rehabilitate, or assist people in breaking the cycle of crime and reentering society. Correctional Officers are security and not mental health workers, case managers, credible messengers, or educators, which are the staff we need to address our untreated mental health and substance use. Instead, we spend over \$300,000 annually per person detained on Rikers – costing taxpayers billions of dollars each year – to employ correctional officers who abuse, dehumanize, neglect and harass our brothers, sisters, mothers, fathers, friends, and community members on Rikers. Bringing these facilities out of isolation will make it harder for their abuses to continue, but the next steps must be to create a new agency or a new structure to manage these facilities. DOC cannot.

Thank you,

Natasha White

###

## Statement to City Council re: Borough Based Jail Plan

My name is Peggy Herrera. I am a lifelong New York City resident, and a mother not only to my own, but to the many young people I work with. They are young men with lots of potential but also with lots of trauma and pain that gets overlooked because of their behaviors.

My 20 year old son also lives with the impacts of trauma. He took a turn and ended up in the criminal justice system. At first, I didn't know where he was. I didn't hear from him for three days. When I finally found out where he was at I made my way to The Rikers Island Barge in the Bronx. He told me he was in the bullpens for three nights, on the floor with roaches climbing on him and he still didn't bathe. No phonecall? No bed? No bath? The jail population in NYC is the lowest it's been in forty years, so there are no shortages of beds or staff in those facilities to explain such inhumane treatment. WE MUST DO BETTER!!!! The fact that Rikers and the Boat are so isolated makes it easier for this abuse to happen with little oversight.

Closing Rikers is URGENT!!!!. The plan proposed is a start, but we urge the City Council to make important modifications to improve it..

The City Council can

- Insist that the City make a targeted \$30 million investment in expanding alternatives to incarceration - the type of programs focused on a therapeutic approach that would really benefit my son,
- Insist that the City agree to a \$100 million investment in mental health resources
- Through these commitments, reduce the jail population to less than 3,000 people in the next five years

And these new facilities must be operated differently. People must be treated as people, and the City MUST detail plans to limit the role and power of the Department of Corrections so that these facilities can actually support rehabilitation. Please, help us to win improvements to this plan, and to close the United States' last penal colony, and the floating jail here in the Bronx where people are suffering right now.

###

## **Statement to City Council re: borough based jail plan**

My name is Shanica Fogler-Shah. I was detained on Rikers for 22 months before going to trial. This being my only experience with jail, it is one I will never forget. I can recall the times being in a cell with temperatures over 100 degrees, taking my t-shirt off and drenching it with cold water and putting it back on to try and sleep but having it dry or hot and clammy no more than 15 -20 minutes later. No one should have to endure the conditions of Rikers. We must set a clear plan in place to close Rikers, so I ask you to vote yes to this plan.

But you can also use your power to improve this plan. Tell Mayor that along with passing this plan, the City must commit to more investments in alternatives to incarceration, and mental health resources. I was housed with women who were clearly battling with mental illness but instead of being properly treated they were mistreated due to their illness by being locked in their cell. Some would react by expressing their frustrations by either attacking other women on the unit or spreading feces in the cell or areas that the rest of us were exposed to. Yes, they may not have been maintaining their hygiene, but that could have also been because the time was not taken to properly diagnose and treat them accordingly.

I also know that these new facilities are just a start, and that advocates like me will keep working to make sure the entire management of them is restructured with support staff - not Department of Corrections interaction. Along with that, we need to change the language so that behavior change will follow. No more inmates or offenders - addressing people Mr and Ms instead. Transformed building and a transformed culture will reduce recidivism, which Rikers Island will never be able to do.

I urge to use your power as City Council to end this suffering, and support this plan, including the improvements that those of us from the #CLOSErikers campaign have named.

###

## **Statement to City Planning Commission**

### **Re: borough based jail plan**

Good afternoon everyone, my name is Tamika Graham. I'm a lifelong New York City resident, I am formerly incarcerated, and I am HUMAN. I am testifying today in support of the plan to go from 12 jails to 4 borough-based facilities. Along with other formerly incarcerated people, I am also urging the City Council to ensure that this plan also comes with commitments to further investments in alternatives to incarceration, and treatment for mental health needs.

Rikers Island must be closed down immediately. It serves no positive purpose. I was on Rikers Island for the first time in 1995 while at the tender age of 16. I had to learn to develop a thick skin and I had to learn how to survive, otherwise Rikers Island would have chewed me up alive and spit me out. When I was back at Rikers Island years later, I found that toxic culture as unchanged as the toxic environment.

Because of the work of formerly incarcerated advocates, we've made progress. With Raise the Age, adolescents are no longer on Rikers. And we passed bail reform that will keep thousands of people across the City (and state) from spending even a day in jail.

But there is more work to do and not everyone will be free yet. Rikers is not an environment fit for any human being, and we won't leave anyone behind there. The time is now and we cannot delay. Moving quickly with this approval process is the right thing to do to match the urgency of the human rights crisis on Rikers Island, and the poor conditions of other existing City jails.

*In closing Rikers, we must also invest in our communities. This downsizing of the jail system will set us up to permanently reduce how much money we spend on it each year. It costs taxpayers \$300,000 to jail one human on Rikers annually. We could instead use it for schools, recreation centers, healing and restorative justice centers, credible messengers, alternatives to incarceration, job training, housing, treatment programs, growing gardens and anything else that fits the needs and betterment of the community. These are the type of investments that will help us, over time, continue to*

*reduce the jail population in this City and the prison population across the state. But we cannot get to that point without first crossing this threshold.*

So please, pass this plan, and heed the demands of the #CLOSErikers campaign to make this a plan to shrink the system, improve conditions, AND invest in communities.

###

**Statement to City Council**  
**Re: Borough-Based Jail Plan**

My name is Tina Tinen. Prior to going upstate to Bedford Hills, I must've been in and out of Rikers Island at least 20 times. I urge the City Council to waste no more time in making sure that Rikers closes. Please vote yes on this proposal, to shrink New York City's jail system from 12 to 4, and ensure the end of Rikers Island. I was fortunate enough to get occasional visits during my time on Rikers Island, which slowly dwindled because it was an all-day experience for the visitor. Women - and anyone in detention - need to be housed in a building where they are more accessible. Family support is crucial, and Rikers Island is not easily accessible. People are isolated and forgotten on Rikers Island.

The conditions on Rikers Island almost guarantee that people will come out worse than they went in. Rikers Island created a savage because every time I was in there, it was for drug related offenses, and the conditions were so horrific that I would just tell myself, 'Don't worry as soon as you get released from here you will shoot a bag of dope.'

With the new bail reform laws that advocates fought hard for, I would mostly likely not be held pre-trial for a drug-related offense. And if the City Council responds to calls from advocates to make a commitment to fully fund alternatives to incarceration - along with this plan - people dealing with addiction can be offered treatment instead of serving a City sentence. That could make New York City's jail system even smaller - with space for less than 3,000 people.

But I also spent time on Rikers with women who were facing much more serious charges. While judges still have the power to detain or remand anyone, we need facilities where people can live in conditions fit for humans. Rikers does not offer that.

Also, I never had problems with the women I was locked up. I was always arguing with officers. The Department of Corrections cannot continue business as usual. People who run the new facilities must have the training and desire to provide a supportive environment, so that our family and neighbors come back to us better than when they left.

Thank you for your time.

Tina Tinen

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## **Statement to City Planning Commission**

### **Re: borough based jail system**

My name is Victor Herrera, and I am a member of JustLeadershipUSA and the #CLOSErikers campaign. I am lifelong New Yorker, and a resident of Brooklyn.

Rikers must close on the fastest possible timeline. Rikers must close because of the history of violence and brutality which I personally experienced on Rikers Island, and the fear and the traumatic stress that resulted from it. Those of us who have been there are still affected by it. The brutal assaults I experienced and the conditions I was subjected to on Rikers Island have affected my health, both physically and mentally. Thankfully, the last time I was on Rikers was years ago. But within the last year, my brother was on Rikers Island, and my nephew was on the floating extension of Rikers Island - the Boat, another facility unfit for humans. The only way to heal from all the trauma that many of us have experienced in these sites of torture is to begin the process of closure.

I support building borough based facilities as a first step toward reducing the jail population and taking a new approach. Because of the advocacy of people who've survived Rikers, we will soon see historic pre-trial reforms implemented, and the Mayor's office has reduced the planned capacity of the borough based facilities to 4,000. The City Council must also include investments in mental health resources and alternatives to incarceration in this plan, so that NYC can plan for less than 3,000 people in detention in the near future.

For anyone who is still detained, we need to make sure they are housed in much better conditions that support progressive rehabilitation rather than punishment, and are located centrally, where the community can be involved. We have no illusions that new facilities will solve all of the problems. Changes are also needed in favor of something more like a case management type of approach, but nothing about the current jails encourages that or provides space for that. As a lifelong advocate, I'll be there to fight for those changes too.

The time to close Rikers is now, and we cannot delay. At this very moment, thousands of people are sitting there, on a penal colony, suffering. We have to start somewhere, and we have to move now. I ask you to vote yes, so that we can ensure that no one is left behind on Rikers Island, and include this important improvements.

###

## **Brandon J. Holmes - Public Comments on City Council 9/5 ULURP Hearing**

The #CLOSErikers campaign calls on the City Council to amend the current ULURP application to reflect [our plan](#), providing a clear path for the city to reduce the capacity to incarcerate people by over 75 percent. The #CLOSErikers campaign advocates for City Council to center three priorities in the upcoming vote:

- Reducing our city's capacity to incarcerate New Yorkers from 15,000 beds to 3,000 or below; from our current 12 facilities down to 4
- Improving conditions for New Yorkers who are currently incarcerated; including folks who have been remanded & do not have the option of bail
- Reducing our over reliance on the punitive legal system, making it possible to divest from law enforcement agencies and invest in the communities most harmed by mass incarceration
  - We are submitting our #buildCOMMUNITIES platform which contains over 100 concrete policy and budget demands to support community based solutions which can lead New York City to achieving a zero ADP

We know that a combined ULURP and design build are the RIGHT CHOICE to be able to close Rikers on the fastest timeline possible, and ensure that not one person is left behind on Torture Island. This joint ULURP reinforces that we have a major commitment to closing Rikers, improving conditions, and increasing access to families, courts, and legal support - which will improve case outcomes and reduce lengths of stay in NYC jails.

The community has been engaged since the beginning of this plan because this plan came from the community -- specifically from survivors of Rikers. As early as 2016, our campaign mobilized directly impacted and formerly incarcerated residents of every borough during the original Lippman Commission hearings, to share their experiences of how Rikers Island had impacted their lives and their communities. Our members met with City officials in each borough to identify areas for improvement and outline our specific priorities and demands to implement the full closure of Rikers Island. After the scoping hearings, formerly incarcerated leaders and advocates participated in the Neighborhood Advisory Committees in each proposed site district. As the leaders who created the conditions to make closing Rikers an urgent priority for this Mayor and his administration, formerly incarcerated leaders have elevated their key demands and remained engaged at every step of the process.

Each year, there is a new report and multiple incidents of violence, rape, and death in our toxic, isolated penal colony on Rikers Island. If the City were to delay the process of advancing a plan until every element was 100% decided, it would not allow for advocates and communities to serve the oversight role in shaping this plan that we have had to date. And, more importantly, it would fail to address the urgency to get every last individual off of Rikers Island and out of the horrific, inhumane conditions in current NYC jails.

While elements of exactly which programs, what design, and even what management structure are still being debated and negotiated, we know WITHOUT A

DOUBT that if this plan is defeated or delayed, it will mean people spend more time on Rikers - with no plan or commitment to closure. We need to do those two streams of planning concurrently - just as we need to divest from incarceration by shrinking jails capacity while we also invest in improving conditions and access to programs and supports for people who are currently incarcerated. The #CLOSErikers campaign urges the City Council to vote this plan forward - New York City must not waste this opportunity to finally close Rikers Island jail complex and transform our approach to justice in America.

###

## Statement re: borough based jails plan

September 5th, 2019

My name is Edwin Santana. I am a native New Yorker, and a proud Bronx resident. I live just a few blocks from where this borough based facility would be built.

Thank you for allowing me this opportunity to express my distaste for Rikers Island - an environment that embodies negativity in its rawest form. If Rikers Island was a human being, they would be the embodiment of every evil soul to ever have walked this earth. Some of you might ask: Well, Edwin, How do I know this? Simple, because I was detained there. I know firsthand how it is to walk in fear throughout those murky hallways every day.

People like who have been on Rikers KNOW we must close it. Many New Yorkers have come to realize that as well. After much organizing, the Mayor has agreed with us that Rikers must close, and the questions now are, when? and how? Rikers must be closed on the fastest possible timeline. Why? Because it is a HUMAN RIGHTS CRISIS. As a leader of the #CLOSErikers and the #FREEnewyork campaign, I've done the work to get state reforms passed that will reduce the numbers of people in NYC jails as well as all over this State. And we are still fighting for more reforms. Within the next five years, we believe the City can reduce the jail population even further- to less than 3,000 people. For us, that means that more people would be free. For you, that means the building will be smaller.

I urge you to support the proposal for borough-based facilities but, with conditions--number 1, the facilities to be smaller because of a smaller jail population of about 750 per facility, and number 2, for the facilities to truly run differently.

You may not have ever been to Rikers Island, but you cannot honestly say you don't know bad it is, because we took time to tell you our experience. Please do not ignore us. To vote no on this proposal is to place yourself on the wrong side of history, to vote no to this proposal is to turn a blind eye to the suffering of other human beings, and please understand that to say no to this proposal is to put your own fears ahead of other people's lives. **We know there is room for criticism to improve this plan, but not to defeat or delay it. The time to close Rikers is NOW.**

**Testimony in support of the borough-based Jail proposal**  
**Dr. Rabbi Barat Ellman**  
**September 5, 2019**

The proposal to replace the massive jail system on Rikers with smaller, closer, differently designed, and differently run jails located in the communities where their occupants live, is a vitally important step toward humanizing our collective idea of people who are convicted of crimes. Rikers's location, design and management combine to push the message that incarcerated people are different from the non-incarcerated. Removed a considerable and inconvenient distance from their communities, they are rendered invisible and unprotected from abuse. There are no neighbors to respond the sort of cries that brought attention to the deplorable conditions at the federal facility in Sunset Park last winter and visitors who provide connection and support are discouraged by the difficulty of getting to the island.

Some opponents of the borough-based jail proposal say that jails in residential communities will pose a danger; that they will bring down property values; that they will draw unwelcome visitors. These are the arguments that supported redlining and other segregationist policies.

Some opponents of the proposal claim that it is led by real estate interests and development objectives. This is false. Directly impacted people have led the charge to close Rikers, and leaders of the CloseRikers campaign have been involved in the design of the new proposal from the start. They have successfully brought the total numbers of beds in the borough system down to under 4,000, and are advocating now to reduce it to below 3,000 – a modification which this Council can and must make. And they are continuing to demand that the new facilities be less restrictive. People cannot be locked in cells or cages and the management/running of the facilities must be social workers and mental health workers, not DOCs, which operates on an outdated and oppressive model.

say the new jails simply expand the city's carceral capacity and that no new jails should be our objective. Frankly, I too, want to abolish jails and prisons. And I share the concern that the new jails could be additive if Rikers is not dismantled at the same time as they are built. For that reason, I agree with the demand that the new jail proposal include plans for the **immediate** dismantling of all unused buildings on Rikers, and a timeline for the rest of the buildings to be torn down.

Rikers Island is a moral stain on our city. It is imperative that it be closed now.



September 5, 2019

Members of the New York City Council,

Trinity Church Wall Street urges the City Council to vote yes to close the jail complex on Rikers Island and support a system of modern, borough-based jails — with provisions that decrease incarceration and build a justice system worthy of our great city.

Rikers Island is a stain on New York that contributes to human suffering, broken families, and community deterioration. Its culture of violence and inhumane conditions creates a human rights crisis that impacts our families, our neighbors, and the people who are employed there. Many of our congregants have been detained on Rikers, often before their trial, with great physical and spiritual costs inflicted on their souls. Furthermore, we know that over 90 percent of those detained on Rikers are black and brown and over 40 percent have a diagnosed mental health condition. The tragedy of Rikers is a family, racial, and social justice issue, and we must close it as soon as possible.

A modern, borough-based system of jails that prioritizes rehabilitation and family unity, and helps prepare our neighbors to live full and wholesome lives, is the morally right plan to advance. At the moment, when family members or clergy wish to visit a loved one detained at Rikers, they must invest an entire day for an hour-long visit. We know that successful rehabilitation and health outcomes require that a person have connections to their families, social services, and educational programming – and a system of modern, borough-based jails supports the environment for these outcomes to happen.

The tragedy of Rikers must not be replicated in the new system of justice we are building in our city. To that end, the following conditions should be included in the plan moving forward:

- We must invest in alternatives to incarceration so that detaining a person becomes the last resort – after other options have been exhausted.
- We must invest in communities, so that our neighborhoods have vibrant opportunities and health outcomes that are robust.
- The era of incarcerating people for mental health and substance abuse issues must end.

Through our capacity as a faith leader and philanthropic organization, Trinity Church has advocated for significant investments in successful programs that attain these goals. When we build economic opportunity, vibrant neighborhoods, and invest in families and alternatives to incarceration, we will end mass incarceration in our city and set an example for cities around the world to follow.

None of this can happen as long as Rikers Island stays open. As leaders in criminal justice reform and partners who stand with our allies that have brought the plan to this point, we will continue to advocate for conditions that end mass incarceration and build wholesome and strong communities.

We urge you to stand with us and move the plan for borough-based jails forward, advocating for the policies that will continue to build a system of justice that is worthy of our city's name.

Thank you for your consideration.

Sincerely,

The Rev. Winnie Varghese, Priest, Trinity Church Wall Street

**TO: City Council, Subcommittee on Landmarks, Public Siting and Maritime Uses**

**FROM: Steven Pacheco, Advocacy Associate of From Punishment to Public Health (P2PH)**

**DATE: September 5, 2019**

**RE: PUBLIC HEARING ON BOROUGH BASED JAILS SYSTEM**

My name is Steven Pacheco and I am a Bronx native of 20+ years. I work with the From Punishment to Public Health (P2PH) initiative, a research center at my soon-to-be alma mater John Jay College of Criminal Justice. P2PH is a collaboration of academic, research, policy and direct service agencies focused on accelerating reforms at the intersections of public health and public safety. Our focus is to stimulate dialogue across disciplines and accelerate the adoption of proven strategies that address the underlying causes of criminal and antisocial behaviors. I have also worked across various sectors such as policy and philanthropy, and am a formerly incarcerated person. So, closing Rikers hits home for me.

Today we are discussing a special moment for our city. The opportunity to shutter the horrid jail facilities on Rikers Island may not come around again for another 50 years or more. This is our chance to send a clear message that we will not tolerate the violence and overt neglect that these facilities have come to represent. And, so it is with that fervor that I make my appeal to City Council as we approach the closing of Rikers.

In this moment, elected officials are tasked with finding an equilibrium. It is imperative that we consider strengthening the socioeconomic fabric of the communities where the newly proposed borough-based facilities will exist. And, it is just as imperative to ensure that there is sufficient bandwidth to serve folks who are being released from a period of incarceration.

Living in New York City practically all of my life, I have seen the lingering atrocities many of the neighborhoods in question are faced with firsthand. The rampant disenfranchisement plaguing areas such as Mott Haven in The Bronx or El Barrio in Manhattan are a reflection of the City's long-standing historical negligence in many regards. Not surprisingly, much of the City's incarcerated population comes from these very same disenfranchised communities. So, what does accountability look like in the face of this reality?

Accountability looks like acknowledging the existing conflicts in the criminal justice system and delivering remedies that energize action, encourage self-evaluation, while stimulating innovation and adaptation. We cannot afford to undermine the health and wellbeing of our City's incarcerated and formerly incarcerated population any longer. As someone who was once locked inside the war-torn Rikers facility, I remember feeling as though the world had come crashing down on my spirit. And, with the closing of Rikers island on the horizon, we can finally shine some light on one of our City's most neglected populations.

As highlighted by many of those gathered for this hearing, we recognize the current plan to construct and redesign four borough-based facilities has flaws. But, at this special moment, we also recognize the dangers of letting perfection stand in the way of progress. While our current system has surely impacted Black and Brown people disproportionately since its inception, the implications of closing Rikers will span far and wide beyond this demographic—if we do not get this right. With this sentiment in mind, I encourage you to consider three essential elements of community wellness – social, emotional and financial – as you seek amendments and improvements to the borough-based plan.

P2PH utilizes the wellness framework originally created by the Substance Abuse and Mental Health Services Administration (SAMHSA) to analyze and stimulate cross-systems innovations. The current plan to construct borough-based facilities is mostly focused on the construction and operation of the buildings themselves, and the wellness framework invites us to ask questions about how these buildings and their operations will likely impact the broader community.

How are we investing in the communities that surround the planned borough-based facilities? How are we investing in those communities that we know have the highest rates of incarceration? And, how do these investments foster the social, emotional and financial well-being of individuals and communities impacted by this plan?

The nexus between stable housing, healthcare access, and short-term incarceration is now well documented and better understood. Yet, we continue to operate mostly siloed systems of care for some of the most vulnerable members of our community. Perhaps the most important consideration that should accompany this conversation about borough-based jails is how we can provide safe housing and low-threshold healthcare access to the individuals that pass through them. If we don't answer that question, these facilities will remain a revolving door for impoverished and sick people that currently exist on Rikers Island. We need not only think about creating safer facilities, but also safer communities.

In thinking about the communities impacted by this plan, we must consider the employment prospects of current residents. Are they prepared to fill the jobs that will arrive with the construction and operation of large municipal facilities? Do they have the educational background and credentials needed to move beyond entry-level positions? In short, how are these residents integrated into the economic stimulation this plan contemplates? And how can this participation be amplified to contribute to broader neighborhood benefits?

Ultimately, the incarcerated individual bears the brunt of these challenges, but the effects extend outward to the social, emotional, and financial wellbeing of families, communities, and society at large. For these reasons, and many more, we encourage City Council to broaden the perspective on the City's plan to close Rikers. P2PH is eager to lend its wellness framework to the City's efforts to help move forward with the implementation of a borough-based jails system. Thank you for your consideration.

Lower East Side Power Partnership  
**Addendum** to Written Testimony to New York City Council  
Landmarks, Siting and Maritime Uses Sub-Committee  
On Borough Based Jail System  
September 5, 2019

The Lower East Side Power Partnership (LESPP) had a representative at the September 5 New York City Council Landmarks, Siting and Maritime Uses Sub Committee Hearing on the Borough Based Jail System.

Based on testimony at the September 5<sup>th</sup> hearing LESPP is adding the following statement concerning building size.

**Building Size**

**Building 40% Less Height**

According to the Brooklyn Eagle, article entitled Borough-based jail plan fails first test as community board rejects recommendation, the Land Use Committee of Brooklyn Community Board 2 “recommendation supported a much smaller jail at 275 Atlantic Ave. than the Mayor’s Office of Criminal Justice originally proposed.”

According to an article entitled Local Boards Reject Rikers Replacement Jails, but Council Reps Hold the Key in The City Brooklyn Council member Stephen Levin “said he’s not happy with the height and density of the jail building slated for his district.”

At the Manhattan Community Board 1 Meeting of Monday May 13 it was stated that due to prison reforms the projected estimates for future bed needs is estimated to be reduced. One consideration discussed at the May 13 LESPP meeting was a smaller more in scale building for the Manhattan Detention Complex. Another consideration discussed at the May 13 LESPP meeting was 40% less height due to the decreased projections concerning future bed needs.

**LESPP advocates for** consideration of a similar situation to the East 50s Supertalls. LESPP advocates for consideration of building to the 40% less height. The height need would be reevaluated when the 40% less height is built. The reevaluation would utilize the impact that criminal justice reform has had on the number of detainees on Rikers Island. The reevaluation would use actual numbers and possibly updated estimated projections. At that time a determination whether what is built is sufficient or whether any additional height is needed can be considered.

My name is Ramona Ferreyra; I am a resident of Mott Haven and member of the **Close Rikers Neighborhood Advisory Committee (NAC)**.

I joined NAC because of Kalief. I heard his story *after*. *After* his time at Rikers. *After* he was beaten. *After* he was dehumanized. *After* we failed him. But his story never left me. Kalief had that effect on many of us. His eyes seemed to yell even when he said little.

There's been a lot of yelling since the office of the mayor **adopted** the borough based jail plan created by community organizers and accepted by the Lipmman commission.

- Some have yelled about their property value.
- Others have yelled about the “shadow” the facilities will create.
- Many have been yelling “no new jails”, all while raising valid arguments. Our jails are inhumane; the Department of Correction is integral to the corruption and abusive culture that defines Rikers. Why would we create additional structures that would surely succumb to the same vices?

To me all of these arguments faded with the life of Junior. As I watched the video of his murder I was once again stunned. Again I was overwhelmed by feelings of failure. We failed to keep Junior safe. We failed to get him home that night. We failed his family. We failed his neighborhood. We failed to provide alternatives to crime to his killers. We failed to create options for them.

Kalief Browder and Junior Guzman are bookends for me, *and* my borough.

I have stood firmly behind, and next to, those who turned the *wound* that is Rikers into resolve and yell “Close Rikers!” When they yell I listen because *they* have experienced the horrors of Rikers Island. *They* survived Rikers and have come out on the other side with a clear understanding of what needs to be changed. *They* support building borough based facilities because Rikers cannot be saved. *They* know that as we sit here there are others sitting in Rikers, beaten, broken.

The least I can do:

- for them,
- for anyone that has survived Rikers,
- or has been impacted by crime because of the disinvestment our communities have seen,

is join their yells. The 12 recommendations developed by Mott Haven residents and stakeholders aggressively redirects a portion of the \$500 million dollars saved by closing Rikers. Some examples of our demands are:

1. Sustainably affordable housing that serves all of our residents, 40% whom live below the poverty level.
2. A youth hub which would provide mental, sexual and physical health support along with GED, college, and workforce preparation support.
3. Educational, training and workforce development opportunities that prepare our youth for the future.
4. Transitional and supportive housing, and an abandonment of our current reliance on shelters.
5. Mental health and addiction resources that reimagine “treatment” as our neighborhood is number one when it comes to overdose death.

6. Significant investments in programming, and infrastructure, within NYCHA as we have the largest concentration of public housing.

This city owes Mott Haven these investments. This city has allowed us to simmer, as if that hurts less than burning. You do the same daily to those waiting on the island of Rikers. As they wait for their day in court, for their justice, for their families you ask them to hold on. You ask for more details. You ask for more time. I'm here to tell you on behalf of us that we will not wait any longer.

You will bring them home to us. But Mott Haven will be ready this time. We will be ready to welcome them, and if necessary, rehabilitate them. We will heal the wounds *you created* together.



September 5, 2019

## **ST. BONIFACE SOCIAL JUSTICE ACTION TESTIMONY BEFORE CITY COUNCIL ON THE BOROUGH-BASED JAIL SYSTEM**

The Social Justice Action group of St. Boniface Catholic Church, at 109 Willoughby St, Brooklyn, NY 11201, is comprised of many active members of Brooklyn Community Board 2. We strongly endorse the City's proposal to close Rikers Island jail, to significantly reduce the City's incarcerated population, and to provide alternative custody models.

Mass incarceration is a scourge of modern U.S. society. We incarcerate more people than any other country on Earth. New York City has bucked that trend by reducing its incarceration rate while simultaneously reducing crime, and new state bail reforms will help, but we can do much more. Rikers Island remains a tribute to failed, inhumane practices.

We support "smaller, safer, fairer." We support development of borough-based custody centers in the Mayor's plan to close Rikers, and to that end, we support re-development of the existing Brooklyn Atlantic Avenue detention center to accommodate a reduced borough prison population. We support a central facility for women so their unique service needs may be fully met. The borough-based system provides an opportunity to re-think not just geography but the fundamental nature of custody. Indeed, this is the very essence of "Justice Hubs."

- ❖ Locally-based custody centers will enhance family ties, demonstrably effective in reducing recidivism.
- ❖ Detainees will have more efficient access to courts, to local counsel, and to emergency or other community medical services.
- ❖ Community-based re-entry and support services will have closer contact to their service populations to provide direct trauma-informed support inside borough facilities.
- ❖ Local communities will have greater incentive to become stakeholders in the incarceration process, requiring them to confront the facts of incarceration. This may incentivize diversionary placements or other alternatives. Small seed funding of local jail reforms has produced important results and community involvement propels such efforts.
- ❖ Wholly new facilities will allow dedicated spaces for a diversity of experiences and clean, attractive spaces that inherently build self-respect, such as that envisioned by the Van Alen Institute's design winner NADAAA.

**Merely re-arranging custody – making it less offensive, more humane – is not itself an answer to over-incarceration. But borough-based "Justice Hubs" are more than this. They are an essential first step in rethinking the fundamental nature of custody, with reduction always the end-goal. We strongly endorse this plan. Thank you for the opportunity to comment.**

**Constance Tempel, Co-Chair  
St. Boniface Social Justice Action**

## Borough Based Jails

Statement made before the New York City Council, September 5, 2019:

My name is Sheryl Fetik.

Good afternoon Members of the City Council, and fellow NYers. Thank you for giving me the opportunity to speak to you today, about the proposal to build neighborhood jails. I am opposed to the new jail being proposed for Kew Gardens, Queens, and to the process being used to support all of the new neighborhood jails.

I am a lifelong resident and homeowner, of Rego Park, Queens. I live about 2 miles away from the proposed Kew Gardens jail facility, a distance that can easily be walked on a nice day. Rego Park is considered part of the same community as Kew Gardens, for many purposes; for ex, they are within common State Assembly, State Senate and Congressional Districts. An activist for most of my life, I am a founder of the independent Community Action Network (ICAN), a group which builds coalitions to work on issues.

I am opposed to the proposal to build a new jail, at the chosen site in Kew Gardens, for a number of reasons.

I listened to the presentation of the plan for the Queens jail, and spoke at a hearing before CB9 at QBH. The plan presented is vague and sketchy. There were few details presented, other than showing renderings of a 27-30 story building, which would dominate the neighboring landscape. I had requested to be present at a meeting with my Councilwoman and the Mayor's Representatives, to discuss the proposal. I was told that this was a private meeting, by invitation only. I have been active in my community, for much of my life. I believe that little or no real community input was permitted or included, in arriving at this proposal. Community input should be and is required.

From the presentation I heard, there was no real study of the effect of this proposal on the local community. An environmental impact study, analyzing the full effect on the local area is required, as part of the legal process to support this project.

Without a clear plan, with little or no community input, and with no real study of the environmental impact, this proposal is seemingly being railroaded through. Regardless of the powers pushing this proposal, please reconsider, and follow the process, required by NYC law.

This is not just about NIMBY, not in my backyard. When a project of this magnitude is proposed, we should be considering how to solve the problems before us, while also thinking about how local residents and businesses will be affected. For a number of recent NYC proposals, local impact has been ignored.

Certainly, many changes should be made to our criminal justice system, and to jails and prisons. What to do about Rikers Island is a different question than whether to spend 10-30 billion dollars to build new jails in residential neighborhoods. These should be seen as separate proposals, and not just rammed through. If different policies and programs are needed to support the needs of defendants, such as addiction, mental health and social service programs, then a proper proposal for the jails should take these programs into account. After the huge investment for the new facilities, who will pay for or provide for these new programs? I believe that we must apply an overall approach, from the beginning, or the abuses in the jails, sought to be relieved, will continue, even in new buildings. Does the huge budget for the new facilities already include financial padding for these new programs?

As far as I can tell, no one has seriously considered the impact of the new jail, on our local community. A City Council Member suggested that there was a jail in Kew Gardens, in the past. But this former facility was much much smaller, than the current proposed project. There is already traffic congestion on Queens Blvd., near the proposed project. Has anyone considered how the combination of the new bike lanes, along with the new jail,

will affect the area? Maybe a new jail could be responsibly built in a non-residential area, rather than the proposed site. This would require the serious thought and analysis that has not been used here.

We should protect the rights and dignity of defendants, victims and the public. And we must protect public safety overall. Even though defendants should sometimes receive better treatment, there are real dangers and real criminals, to protect the public against. Neighborhood jails would be bringing these dangers into the heart of our communities.

Please vote no, to not approve the building of a neighborhood jail in Kew Gardens, or in any other local neighborhood. Thank you.

I will be emailing a copy of my statement to the Members of the City Council and others. I spoke at the hearing before the City Council, on Sept. 5, 2019, at about 6 p.m.

sheryl.fetik@gmail.com

## borough-based jails plan

This is the text of testimony regarding the borough-based jails proposal that I gave at the public hearing at City Hall on September 5.

The positive language that's used to describe the proposed borough-based jails (like their "modern design," natural light, fresh air, and so on) could have been taken from 19th century penitentiary reformers, and indeed is similar to how Rikers - which should be closed as soon as possible - would have been spoken of when it was new. We don't have to make the same mistakes now.

I know that many of you on the City Council are supporters of policies to improve policing and justice practices in order to lower the number of people in jail in the first place. Investing in communities rather than expanding jails is what you should be doing now to further that work. You have the power to invest these billions of dollars instead in education, social services, housing, healthcare, restorative justice, and more. Having a more livable city for all its residents would obviate the need to build more and bigger detention spaces.

I also want to speak as a public librarian over in Brooklyn, where I see every day how factors related to incarceration, both its causes and its results, play out in public space - factors including poverty, stress, trauma, mental illness, homelessness, structural racism, inequality, and much more.

I know how much the Council does to keep New York City's libraries functioning as well as they do - including definitely Councilmember Van Bramer, who was here earlier - and I implore you each to think about how the money that this proposed project would cost could be better spent in your communities. This borough-based jails plan will impact the entire city and should not be considered solely as a development project in four members' districts. Rather, these billions should be spent directly on community sustainability and safety, not on new jails.

Thank you.

Sincerely,  
Melissa Morrone  
Brooklyn, NY

[mrm@openflows.com](mailto:mrm@openflows.com)

**STOP THE JAIL -- The tallest jail in the world proposed for 124-125 White Street, NYC**

**September 7, 2019**

**Dear Lions & Friends,**

**Solidarity is the key to success of any program venture -- whether residential or business. Let's voice our concerns in dignity and respect for our community -- especially for seniors, children and Columbus Park!! Please see attached!!**

**Yours in humble service,**

**NEW YORK CHINATOWN LIONS CLUB**

**Cassandra Dick  
Club Secretary**

**Constance Louie  
Club Treasurer**

**Tracy Wong  
Club Membership Chair**

**cc Philip Eng, President  
Howard Hong, 1st Vice President  
Wellington Z. Chen, 2nd Vice President  
Adam C. Dick, 3rd Vice President; Tail Twister  
Gary W. Gin, Lion Tamer  
Larry Quan, Director**

**STOP THE JAIL -- The tallest jail in the world proposed for 124-125 White Street, NYC**

**September 5, 2019**

**Dear Council Member Margaret Chin:**

**Please vote NO to the skyscraper jail proposed for 124-125 White Street, NYC.**

**Many thanks for your support.**

**Yours in humble service,**

**NEW YORK CHINATOWN LIONS CLUB**

**Cassandra Dick  
Club Secretary**

**Constance Louie  
Club Treasurer**

**Tracy Wong  
Club Membership Chair**

**cc Philip Eng, President  
Howard Hong, 1st Vice President  
Wellington Z. Chen, 2nd Vice President  
Adam C. Dick, 3rd Vice President  
Larry Quan, Director**

Borough Based Jails

Hello.

I'm writing to urge you to use non-biased fiscal experts to complete credible due diligence about alternatives that don't involve the real estate industry. Also, I hope you'll take the time to look at the deeper foundational issues of prison reform that has been so greatly needed for so long. It feels like this is yet another HUGE real estate deal that favors developers and I don't want my tax dollars contributing to their riches.

On another note, our prison in Brooklyn is in the middle of a high congested area with very little parking. I urge you to include parking solutions in your planning.

Thanks,

Marj Kleinman

---

Marj Kleinman

Brooklyn, NY

mosaicmarj@me.com

## Borough Based Jail Plan

I submit this email anonymously but I live on the Upper West Side of Manhattan and support the Mayor's plan for four borough-based facilities to expedite the fastest possible closure of the jails on Rikers Island, but with conditions. I want to see improvements to the plan before it comes to the City Council for a vote next month.

We must reduce the harms of incarceration in New York City until we get to a future in which we eliminate incarceration entirely. What can reduce the harms of incarceration in New York City?

I would like to present my views as a health care provider in NYC jails. There are several hundred of us working in the seven New York City jails on Rikers Island and in the Bronx, Brooklyn, and Manhattan. We are mental health care providers, nurses, physician assistants, case managers, and doctors. When we provide care we hear the voices of the thousands of people detained there and bear daily witness to the harms caused by incarceration.

The men and women currently held in NYC jails come into these buildings with the entire range of health problems that affect black and brown New Yorkers: asthma, hypertension, diabetes, and communicable diseases, mental health disorders, substance use disorders, and the outcomes of violence.

Health care providers aim to provide higher quality care than is available to people in the community. For some health conditions this is possible. For many, it is not. There are many ways that incarceration leads to poor health but there are three that we see every day.

For the one thousand incarcerated people with serious mental illness, incarceration always harms their health. They suffer from the lack of daily contact with mental health care providers, not having a therapeutic environment, and not being in the community where people care about them. Mental health care providers are forced into the difficult dilemma of trying to decide if punitive segregation will harm them further.

All detainees are exposed to violence during their incarceration. There is violence committed by correctional officers during reported Use of Force incidents. There is the violence committed by detainees against one another when everyday pressures result in fist fights. And there is the violence associated with revenge jumpings and slashings. It has been pointed out by the former NYC health commissioner and the former chief medical officer of NYC jails that violence in the jails is a critical public health problem. Some of us think it is a public health crisis.

Finally, it is not up to detainees to decide to walk to the clinics when they want to see their health care providers. They are deprived of this right. All health care providers depend on officers of the Department of Correction to 'produce' patients for us as correctional officers escort detainees from their housing to the clinics. There are reasons too numerous to count that prevent patients from arriving at the clinics for their appointments or when they have an acute illness. These patients fall through the cracks.

The harms of incarceration for those who suffer from serious mental illness must be stopped immediately. People with serious mental illness should not be jailed at all. They should receive mental health care in the community, with their families or in therapeutic inpatient facilities that have no connection with the Department of Correction.

The population of people who are incarcerated in New York City jails can be radically decreased by three actions: reducing the number held for technical parole violations, stopping the use of city sentences for low level offenses, and decreasing the number held for months and years before trial. Some State pre-trial reforms have already moved forward, and legislation to reduce the use of detention for parole violations is also being proposed. The City can also commit to ending City sentences by expanding investments in alternatives to incarceration.

With these changes coming, the City can and must reduce the total population of the four borough based facilities to less than 3,000. The Rikers jails should be shuttered and demolished as soon as possible. There is an opportunity here. The four new borough based facilities can be designed very differently so they could also be managed differently. The Department of Correction should have no role in them.

It is difficult for people who have never been inside Rikers jails or those who have visited for short periods to know just how hellish incarceration is for the people in them. We see this every day we work in the jails. Smaller, modern, newly-built or renovated jails closer to people's home communities are much better for detainees than the large, old, broken down, centrally-managed penal colony on Rikers Island.

Now let me get this straight. Mayor Wilhelm Di Bolshevik wants to warehouse New York City's hard-core, sub-human criminal population from Rikers Island into four of the five boroughs.

What's wrong with this picture?

Way back in 1932 the City Burghers had the foresight to incarcerate the criminal population on an island — away from the civil society. Since they were imprisoned on an island it would make it more difficult for the prisoners to escape. Simple logic. Critical thinking.

Fast forward to the year 2019. Along comes Wilhelm Di Commie-O, and low and behold, with his social engineering concepts, and because he despises the residents of New York City, he wants to mingle the hard-core criminals with the civil society. (He also wants to mingle the homeless population among the Civil Society.) Two incomprehensible ideas by this absentee mayor.

Of course, if one factors in his real estate buddies, it makes sense. This is another 'pay-for-play' scheme. His real estate buddies want to develop Rikers Island. Who in their right mind would want to live or work on Rikers Island? Between the jet noise and the aviation fuel wafting in the air it makes for an inhospitable environment. That is why it is the perfect place to incarcerate criminals.

Has one considered the effect that these detention centers will have on the residential neighborhoods. The congestion, by automobiles and pedestrians; the fear of prison breakouts; the devaluation of property values. These are just a few of the unintended consequences.

Instead of pissing away \$8.7 billion dollars on four facilities, why don't you just repair the existing facilities on Rikers Island? I am sure the Trump Organization could renovate it in a year instead of the 10 years it will take to install four facilities around the city. Also, you could setup a satellite criminal court system representing each borough on Rikers Island.

I do not feel sorry for, as was written by the New York Times "...that the island is so isolated that it is challenging for family and legal representatives to visit inmates and for corrections staff members to get to work." All major prisons in the United States are in isolated areas. The prisons are isolated for a reason - Stupid!

Why should these hard-core criminals be given all the 'comforts of home'? The purpose of prison is to remove one from Civil Society for the crimes one committed against Civil Society. It's called doing Hard Time. The reason New York City and the United States have hard-core criminals living amongst US is because of 'Sanctuary Cities'

So man-up, grow-a-pair and for the sake of your Constituents Mr. Council Speaker, vote the Mayor's ludicrous idea Down!

A concerned constituent,

Daniel R. Ruffini

BUMPER STICKER:

We Do Not Need GUN CONTROL! We Need CRIMINAL CONTROL!  
GET RID OF SANCTUARY CITIES!

DNessun

[dnessun@att.net](mailto:dnessun@att.net)

Vote "NO" for the community jail plan!

We do not want a new jail, the tallest jail in Chinatown; we do not need a new jail in Kew Gardens; we do not need any new community jail in any of the 5 boroughs. Rikers Island prison should stay on Rikers!

The community jail plan is fundamentally wrong because:

The community jail would put the innocent residents and children in great danger by putting the criminals and prison into residential neighborhoods. The proposed Kew Gardens jail site is only a few hundreds yards away from the nearest schools.

The community jail will put the nearby residents in panic, and would ruin the surrounding real estates. It will drive even more 5 borough residents to leave New York City. College Point shelter plan has already almost frozen the local housing market, the impact from a 2 yankee stadium jail (Kew Gardens plan) would be much bigger.

City is already heavily burden, and cannot afford the 33 billion mega budget for only 7500 inmates while public schools even do not have air condition.

Making the jail like luxury condos is just encouraging crimes.

Non of the rikers island issues (gangs, violence, delays, corruption) have anything to do with the location.

New York City is a tourism city. We cannot imagine when tourists plan their trips, they first think of 4 skyscrapers prison as the city's landmarks, instead of or besides Yankee Stadium, WTC, Empire State Building, and Grand Central.

We hope democracy is not dead in New York City. We call every resident to voice out to oppose the plan, to keep our school and residential district safety, and to save our great city's peacefulness and beauty.

New York City Resident : Ming

Wang Chunming

chunmingwang@ymail.com

## No Jail in Lower Manhattan

Chinatown area is crowded enough . Already has a jail. Please no more new jail. It is dangerous to build jail in high density area.  
Thank you. AmyC

afc168

afc168@gmail.com

## Borough based Jails - Cobble Hill Association - Brooklyn

Dear City Council members,

The Cobble Hill Association supports the closing of Rikers. We support the plan for building Borough-based Jails with necessary amendments to this unprecedented ULURP. We ask the City Council to address our concerns about the Brooklyn facility but also those of other communities in the other three boroughs. This is the only way to achieve the best final result.

The CHA's main question has been and continues to be: "Why does this single facility need to incorporate all the programmatic needs of the city's jail system?" For example, many detainees with mental health and addiction issues are housed in the 40-50% of jail beds which are designated as "therapeutic." Why are these beds not located in medical or clinical facilities elsewhere, whether in the borough and/or at a centralized facilities, where their needs could be better met? Removal of these beds would dramatically reduce the square footage of the new jail, while better treating the needs of this vulnerable population. The City is looking into the Health + Hospitals network and other therapeutic alternatives. More therapeutic facilities and alternatives to incarceration are necessary.

We support the position of fewer beds and more programming. The City continues to analyze the new Criminal Justice reform measures passed at the City and State levels. Recent analysis shows the overall population would be reduced to less than 4000 detainees and inmates. And further reductions could easily get the overall number down to 3000 or less, and the removal of therapeutic beds could further reduce the overall number at each individual site.

We believe a jail and/or treatment facility can and should be built on Staten Island. Not locating one there flies in the face of the Lippman Commission's recommendations to locate smaller and safer jails and needed facilities in all five boroughs - close to families, communities and attorneys.

We want a process for community engagement in the design process. It is not too late to engage community members and stakeholders regarding what is needed to make a better building in the neighborhood. We ask that a Community Design Consultant be hired and create an authentic community engagement process as part of the RFP and in the process for the design-build of the jail. The Mayor's commission on design is not enough - there is not enough stakeholder engagement.

Most, if not all, ULURP proposals, include detailed designs and plans for the buildings being proposed. This unprecedented unified ULURP (4 sites) has little more than massing studies - and the envelope of the building (height and square footage or FAR) continues to be in flux. This is of great concern to the community. What will the building look like? What is needed in this facility? We continue to urge the City Council to push for more information on the design. The sole rendering of 275 Atlantic Avenue shows a sheer wall from street to sky - this would be appalling and oppressive. Set-backs should be considered and design features that mitigate the monolithic aspect. The new facility will take up an entire city block and has the

opportunity to utilize two or more entrances and exits. We would urge the use of Boerum Place and Smith Streets as the two main means of egress for vehicles. All truck and delivery operations should be done below ground or inside of the building i.e., not visible on or at the street. Passage from the jail to the courthouse should also be done below grade. Atlantic Avenue should have an activated street facade. These are a few of the major design elements we would like to see addressed before the final approval. We urge the City Council to address these issues in their final vote.

Sincerely,

Amy Breedlove

President, Cobble Hill Association

[abreedlove@cobblehill.nyc](mailto:abreedlove@cobblehill.nyc)

borough-based jails

I am a NY resident of Flatbush, Brooklyn. I am writing to express my vehement objection to the \$11 million plan to expand jails. I believe that jails do not rehabilitate their residents, and would like a greater investment in education over jails.

- Aarushi Agni,  
E 21st Street, 11226

[aarushiagni@gmail.com](mailto:aarushiagni@gmail.com)

## Borough Based Jails Testimony

Chair Adams-

I attended the Borough Based Jails hearing on Thursday but was unable to give oral testimony. I arrived at 8:10AM in the morning and was the first person waiting at the security gate. I did this knowing it would be a crowded hearing with a lot of people to speak and myself having work commitments in the afternoon. After enduring hours of non-answers and obfuscation by the administration and their applicant team, I assumed that I would be called fairly early. I sat through panel after panel of for and opposed speakers, all of whom arrived after myself. I know that the panels are not called in the order arrived but it was wildly out of proportion to the time signed up. I saw speakers testify who had shown up hours after myself while also seeing some line up for their seats prior to being called, clearly knowing their place in "line". This system need to be examined and the council should modernize the system to open up hearings to a fairer and more transparent system of public testimony.

In the absence of oral testimony, I submit the following that I planned to read along with two articles of supporting information.

If you have any questions, I can be reached at the above email address or 917-734-2345.

Thank you,

Justin Pollock  
87 Smith St. Condo Board President  
Brooklyn, NY

**September 5, 2019**

**Justin Pollock**  
**87 Smith St. Condo Board President**  
**718-855-8646**  
**[justin.pollock@gmail.com](mailto:justin.pollock@gmail.com)**

### **City Council Hearing on the Borough Based Jail ULURP application Testimony**

My name is Justin Pollock. I'm the condo board president at 87 Smith St., across the street from the Brooklyn Jail.

The NACs, Community Boards and Borough Presidents have all panned this plan. The City Planning Commission, even while approving the application raised serious questions about the siting, scale and transparency of the plan.

Planning Commissioner Douek said it best when he recommended the city council modify the application in line with all the Borough Presidents' recommendations.

Specifically in Brooklyn, we support Borough President Adams' recommendations. We support the siting of a modern humane facility at 275 Atlantic with the condition that it house significantly less detainees than currently proposed. His recommendations clearly show that he has listened to the stakeholders including the Neighborhood Advisory Committee and CB2 and has come up with achievable criminal justice reforms that will only hold those in detention who pose a public danger. He joins the chorus of voices calling for those with mental health issues to not be housed in these detention facilities. His recommendations also make sound concrete proposals about how best to mitigate many of the neighborhood issues regarding building design, traffic, parking and overall operation.

The City has held up the Denver jail as a model of modern jail design. That jail is built at under 300 sq ft/bed. The City's proposed jails are between 800-1000 sq ft./bed. No one at MOCJ has justified why these jails need to be built 3 times bigger than other comparable modern jails. Either the City is "grossly overbuilding" these, as Judge Lippman said or vertical skyscraper jails are not efficient.

Rikers Island is approximately 5.5 million sq feet on 413 acres of land. The current proposal is just under 5 million sq feet on only 13 acres. These are NOT SMALLER jails. They are just squeezing them into a smaller area.

Listen to the reasoned recommendations coming from every Community Board and the Borough Presidents.

Let's be truly progressive. Follow Los Angeles' lead. "Care First, Jail Last".

# Former Chief Judge Lippman says plans for renovated jail in Brooklyn are too big

Lippman: City needs to engage the community more



The plan to close Rikers Island has always relied on two contingencies: shrinking the current population of inmates in the city and spreading those inmates across the boroughs in five new and smaller jails.

In Brooklyn, that means the House of Detention located on Atlantic Avenue, which currently holds about 800 inmates, needs to be renovated and expanded. The plan proposed by the city calls for the current facility to be

replaced by a 1.4 million square-foot building that would be 430 feet high and could fit approximately 1,500 inmates.

The former chief judge of New York state, Hon. Jonathan Lippman, who led the commission that initially called for the city to shut down Rikers Island, said that plan is too much and that the city needs to do a better job of listening to local communities.

“One of our criticisms of the city is that the jails are out of scale,” Lippman said while speaking at New York Law School on Friday during the CityLaw Breakfast Series. “They need to be smaller and can’t be out of character.”

Lippman explained that when he toured the Brooklyn House of Detention with District Attorney Eric Gonzalez, he found it nearly as despicable as Rikers Island itself and advocated for its replacement, as well. He argued that modern facilities can still serve the community without overshadowing the neighborhood with a massive building.

“One of the reasons they are so big is that the city is designing them with all different things into the building,” Lippman said. “They want to serve the community, but I think it’s overkill. If you look at the square footage at the jails proposed by the city, compared to other cities that have done it right, they’re way, way, way greater. The scale has to be down.”

Lippman added that part of the problem is that the city has not gotten much input from the communities themselves and said that he’s complained about the issue to the powers that be.

Some of the things he would like to see discussed further include the appropriate location for the Bronx prison, the size and scope of the Brooklyn prison and how to incorporate Staten Island into the plan.

“We have been in the city’s face about not engaging with the community,” Lippman said. “You need to go to those hearings. Communication is key to making this happen the way it should.”

So far, the few public hearings that have taken place have often been overtaken by advocates who do not want Rikers Island replaced with five community jails. Lippman said that he is worried that such advocates could derail the project entirely, adding that standing opposed to community jails is akin to being for Rikers Island.

“If you are against local jails, you are for Rikers Island — and Rikers Island is an abomination,” he said. “Local jails make sense. They’re smaller, more humane and don’t have this brutalizing effect on human beings.

Lippman is still optimistic that the city will eventually close Rikers, especially since the state Legislature has flipped from Republican to Democratic. The next step, he outlined, is to continue making criminal justice reform to bring the prison population in New York City down.

“This is an opportunity that shouldn’t be missed,” Lippman said. “The composition of the legislature has changed. I would say that this is the moment. This is what we’ve been waiting for ... Criminal justice reform is on the verge of a quantum leap in New York state. I urge them to seize the moment.”



Hon. Jonathan Lippman, the former chief judge of New York state, has called the city's current plan for renovating the prison on Atlantic Avenue "out of scale."

# Los Angeles County Nixes \$1.7 Billion Deal To Replace Jail After Pressure From Prison Abolition Advocates

Former Obama official wants “non-custody community-based care facilities” as lawmakers shift toward “care first, jail last” model.

[Jeffrey Cawood](#) August 19, 2019



Photo by Caspar Benson/Getty Images

Elected officials in Los Angeles County decided to scrap a \$1.7 billion jail project last week after anti-incarceration activists convinced them to change course, adopting a new “care first, jail last” approach.

The Board of Supervisors, which governs the most populous county in the United States, voted 4-1 to cancel a contract it had approved with McCarthy Building Companies. The deal called for the construction of a modern facility to replace the aging Men's Central Jail in downtown L.A.

A coalition of [prison abolition advocates](#) spent nearly two years rallying the community against the plan, arguing the money would be better spent on social services and alternatives to incarceration. The abandoned proposal had been revised several times, ultimately [amended](#) to the point that the new facility would have been managed by the Department of Mental Health rather than the L.A. County Sheriff's Department, which currently oversees the nation's largest jail system. Opponents of the prospective "Mental Health Treatment Center" [insisted](#) it was still designed like a penal institution.

"Before we move forward with building an expensive new jail, we must address the mental and physical health needs of our jail population, many of whom can be safely diverted to community-based treatment facilities, which have better outcomes, and thereby increase public safety," [said](#) L.A. County Sup. Hilda Solis, who previously served as U.S. Secretary of Labor under President Barack Obama.

Officials [estimate](#) that 70% of the inmates held in the county jail system are medically or mentally ill.

"Mental health care cannot be provided effectively within a custody environment and we must be focused on a 'care first, jail last' model," Solis said. "Men's Central Jail must be demolished, but we must replace it within a criminal justice system that includes modern, decentralized countywide continuum of non-custody community-based care facilities."

"I am thankful that additional information and community advocacy in the

past several months has brought us to this important realization.”

Solis [joined](#) “Justice LA” jail reform activists at a press conference last Tuesday before the Board voted to kill the contract. She co-authored the motion along with Sup. Sheila Kuehl, who recently [referred](#) to incarceration as “an experiment that has failed.” Each of the five county supervisors represents approximately 2 million people.

Black Lives Matter co-founder Patrisse Cullors [established](#) the Justice LA coalition in 2017, which [staged](#) multiple demonstrations opposing the plan.

“We are demanding an end to mass incarceration in the U.S. and our county’s investment in policing and jails,” she [explained](#) in an editorial written shortly after the group’s launch, later referencing “our movement’s call for abolition.”

The Los Angeles Times [describes](#) Men’s Central Jail, built in 1963, as “dungeon-like” and “antiquated.” [According](#) to the New York Times, it “is often referred to as America’s largest mental health institution, a dystopian, run-down facility where mentally ill inmates are often chained to the furniture.” Still, lawmakers opted to start over and develop a new strategy rather than continuing with the modified plan that had initially been approved in 2015.

County Counsel [predicts](#) it will take three or four years of bureaucracy for another jail replacement project to come before the Board.

“This issue around criminalizing mentally ill people is actually not just an L.A. issue,” Cullors [told](#) the NY Times. “L.A. is the microcosm of what’s happening across the country. You can go to Cook County in Chicago. You can go to Rikers Island in New York.”

“If Los Angeles gets this right and is able to build a model, this could be a blueprint for the rest of the country,” she continued.

RELATED: [\*\*Black Lives Matter Co-Founder, Soros-Funded Activist Aim To Stop L.A. From Building New Jails\*\*](#)

*Follow Jeffrey Cawood on Twitter [@JeffreyCawood](#).*

**Testimony of Moses Gates, Regional Plan Association Vice President for Housing and Neighborhood Planning for the New York City Council's Subcommittee on Landmarks, Public Siting and Maritime Uses regarding the proposed borough-based jails and the future status of Rikers Island:**

Dear City Council Committee Members: thank you for the opportunity to submit testimony. My name is Moses Gates and I am the Vice President for Housing and Neighborhood Planning at Regional Plan Association.

Regional Plan Association is a strong proponent of the need to repurpose Rikers Island from an island of incarceration into a place which benefits all New Yorkers, and specifically address and redress its legacy of mass incarceration and those who have been directly affected by this legacy.

We commend the administration for taking a step forward by planning for the new borough-based jail system. We also commend surrounding communities for understanding that closing Rikers and reforming our criminal justice system is in the interests of everyone, and that as part of the process new facilities will need to be built. While we do believe there is room for improvement with the borough-based system - specifically with regards to facilities design, potential for flexible use, more treatment facilities in addition to or in place of the new jails, and alternative siting, including on Staten Island and in the Bronx - many of these concerns can be addressed post-application, and it is too important a moment to not move forward.

However, moving forward is a two-part process. The time is well past due to take not only a concrete step toward opening new jails, but also toward closing the existing ones. The transition of jails away from Rikers and toward a borough-based system must not be one of two separate phases. The next physical step in this process must involve Rikers Island itself. Council is being asked to approve four new jails. To that end we have four suggestions for Rikers Island which we believe should be the immediate next steps in this process after that approval.

**Transfer jurisdiction away from the Department of Correction.** If Rikers is to be closed as a series of correctional facilities, the first step is to transfer ownership and management of the land away from the Department of Correction. DOC should not be in the land management business, and Council has recognized this by moving forward with the transfer of Hart Island, a Potters Field and open area with no jail facilities, from the jurisdiction of the Department of Correction to the Parks Department. A transfer of Rikers Island to DCAS or DEP is an overdue step forward. Department of Correction would still have the ability to run the necessary jails on the island as it transitions, but this would facilitate other positive uses as well.

**Create public access to Rikers.** The history and legacy of Rikers is one of isolation. This isolation needs to end. Controls for Rikers island should be moved from the Queens side of the

bridge to the Rikers side of the bridge, and reserved for the jails themselves, not the entire island. Given that several other local and federal detention facilities are housed directly on publicly accessible streets, many in heavily trafficked districts like Downtown Manhattan and Downtown Brooklyn, there is no reason to continue to isolate the entire island. This would also have the effect of freeing 40 acres of potential open space on the Queens side of the bridge.

**Demolish unneeded facilities.** The process of closing Rikers needs to result in less jails, not more. With this ULURP we are taking a concrete step toward building more jails while taking no action to eliminate existing ones. A good next step would be immediately demolishing the already-closed George Motchan Detention Center, as well as continuing to close additional facilities and demolishing them as the jail population shrinks in the wake of criminal justice reforms due to take place in 2020.

### **Take the first step to a new island.**

The administration's roadmap on closing Rikers Island focuses mainly on reducing the jail population and building the new borough-based system. However, there is a piece that is missing. We also need a roadmap to a new island, with new uses that benefit New Yorkers, especially those who have been directly impacted by our criminal justice system. Major facilities like recycling centers and wastewater treatment plants are needed, and should start to be planned for, but are also lengthy processes.

But a first step to a new island, able to be opened in 2020, is also needed and could easily be done. This could be a new publicly accessible memorial, or a new public park. Another possibility is a solar farm, with a training facilities which could provide job opportunities for people who have transitioned out of the criminal justice system.

Closing Rikers Island is a moral imperative, and is also a major opportunity to better the lives of New Yorkers through needed and beneficial municipal improvements. Taking concrete steps to end jail usage and start the true transformation of the island would be one of the most impactful legacies this council and this administration could leave for New York City. With this step forward in creating a new borough-based jail system, now is the time to take real, concrete and meaningful action on Rikers Island itself.

Greetings to all ladies and gentlemen, members of the City Council, and guests. Thank you for the opportunity to testify today.

My name is Ikim Shamar Powell. I am 25 years old. I am a recent magna cum laude college graduate of CUNY-College of Staten Island. More importantly, I achieved a 3.78 G.P.A. I have a Bachelor's degree in English and African Diaspora Studies.

When I was 16, I had criminal justice contact and subsequently, I was sent to Rikers Island. Spending close to a week, in the middle of the summer of 2011 on Rikers Island amongst hardened teenagers in an adult facility was where I made a decision to strive for better.

Going against the tide of teenagers reacting with anger and frustration towards each other and the jail staff was my motive.

I told myself I am never going back. I completed an educational and workforce program through exalt Youth and now work at exalt as an Alumni Instructor for other youth who are caught in the criminal justice system.

I am testifying today in support of the borough-based jails plan and to close Rikers Island.

Throughout my time-spent on Rikers Island, I had a reality check and an epiphany while in bondage: I wasn't prioritizing my high school education, by skipping school and not caring whether I failed or excelled, by taking heed to uncondusive peers more than those who really cared about my well being, and not distinctly dictating my destiny.

Consequently and fortunately, I was able to get bailed out and my trajectory towards greatness began.

However, I do not want a single other friend, or student, or person to have to experience what I experienced on Rikers Island.

In conclusion, I would feel reassured greatly if the City Council would vote in support of this plan to close Rikers Island forever and provide more support and funds to restorative justice and alternatives to incarceration like ours.

With Rikers Island closing we would be deviating from the hate we give and insert much-needed compassion, care, and concern for our emerging youth. The love we show today will return by tomorrow.

Thank you for listening to my testimony!

Jail Testimony

Dear Council Members,

I was on the list of citizens to speak during Thursday's public land use hearing but unfortunately had to leave after 4.5 hours of waiting.

So, I appreciate the chance to share my written testimony with you via email as directed by the Chair on Thursday in the hopes that this will also be entered into the record.

My name is Elliot Felix and I live at 265 across the street from the Brooklyn Detention Center.

**I support the closing of Rikers and many of the criminal justice reforms noted during the hearing to continue to reduce the population in our jails.**

**However, I do not support the current plan to replace Rikers with 4 borough based skyscraper jails, I urge you to listen to the community boards and vote NO.**

**While I understand the urgency to close Rikers, I urge you to reject this plan and take the time come up with new one with smaller jails that are in the right places, at the right heights, with the right density as measured by FAR, and with minimal impact to neighborhood traffic, character, and safety.**

**The current plan does not get any of these things right and is perhaps the reasons why the plan was rejected among all community boards.**

**1. The process has been too closed and too rushed.** With only one public hearing and so little design information about what's actually being proposed, it doesn't meet the burden of proof that the city would apply to any other ULURP process, particularly of this magnitude. If a private entity proposed four projects of this magnitude with so much impact, so little information, and so little scrutiny, it would be rejected outright.

**2. The plan for the Brooklyn Detention Center is poorly conceived, unsafe, and unfair.**

Building a 395 foot tall skyscraper jail at an FAR of 16 (vs. current zoning of 6) will make the jail much taller than anything nearby and more importantly much too much area for the site with insufficient setbacks and aggravating the traffic and access issues we already have.

The skyscraper jails will also put corrections' officers and inmates' lives at risk - imagine leading shackled inmates down 400' of stairs in the event of a fire! Further, how could there possibly be sufficient outdoor space in this configuration?

Lastly, it is unfair. I understand the jail has to be somewhere and I'm fine living a across from one, but by doubling the size of the current facilities, the plan proposes basically putting two jails on the site of one and places an undue burden on our neighborhood. A second site should be

considered, particularly one in Staten Island where there is ample space and since NYC has 5 Boroughs. As the saying goes, you can fit 10lbs of a flour in a 5lbs sack, it just doesn't work.

**If this plan goes forward, it will be an obvious mistake to even the most casual observer and anyone who's followed it closely will know that the city was blinded by pursuit of the worthy cause of closing Rikers, and in so doing failed to see the mistake of building skyscraper jails that are unsafe, unfair, and poorly conceived.**

Thank you for reading this and considering my testimony.

Sincerely,

Elliot Felix

elliottfelix@gmail.com

## Petition to Oppose the Mayor's Proposal to Reopen and Expand a Jail at Kew Gardens

We strongly oppose Mayor de Blasio's proposal to reopening and expansion of a jail at 126-02 82nd Ave, Kew Gardens., This proposal will impose tremendous risks on the children and the communities of Kew Gardens and Forest Hills.

- The proposed site is too close to so many schools and children's playgrounds. The following schools are all within walking distance, with the closest one only 5 minutes' walk: Kew-Forest School, Preschool of America Daycare, Our Lady Queen of Martyrs Catholic Academy, elementary schools P.S. 101, P.S. 196 and P.S. 144, Archbishop Molloy High School etc. Detainees, just released sex offenders or child predators wandering around the neighborhood will impose tremendous risks on the children. Not to mention the potential impact of gang activities, or violent fights happening so close to kids' schools and playgrounds.
- New York State laws limit certain sex offenders from living within 1,000 feet of a school or other facility caring for children. The proposed jail is within 5 minutes' walk to a school. Aside from legality issues, building a jail so close to schools and playgrounds is totally unacceptable to anyone who cares about children's safety and security.
- Another potential risk is the increase of people with weapons in the neighborhood. This will greatly increase the probability of massive shooting in nearby schools and playgrounds.
- Both the communities of Kew Gardens and Forest Hills will suffer tremendous economic loss. A lot of parents and local business will move out the communities, resulting in a crash of nearby housing markets.
- Road infrastructure nearby will not be able to handle the dramatic increase in traffic that will occur after the proposed expansion. The nearby Queens Boulevard is already one of the deadliest streets in the city.

We support the effort to close Rikers Island and the goals of making our municipal jails more humane. However, the choice of 126-02 82nd Ave Kew Gardens is ridiculously unacceptable given its closeness to schools. We strongly suggest reconsidering another site.

Thanks and regards,  
Jieyun Zhou

beatayun@gmail.com

## Borough Based Jails

Good evening:

I am writing this message as a voice of opposition to the Mayor's "Borough Based" Jail Plan. I was unable to attend the council meeting on Thursday because of work commitments. I have attended the few previous community outreach meetings but even those required me to leave work early to reach locations far removed from the site under discussion. I do not oppose the principles underlying the Mayor's plan. I object to the process, the lack transparency and the lack of sincere concern for the impact on the community under the current proposal for the Brooklyn site.

1. The notion that this is a "borough" based system continues to be a cruel misnomer. At each community outreach event I noted that a borough based system without a Staten Island facility undercuts and calls into question the humanitarian bases the Mayor stated is at the forefront of his reasons for proposing this plan. Moreover, the impact it will have to the Brooklyn community who will be forced to shoulder that additional burden exemplifies the above mentioned lack of sincere concern for the impacted community. Each time this issue is raised it is soundly ignored by those advocating this plan. Ignore it and it will go away is a curious strategy and deeply insulting.
2. The studies conducted as to the impact to density, traffic and noise were conducted on days and times designed to minimize any negative results that could impact the Mayor's plan. This again demonstrates a lack of sincere concern over the impact to the larger community.
3. At various meetings, statements made by the MOCJ representative indicate that the FAR had been lowered and the site proposal had been modified to reflect the DA's and the State's implementation of bail reform. Such reforms will reduce the Brooklyn population far more than MOCJ's claimed modifications to the proposal. Moreover, such "modifications" have not been officially proposed nor is the actual final design plan publicly available. Therefore, we are being asked to accept a plan that will greatly impact multiple communities sight unseen and once it is done, it cannot be undone.
4. As will be further detailed in the attached document concluding that the site's current proximity, and infrastructure connected, to criminal court at 120 Schermerhorn are essentials is inaccurate. Following criminal court arraignment every individual housed in Brooklyn will need to be transported to either Staten Island or Supreme Court at 320 Jay Street for their scheduled court appearances. Such transportation needs and the impact to traffic and noise were not taken into account in the aforementioned studies.
5. The continued sentiment that smaller jails are better jails and their placement within the community is better for those housed in those facilities were repeated refrains by the Mayor's representatives. So it was again insulting when requests to identify additional city-owned sites (some in even closer proximity to Supreme Court at 320 Jay street) were wholly ignored. I want to reiterate that these were proposed additional (not alternative) sites to compliment 275 Atlantic Avenue. Absent any response, I can only conclude that such efforts, although in line with and in the spirit of the Mayor's purported goals would be more inconvenient than bulldozing through a plan for a single giant monument to incarceration into one of the busiest traffic areas in all of New York City.
6. Finally, I admit there is self-interest included in this writing. I have lived in close proximity to the current Brooklyn facility for a decade. I accept that there will be a jail there and have no objection to a properly considered renovated and humane version existing on the same

site. However, when the existing facility reopened, the Warden stated his intent to "be a good neighbor". The facility has wholly failed to follow through. I, and my neighbors, have had to deal with profane, vulgar and threatening comments screamed from that facility toward any resident the detainees desire, including children. Calls to the facility to ask why this was permitted were met with indifference and refrains that DOC could not control what those individuals said and refused to consider any kind of method to obstruct their direct view into private residences enabled such vile things to be yelled. For the Mayor's proposal to not account for this, to not demonstrate that they acknowledge this problem and concern and that it is of equal import to the impacted communities as the upgrades, services and better conditions the residents of the new facility deserve only adds injury to the insult of the Mayor forcing an even larger facility into that space without real community outreach.

In closing, I support the notions underlying the Mayor's proposal. I support a true borough-based jail system (with facilities in all five boroughs). I support a renovated facility at 275 Atlantic Avenue with upgraded services and programs for those housed within its walls and a thoughtful design to minimize negative impact to the communities that will call this new facility "neighbor." Most importantly I support Senator Velmanette Montgomery, Assembly-person Jo Anne Simon, Borough President Eric Adams, and Community Board 2 in their unanimous rejection of the current proposal and rezoning at 275 Atlantic Avenue and further support their unanimous call to limit the size of a new facility to 900 beds or less, a building height of 235 feet or less and no rezoning for that site.

I urge the City Council to reject the plan as currently proposed and am hopeful that Council-member Levin will stand with his community and his constituents and not vote for a proposal that remains deaf to the impact on that community and only support a plan that is as considerate to the surrounding area as it is to those who will be housed inside.

Thank you for your time and review of this written testimony.

Sincerely,

Howard Feldberg

## The Criminal Court Fallacy

Premise: As part of the plan to institute the mayor's "borough-based" jail system, the current location of the Brooklyn Detention Center is still the best location because of its proximity to the Brooklyn Criminal Court—located at 120 Schermerhorn—and the existing infrastructure that allows individuals housed at the detention center to be transported easily to court and back. **This is a fallacy.** There is no correlation between the jail's location and ease of transport of the individuals housed there because (a) only misdemeanor cases are regularly handled in criminal court and (b) following both elective and statutory bail reform, the vast majority of cases on which bail is set are felony matters, which are heard in Brooklyn Supreme Court—located at 320 Jay Street—after only one appearance in criminal court for arraignment, if at all.

### Bail Reform

Per Eric Gonzalez—the District Attorney of Brooklyn—"I have implemented a new bail policy: for misdemeanors, it's presumptive release..." (source: DA Gonzalez' twitter, June 13, 2017 <https://twitter.com/BrooklynDA/status/874714672779468801>).

By "presumptive release" the District Attorney means that in most cases the DA's office will consent to the defendant being released on his/her own recognizance (ROR'd) when the highest charge on his/her case is a misdemeanor. Therefore, the majority of cases where bail is set—and where individuals are then housed in the Brooklyn Detention Center—are felonies.

### Felonies

Criminal Court has preliminary jurisdiction over felony cases. Felonies are typically arraigned in Criminal Court. Cases are usually adjourned to a Felony Waiver Part to await the decision of the Grand Jury on whether the defendant should stand trial on felony charges. Felony cases are transferred to Supreme Court after a grand jury votes an indictment. (source: 2017 New York City criminal courts annual report <http://www.nycourts.gov/COURTS/nyc/criminal/2017-Annual-Report.pdf>)

What this means is that once a felony matter is arraigned and if bail is set, that is the last time that defendant will be in 120 Schermerhorn. More notably, when the annual report states that "felonies are *typically* arraigned in Criminal Court (emphasis added)" it is accounting for when a defendant is indicted before he/she is arrested (what is called, in Brooklyn, an "X" indictment). These are typically done in more serious cases, which usually means bail is set on those matters in a greater percentage of instances. X indictments completely bypass criminal court and are arraigned on the Indictment in Supreme Court only. In other words, those matters will involve individuals housed in the Brooklyn facility who never step foot in criminal court.

### Felony Waiver Parts

While Criminal Court does not have jurisdiction to hear trials on felony matters, a large number of final dispositions on felonies are adjudicated by Criminal Court judges sitting in Felony Waiver Parts. (These judges are designated by administrative orders to sit as Acting Justices of the Supreme Court). These parts act as both Criminal Court and Supreme Court Parts...(source: 2017 New York City criminal courts annual report <http://www.nycourts.gov/COURTS/nyc/criminal/2017-Annual-Report.pdf>)

While these "felony waiver" or "upfront" parts have concurrent jurisdiction, they are one courtroom with one judge. In Brooklyn, that part is "AP1F".

**Courtroom AP1F** - The upfront felony part is no longer located at Brooklyn Criminal Court. The AP1F part has now moved to the Kings County Supreme Court at 320 Jay Street on the 4th Floor. (source: Storobin Law Firm website <http://www.storobinlaw.com/brooklyn-criminal-court.php>)

### Conclusion

With the implementation of bail reform in Brooklyn, few misdemeanor cases will have bail set, making the majority of the population housed in the Brooklyn facility individuals that are charged with felonies. Felony matters are either indicted before arrest, in which case they are arraigned on the indictment in Supreme Court and never pass through 120 Schermerhorn, or are arraigned in Criminal Court and then sent to AP1F, which is located in the Supreme Court Building at 320 Jay Street. Therefore the proximity to criminal court should have no material bearing on the location of a new Brooklyn Jail because most of those cases will be heard in 320 Jay Street following arraignment and those individuals would have to be bused to 320 Jay Street every day their cases are to be heard. This, of course, is notwithstanding the other portion of the Brooklyn Jail population who will never set foot in Brooklyn Criminal Court, those being the individuals who have to be bused to Staten Island every day their cases are heard, because their cases are in Staten Island yet housed in Brooklyn as part of this “borough-based” system.

Jail

Dear New York City Council Members,

My name is Tom Burns. I was at the hearing yesterday but after waiting from 0940 to 1515 to get in to the chambers and to speak, I had to leave.

These would have been my spoken comments if I could have stayed longer.

Thank you for your attention.

Regards,

Tom

=====

Dear New York City Council Members,

My name is Tom Burns, I live in Boerum Hill and I am one block from the current facility on Atlantic Avenue.

I have two requests to the Council.

#1. Please continue to work with the administration and the appropriate departments(NYPC, DoC, etc.) to reduce the population to below 2800 people. By doing so, the jail on Atlantic Avenue and the other 3 borough-based jails can be made smaller in total dimensions and have a FAR below 10 and hopefully closer to 8. The trend line is very positive for reductions to date and with the upcoming changes coming on January 1 and decriminalization of marijuana, I believe this can happen.

#2. As you consider your work, while the physical implementation of the jails in the four boroughs is important, please make sure that the design is humanitarian, is friendly to the DoC personnel, the people and the visitors who visit them, focuses on rehabilitation & mental health aspects and allows for human dignity while people are incarcerated.

If you do these two things, some of our tax monies can be freed up(whether it is capital or operating monies) for other very worthwhile needs in our city such as housing and education. In addition, with less folks in jail, some of the neighborhood concerns(more car traffic, buildings which would be too tall for the neighborhood, etc.) would be significantly reduced.

Lastly, closing Rikers Island is an imperative.

Thank you for your attention.

Sincerely,

Tom Burns

265 State Street, Brooklyn, NY 11201

tburns4@yahoo.com

Borough Based Jails

Hello,

I tried to attend the Council hearing on the Borough Based Jail proposal, but stood on line on Broadway for 2 1/2 hours on Thursday morning. Here's what I wanted to say:

I support the call to close Rikers and I am not objecting to living with a jail in my neighborhood. I bought an apartment across the street from a jail and I expect to continue to live peaceably next to it for the foreseeable future.

I understand the Borough Based Jail proposal is intended to create a fairer, safer and smaller jail system.

I am not particularly qualified to comment on fairer or safer, which I support, but I do know that the proposed jail in Brooklyn is not smaller!

The proposed jail is 2x as big as the current jail. The proposed jail is 8x the square footage of the current jail. The proposed jail will hold 2x the number of detainees than the current jail. The proposed jail has 2x the amount of services. The proposed jail will require 4x the amount of staff to run. The proposed jail will triple the amount of traffic in the area. The proposed jail will triple the incidents of illegal parking in the area.

The proposed jail is not smaller. It is bigger.

This jail will be visible from Newark Airport, the Bayonne Bridge, the Statue of Liberty, Prospect Park and the Varranzano Narrows Bridge. Sadly, it will be the Brooklyn Monument to Incarceration! It will be the symbol of Brooklyn.

Sincerely,

Tricia Lynch  
Smith Street  
Brooklyn, NY 11201

tricialynch42@gmail.com

## **DEIS for 80 Centre Street Cannot Be Used for 125 White Street**

Nancy Linday  
Urban Planner  
July 17, 2019

The Draft Scope for 80 Centre Street cannot be used for 125 White Street for the following reasons:

- There is no analysis of the existing Manhattan Detention Complex Extension at 125 White Street, NY, NY 10013, located on the block bounded by Center Street, Baxter Street, Walker Street, and White Street.
- The Manhattan Detention Complex Extension was designed by Urbahn Associates, Inc. & Litchfield-Grosfeld Associates and opened in 1990. The records were given to the New York City Department of General Services, which has become the NYC Department of Design and Construction. The city has full access to the documents for the design and construction of the existing jail at 125 White Street.
- There is no critical analysis of the subsurface and substructure conditions for 125 White Street.
- There is no information to answer the following questions:
  - How deep would the foundations need to be built to support a 50-story building at 125 White Street?
  - How would digging and building these foundations impact the stability of the foundations of the existing buildings that surround 125 White Street?
  - For how large a radius?
  - How will the process of removing the foundation under the existing jail at 125 White impact the stability of the foundations of the existing buildings that surround 125 White Street?
  - For how large a radius?
  - How deep is bedrock?
  - How deep is landfill?
  - What is the construction of the foundations of the surrounding buildings?
  - On what are these foundations built?
    - Bedrock?
    - Landfill?
  - What type of landfill?
  - How long ago was it deposited?

The Chinatown and Little Italy Historic District Report provides an excellent history of Chinatown, with detailed maps and descriptions of buildings. Note that, unfortunately, it does not contain any information about building foundations in the historic district:

<https://www.nps.gov/nr/feature/asia/2010/NYChinatownLittleItalyHD.pdf>

A brief history of the area shows that 125 White Street is located on the northeast corner of the historic Collect Pond, from which a stream originally extended in a northwest direction to the Hudson River. Wreck Brook drained from the Collect Pond into the East River. In 1810, landfill of the Collect Pond was completed.

In 1808, the stream to the Hudson River was turned in a canal. In the course of time, the canal was arched over with brick and became a sewer. In 1821, workers completed a 100-foot wide street, and Canal Street was born. The landfill was poorly engineered, and new buildings built over marshland and landfill began to sink, while foul odors from the canal began to rise up to the surface. For excellent history of the Collect Pond and Canal Street, including the development of the notorious "Five Points" slum, see the following websites:

<http://www.nych2o.org/early-maps-of-manhattan--the-collect-pond.html>

<https://tenement.org/blog/what-lies-beneath-a-history-of-collect-pond/>

<https://nypost.com/2016/03/13/finding-the-hidden-ponds-and-streams-of-manhattan/>

Later 19<sup>th</sup> Century and 20<sup>th</sup> Century history of the Collect Pond documents sinking and leaking in New York's jail, "The Tombs", built on landfill in 1838 on Centre Street, over the historic Collect Pond. This structure was replaced in 1902. In the following article, note the reference to "...bedrock, as much as 140 feet below street level..." [https://en.wikipedia.org/wiki/Collect\\_Pond](https://en.wikipedia.org/wiki/Collect_Pond)

The location of the Collect Pond on the 1865 Viele Map:

[https://en.wikipedia.org/wiki/Collect\\_Pond#/media/File:Viele\\_Map\\_Collect\\_Pond\\_Five\\_Points.jpg](https://en.wikipedia.org/wiki/Collect_Pond#/media/File:Viele_Map_Collect_Pond_Five_Points.jpg)

Checking recent history, Urbahn Architects designed the Manhattan Detention Complex at 125 Centre Street, which opened in 1990. The records were given to NYC Department of General Services, now the NYC Department of Design and Construction. I filed a FOIL Request on January 23, 2019, and on May 1, 2019, received a Boring Report for the site that was conducted in 1983. No current information was sent.

Threat to a building's integrity by construction next door is now such a pressing concern that the topic is covered by both Habitat Magazine and the Cooper Square Committee.

<https://www.habitatmag.com/Publication-Content/Legal-Financial/2015/2015-September/Construction-Next-Door-Part-2>

<https://coopersquare.org/resources/resources-resources/what-to-do-when-there-is-new-construction-right-next-to-your-building>

The architectural firm Perkins Eastman is working on the initial floor plans during the scoping period, yet its architects and engineers have not presented any information regarding the design and construction of the foundation for the new 450-foot jail proposed for 125 White Street. Its architects and engineers have not presented the process by which the foundation of the existing jail located at 125 White Street will be removed. And no one has discussed the impact of either process on the foundations of existing structures in the surrounding community.

<https://www.nycurbanism.com/brutalnyc/the-tombs>

Geotechnical engineers and hydrogeologists at the NYC Department of Design and Construction already have extensive data on the subsurface in New York City, as presented by Dennis Askins and Richard Meserole on October 19, 2017, to the Association of Environmental & Engineering Geologists, New York-Philadelphia Chapter. They can be a critical resource in investigating the subsurface conditions below 125 White Street and in the surrounding communities.

DENNIS ASKINS, [ASKINSD@DDC.NYC.GOV](mailto:ASKINSD@DDC.NYC.GOV)

RICHARD MESEROLE, [MESEROLRI@DDC.NYC.GOV](mailto:MESEROLRI@DDC.NYC.GOV)

[http://aegnyp.org/resources/Documents/MAPPING%20the%20GEOLOGIC%20SUBSURFACE%20in%20NEW%20YORK%20CITY\\_FINAL\\_70%20Slides.pdf](http://aegnyp.org/resources/Documents/MAPPING%20the%20GEOLOGIC%20SUBSURFACE%20in%20NEW%20YORK%20CITY_FINAL_70%20Slides.pdf)

The existing Draft Scope for 80 Centre Street cannot be used for 125 White Street. The existing document simply does not contain basic information about subsurface conditions of the site and surrounding area that is critical for the safety of the community.

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**IMPORTANT NOTE**

The Boring Logs shown on this sheet are the result of inferences drawn by the Division of Public Structures engineers from personal observations made by the engineering or scientific personnel of this Division during boring operations at the site, and from certain evidence, viz: (1) samples of subsurface materials recovered during boring operations; (2) the logs kept by the drill operator and the inspector, which contain, among other things, expression of their opinions as to the nature of subsurface materials encountered during boring operations; and (3) other records concerning the site deemed pertinent by the engineers. The driller's log, the inspector's log, the samples, and the records, together with the engineer's reports, are made available for inspection and study by the bidders so that they may draw their own inferences from all of the available evidence.

Bidders are warned that in the subsurface other than that actually penetrated by the borings, obstructions, both natural and man-made, and which are not indicated on the Boring Logs, may be encountered, and that the Boring Logs make no representations or warranties either as to the presence or absence of such obstructions or as to their nature and extent. Where possible, borings are located to avoid all obstructions and previous construction which can be found by inspection of the surface, and the bidder is required to estimate the influence of such features from his own inspection of the site.

In addition, bidders are warned that in the subsurface other than that actually penetrated by the borings, soil or rock may vary widely, with regard to elevation, composition, texture, structure, perviousness, soundness, and other characteristics, from the descriptions given on the Boring Logs and all reports.

The "water elevation," which has been selected from all available field records in an attempt to obtain the approximate configuration of the ground water surface, show the elevation of water in the boring holes at the times indicated. They may or may not indicate the elevation of perched water or the true ground water table during boring operations or subsequently.

**EXPLANATION OF TERMS**

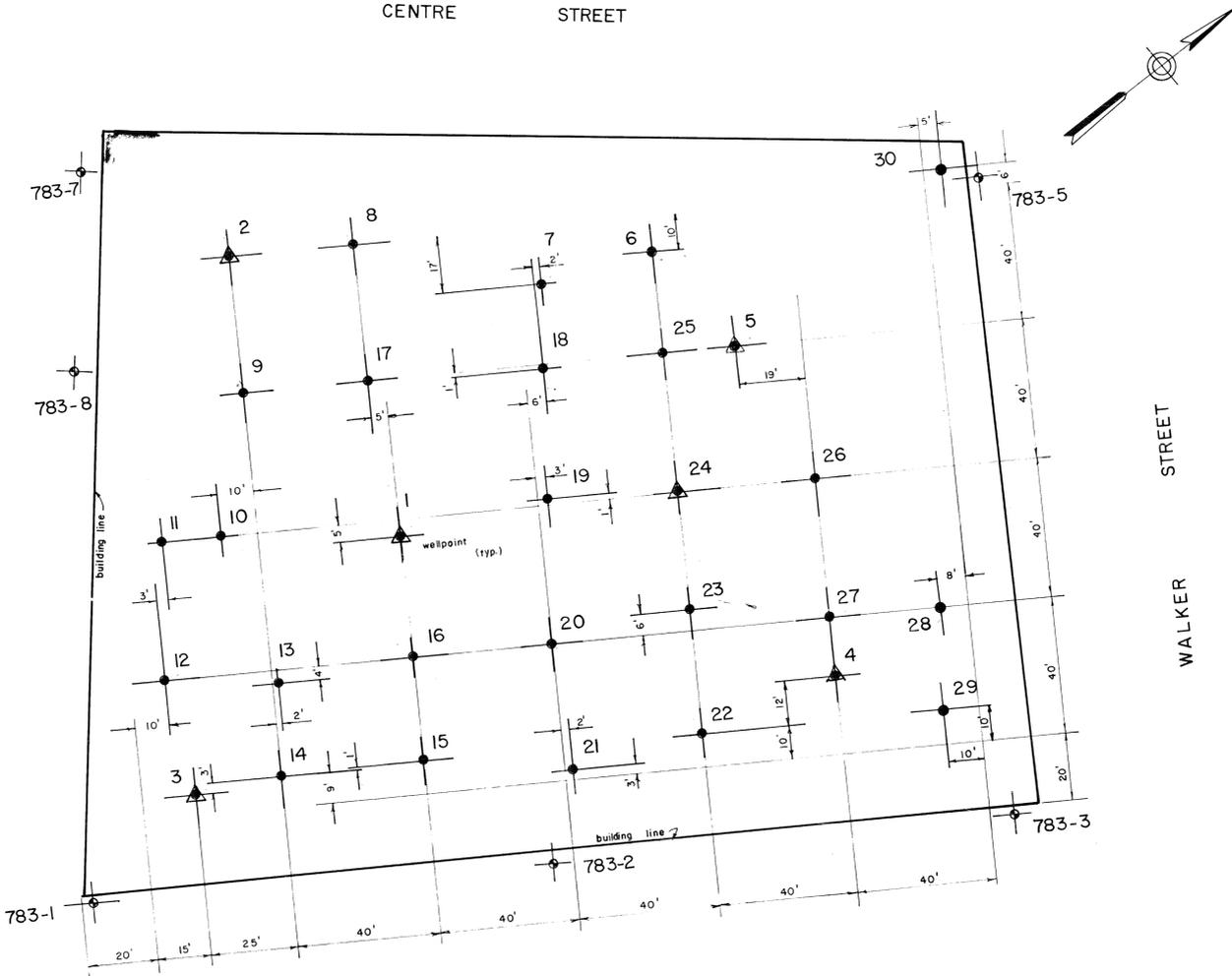
| SOIL SIZES       |                |                     |                  |
|------------------|----------------|---------------------|------------------|
| Descriptive Term | Pass Sieve No. | Retained Sieve No.  | Size Range       |
| Clay             | 200            | Afterberg Limits    | < .005 mm.       |
| Silt             | 200            | Hydrometer Analysis | .005 to .074 mm. |
| Fine sand        | 40 (60)        | 200                 | .074 to .420 mm. |
| Medium sand      | 10             | 40                  | .420 to 2.00 mm. |
| Coarse sand      | 4              | 10                  | 2.00 to 4.75 mm. |
| Gravel (fine)    | —              | —                   | 4.75 mm. to 3/4" |
| Gravel (coarse)  | —              | —                   | 3/4" to 3"       |
| Cobble           | —              | —                   | 3" to 6"         |
| Boulder          | —              | —                   | > 6"             |

| Unified System |                                                             | QUANTITATIVE ESTIMATE                                                                                                              |                  |
|----------------|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|------------------|
| Symbol         | Typical Name                                                | COMPONENT PROPORTION                                                                                                               | PERCENTAGE RANGE |
| CU             | Well-graded, coarse-grained soil with less than 5% fines    | AND                                                                                                                                | 30-50            |
| UP             | Poorly-graded, coarse-grained soil with less than 5% fines  | SOME                                                                                                                               | 20-35            |
| GM             | Silt-sand, well-graded soil with more than 10% fines        | LITTLE                                                                                                                             | 10-20            |
| GC             | Clayey silt, well-graded soil with more than 10% fines      | TRACE                                                                                                                              | 1-10             |
| SM             | Silt-sand, well-graded soil with less than 10% fines        | GRAIN SIZE ABBREVIATIONS                                                                                                           |                  |
| SC             | Clayey silt, well-graded soil with less than 10% fines      | F = FINE, M = MEDIUM, C = COARSE                                                                                                   |                  |
| ML             | Clayey silt, well-graded soil with less than 10% fines      | + = PREDOMINANT FRACTION (Eg. F-M+)                                                                                                |                  |
| CL             | Clayey silt, well-graded soil with less than 10% fines      | The descriptive size terms used in the Boring logs were arrived at by estimate only, using standard samples for visual comparison. |                  |
| CH             | Clayey silt, well-graded soil with less than 10% fines      | These tables have been used only as an approximate guide, with latitude for interpretation and selective judgment.                 |                  |
| SH             | Clayey silt, well-graded soil with less than 10% fines      | Special F-Sand, Designated in Building Code.                                                                                       |                  |
| SW             | Well-graded, sandy gravelly sand with less than 10% fines   |                                                                                                                                    |                  |
| SP             | Poorly-graded, sandy gravelly sand with less than 10% fines |                                                                                                                                    |                  |
| SM             | Silt-sand, well-graded soil with less than 10% fines        |                                                                                                                                    |                  |
| SC             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| ML             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| CL             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| CH             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| SH             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| SW             | Well-graded, sandy gravelly sand with less than 10% fines   |                                                                                                                                    |                  |
| SP             | Poorly-graded, sandy gravelly sand with less than 10% fines |                                                                                                                                    |                  |
| SM             | Silt-sand, well-graded soil with less than 10% fines        |                                                                                                                                    |                  |
| SC             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| ML             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| CL             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| CH             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| SH             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| SW             | Well-graded, sandy gravelly sand with less than 10% fines   |                                                                                                                                    |                  |
| SP             | Poorly-graded, sandy gravelly sand with less than 10% fines |                                                                                                                                    |                  |
| SM             | Silt-sand, well-graded soil with less than 10% fines        |                                                                                                                                    |                  |
| SC             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| ML             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| CL             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| CH             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| SH             | Clayey silt, well-graded soil with less than 10% fines      |                                                                                                                                    |                  |
| SW             | Well-graded, sandy gravelly sand with less than 10% fines   |                                                                                                                                    |                  |
| SP             | Poorly-graded, sandy gravelly sand with less than 10% fines |                                                                                                                                    |                  |

**LEGEND**

| BORING LOG |                                                                                                                         | SPOON SAMPLES                                                       |                                                                                                      |
|------------|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
|            | 1                                                                                                                       | Unless otherwise specified, sample spoon was driven 1.5 feet.       |                                                                                                      |
|            | 2                                                                                                                       | a = Sample Number, or M = Missed sample.                            |                                                                                                      |
|            | 3                                                                                                                       | b = Elevation, Top of Sample.                                       |                                                                                                      |
|            | 4                                                                                                                       | c = Elevation, Bottom of Sample.                                    |                                                                                                      |
| 5          | d = Number of Blows required to drive sample spoon for each 6" increment of penetration, with spoon hammer falling 30". | U = Undisturbed sample.                                             | Cg = Casing sample.                                                                                  |
| 6          |                                                                                                                         | W = Wash sample.                                                    | N = Blows per foot.                                                                                  |
| 7          |                                                                                                                         | P = Pushed by weight of hammer.                                     |                                                                                                      |
| 8          |                                                                                                                         | I = Insufficient recovery of undisturbed sample, sample put in jar. |                                                                                                      |
| 9          |                                                                                                                         |                                                                     | Water Elevation Time                                                                                 |
| 10         |                                                                                                                         |                                                                     | Surface Elevation                                                                                    |
| 11         |                                                                                                                         |                                                                     | Primary strata boundary and elevation.                                                               |
| 12         |                                                                                                                         |                                                                     | Approximate or secondary strata boundary and elevation.                                              |
| 13         |                                                                                                                         |                                                                     | Number of blows required to drive casing through one foot of strata, with casing hammer falling 18". |
| 14         |                                                                                                                         |                                                                     |                                                                                                      |
| 15         |                                                                                                                         |                                                                     |                                                                                                      |
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| GROUND WATER OBSERVATIONS |           |       |       |       |       |       |
|---------------------------|-----------|-------|-------|-------|-------|-------|
| WELLPOINTS                | 1         | 2     | 3     | 4     | 24    |       |
| DATE                      | TIME      | ELEV. | ELEV. | ELEV. | ELEV. | ELEV. |
| 6-23-83                   | 8:00 A.M. | -     | -2.5  | -     | -     | -     |
|                           | 2:30 P.M. | -     | -2.4  | -     | -     | -     |
| 6-24-83                   | 8:00 A.M. | -3.3  | -2.0  | -     | -     | -     |
|                           | 2:30 P.M. | -3.1  | -1.9  | -     | -     | -     |
| 6-27-83                   | 8:00 A.M. | -1.2  | -2.0  | -     | -     | -     |
|                           | 2:30 P.M. | -1.3  | -2.0  | -     | -     | -     |
| 6-28-83                   | 8:00 A.M. | -1.2  | -2.6  | -     | -     | -     |
|                           | 2:30 P.M. | -1.2  | -2.5  | -     | -     | -     |
| 6-29-83                   | 8:00 A.M. | -1.4  | -2.1  | -     | -     | -     |
|                           | 2:30 P.M. | -1.2  | -2.0  | -     | -     | -     |
| 6-30-83                   | 8:00 A.M. | -1.4  | -2.0  | -     | -1.0  | -1.4  |
|                           | 2:30 P.M. | -1.5  | -2.0  | -     | -1.3  | -1.9  |
| 7-1-83                    | 8:00 A.M. | -1.3  | -2.0  | -     | -1.2  | -1.6  |
|                           | 2:30 P.M. | -1.4  | -2.1  | -     | -0.9  | -1.7  |
| 7-5-83                    | 8:00 A.M. | -1.4  | -2.0  | -     | -1.0  | -2.4  |
|                           | 2:30 P.M. | -1.3  | -2.0  | -     | -0.9  | -2.5  |
| 7-6-83                    | 8:00 A.M. | -1.5  | -2.4  | -     | -1.0  | -2.9  |
|                           | 2:30 P.M. | -1.4  | -2.3  | -     | -0.9  | -2.8  |
| 7-7-83                    | 8:00 A.M. | -1.5  | -2.5  | -3.6  | -0.8  | -2.1  |
|                           | 2:30 P.M. | -1.5  | -2.5  | -3.7  | -0.9  | -2.8  |
| 7-8-83                    | 8:00 A.M. | -1.6  | -2.1  | -4.1  | -0.7  | -2.9  |
|                           | 2:30 P.M. | -1.5  | -2.2  | -4.1  | -0.8  | -2.9  |
| 7-11-83                   | 8:00 A.M. | -1.7  | -2.0  | -4.1  | -0.6  | -2.9  |
|                           | 2:30 P.M. | -1.7  | -1.9  | -3.3  | -2.3  | -2.9  |
| 7-12-83                   | 8:00 A.M. | -1.6  | -2.1  | -1.6  | -0.8  | -1.4  |
|                           | 2:30 P.M. | -1.5  | -2.0  | -1.5  | -0.9  | -1.9  |
| 7-13-83                   | 8:00 A.M. | -1.7  | -2.0  | -1.6  | -0.8  | -1.4  |
|                           | 2:30 P.M. | -2.1  | -3.8  | -4.6  | -2.6  | -2.5  |
| 7-14-83                   | 8:00 A.M. | -2.6  | -2.7  | -4.2  | -2.5  | -2.4  |
|                           | 2:30 P.M. | -2.7  | -3.0  | -4.9  | -2.6  | -2.4  |
| 7-18-83                   | 8:00 A.M. | -1.9  | -2.3  | -1.6  | -2.8  | -2.6  |
|                           | 2:30 P.M. | -2.1  | -5.0  | -1.7  | -2.6  | -2.4  |
| 7-19-83                   | 8:00 A.M. | -2.0  | -4.8  | -2.9  | -2.5  | -2.8  |
|                           | 2:30 P.M. | -2.0  | -4.4  | -2.1  | -2.5  | -3.0  |
| 7-20-83                   | 8:00 A.M. | -1.9  | -2.8  | -2.6  | -2.6  | -3.0  |
|                           | 2:30 P.M. | -1.1  | -1.5  | -4.1  | -2.4  | -3.1  |
| 7-21-83                   | 8:00 A.M. | -2.0  | -3.0  | -4.4  | -2.9  | -2.7  |
|                           | 2:30 P.M. | -2.3  | -2.7  | -4.3  | -2.4  | -2.9  |
| 7-22-83                   | 8:00 A.M. | -2.8  | -2.0  | -4.1  | -2.2  | -3.1  |

ground water table for wellpoint #5, see sheet 4 of 4

**LOCATION PLAN**

SCALE: 1" = 20'

Note: for additional information in this area, see S.F.S # 783

**(FOR REFERENCE ONLY)**

|                    |                                                                                                                      |                 |
|--------------------|----------------------------------------------------------------------------------------------------------------------|-----------------|
|                    | THE CITY OF NEW YORK<br>DEPARTMENT OF GENERAL SERVICES<br>DIVISION OF PUBLIC STRUCTURES<br>BUREAU OF BUILDING DESIGN |                 |
|                    | NEW DETENTION FACILITY<br>LOWER MANHATTAN<br>CENTRE, WHITE STREETS, ETC.<br>BOROUGH OF MANHATTAN                     |                 |
|                    | PREPARED BY:<br>ENGINEERING SERVICES<br>SUBSURFACE EXPLORATION SECTION                                               |                 |
|                    | RECORD OF BORINGS                                                                                                    | B-1             |
| DATE: AUG 18, 1983 |                                                                                                                      | SCALE: AS SHOWN |
| SHEET 1 OF 4       |                                                                                                                      |                 |

| NO. | DATE | DESCRIPTION | APPD. |
|-----|------|-------------|-------|
|     |      | REVISIONS   |       |

|                           |        |
|---------------------------|--------|
| DRAFTSMAN                 | E.V.D. |
| CHECKER                   | F.N.   |
| SOIL AND ROCK ANALYSIS BY |        |

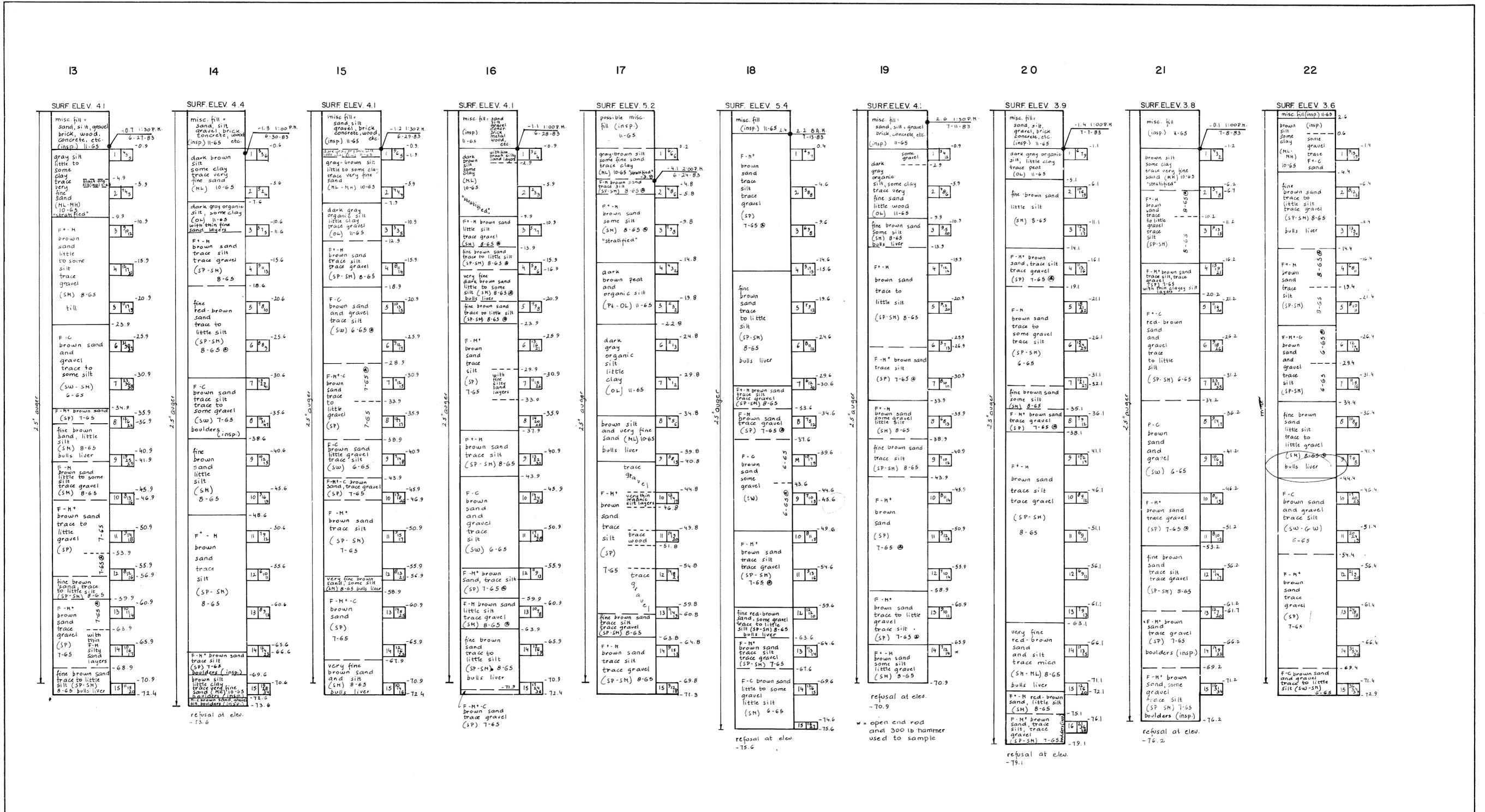
S. Costello 8/18/83  
 CHIEF, SUBSURFACE EXPLORATION SECTION

WILLIAM J. RACZKO  
 DIRECTOR, BUREAU OF BUILDING DESIGN

EDWARD K. NORTON  
 ASSISTANT COMMISSIONER

1493





| NO. | DATE | DESCRIPTION | APPD. |
|-----|------|-------------|-------|
|     |      |             |       |
|     |      |             |       |

DRAFTSMAN E. V. O.  
 CHECKER Desai  
 Peter Klee  
 SOIL AND ROCK ANALYSIS BY

8/18/83  
 CHIEF, SUBSURFACE EXPLORATION SECTION  
 CHIEF, ENGINEERING SERVICES

(FOR REFERENCE ONLY)

THE CITY OF NEW YORK  
 DEPARTMENT OF GENERAL SERVICES  
 DIVISION OF PUBLIC STRUCTURES  
 BUREAU OF BUILDING DESIGN

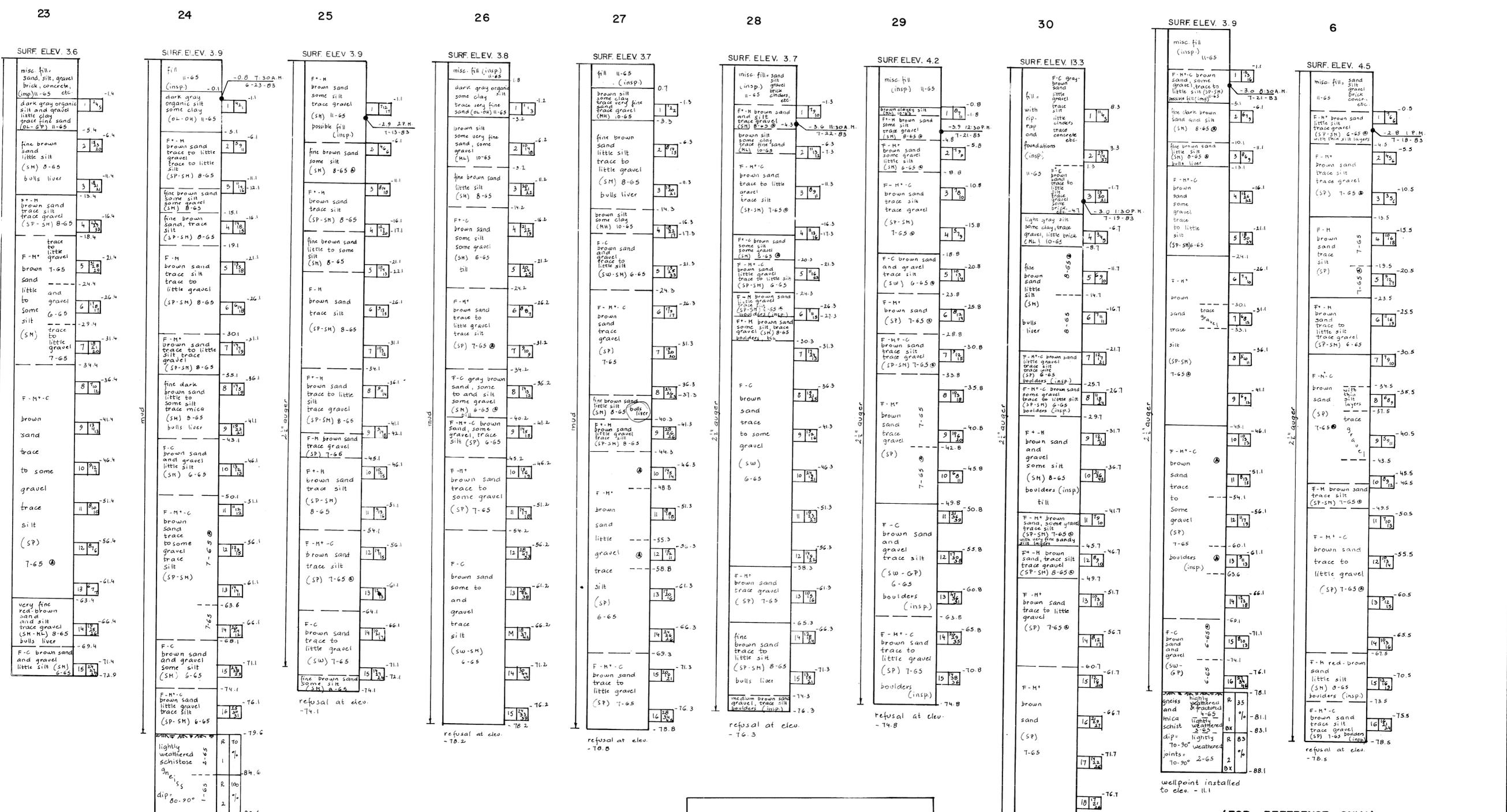
**NEW DETENTION FACILITY**  
 LOWER MANHATTAN  
 CENTRE, WHITE STREETS, ETC.  
 BOROUGH OF MANHATTAN

PREPARED BY:  
 ENGINEERING SERVICES  
 SUBSURFACE EXPLORATION SECTION

**RECORD OF BORINGS**      **B-3**

DATE: 8/18/83      SCALE: AS SHOWN      SHEET 3 OF 4

1493



**GROUND WATER OBSERVATIONS**

WELLPOINT #5

| DATE        | TIME       | ELEV. |
|-------------|------------|-------|
| 7 - 22 - 83 | 8:00 A.M.  | - 0.4 |
| 8 - 10 - 83 | 10:00 A.M. | - 0.5 |

(FOR REFERENCE ONLY)

THE CITY OF NEW YORK  
DEPARTMENT OF GENERAL SERVICES  
DIVISION OF PUBLIC STRUCTURES  
BUREAU OF BUILDING DESIGN

**NEW DETENTION FACILITY  
LOWER MANHATTAN  
CENTRE, WHITE STREETS, ETC.  
BOROUGH OF MANHATTAN**

PREPARED BY:  
ENGINEERING SERVICES  
SUBSURFACE EXPLORATION SECTION

**RECORD OF BORINGS**      **B-4**

DATE: 11/20/83      SCALE: AS SHOWN      SHEET 4 OF 4

| NO. | DATE | DESCRIPTION | APPD. |
|-----|------|-------------|-------|
|     |      |             |       |
|     |      |             |       |

DRAFTSMAN E.V.O.  
CHECKER Desai  
SOL AND ROCK ANALYSIS BY Peter Kell

wellpoint installed to elev. -76 see sheet 1 of 4 for wellpoint table

D. J. D'Atolby 8/18/83  
CHIEF, SUBSURFACE EXPLORATION SECTION

CHIEF ENGINEERING SERVICES

1493

5/1/2019

Attn.: Nancy Linday  
Nancy Linday  
170 Park Row #18E  
New York NY, 10038

RE: Freedom of Information Law ("FOIL") Request No. 2019-0075  
Information / Records for the Manhattan Detention Complex Extension at 125 White Street

Dear Ms. Linday:

The Department of Design and Construction ("DDC") has processed your above-mentioned FOIL information request. DDC's search of agency records revealed one responsive document to your request because the 125 White Street construction was completed by the New York City Department of General Services, before the inception of DDC. Please find enclosed this Record of Borings for 125 White Street in response to your above-mentioned request.

Disclaimer of Liability and Accuracy:

Please note that the information contained in the enclosed record(s) (including all maps, drawings, studies and/or reports, etc.) is provided by DDC pursuant to public disclosure laws. All information should be independently verified. DDC makes no representations or guarantees as to accuracy, reliability, veracity or completeness of the information provided. The information provided may change at any time without notice. DDC shall not be held liable for any improper or incorrect use of the information described and/or contained herein and assumes no responsibility for anyone's use of the information. In no event shall DDC be liable for any direct, indirect, incidental, special, exemplary or consequential damages of any type in relation to the use of the information contained in the enclosed records.

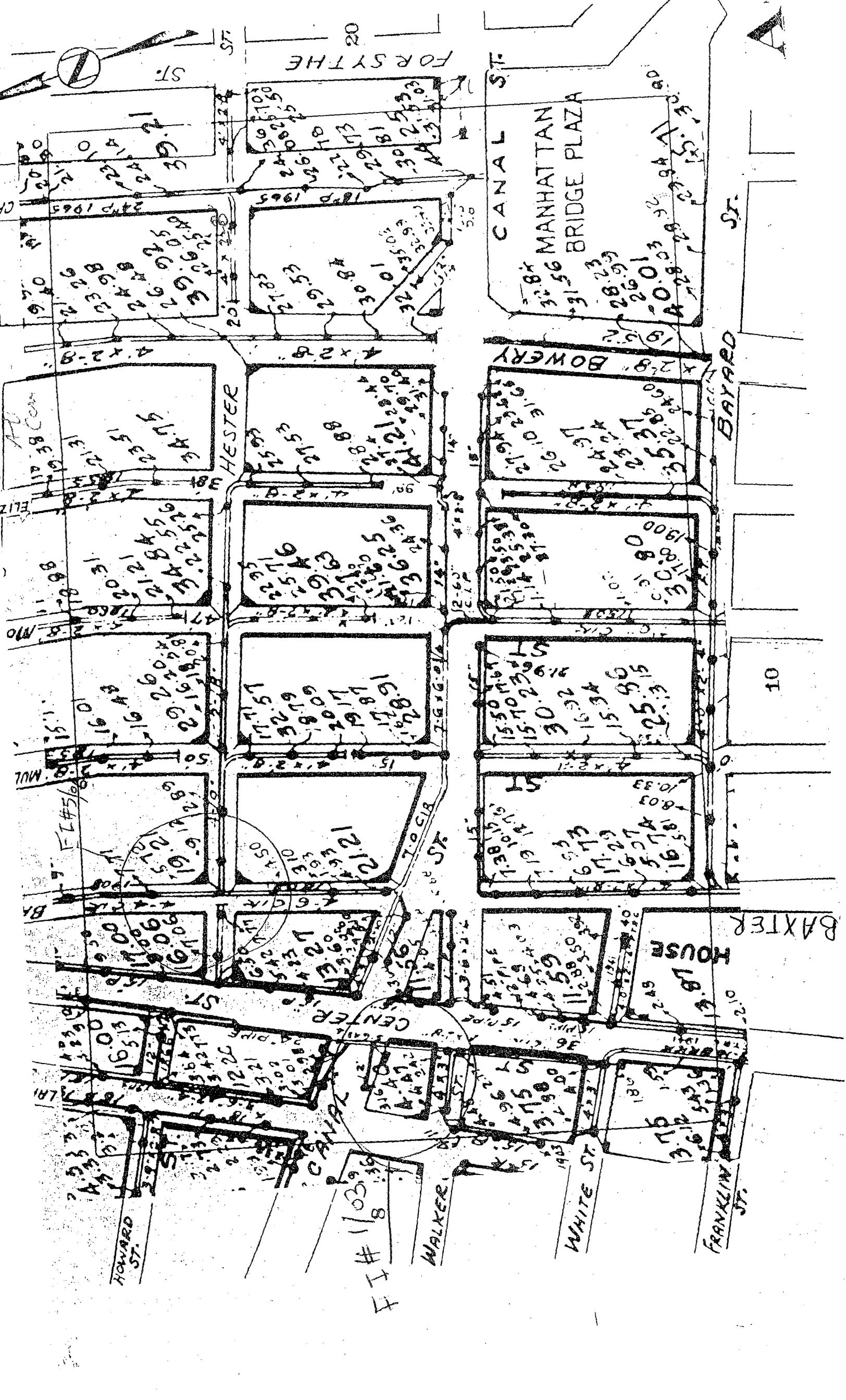
Copyright Notice:

Unless otherwise indicated, the City of New York reserves all rights to the records, images and/or information enclosed. Accordingly, the enclosed records may not be reproduced, disseminated, published, transferred or excerpted in any way without expressed written permission from DDC.

The reproduction fee as permitted by statute for the enclosed documents is \$0.00.

The agency trusts this responds to your request. If you have any further questions regarding this matter, please contact the agency's FOIL office at (718) 391-1701.

Sincerely,  
FOIL Records Officer



24 P 1965

17-9-38

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17-9-38

FORSYTHE

CANAL ST.

MANHATTAN BRIDGE PLAZA

HESTER

BOWERY

BAYARD

10

BAXTER HOUSE

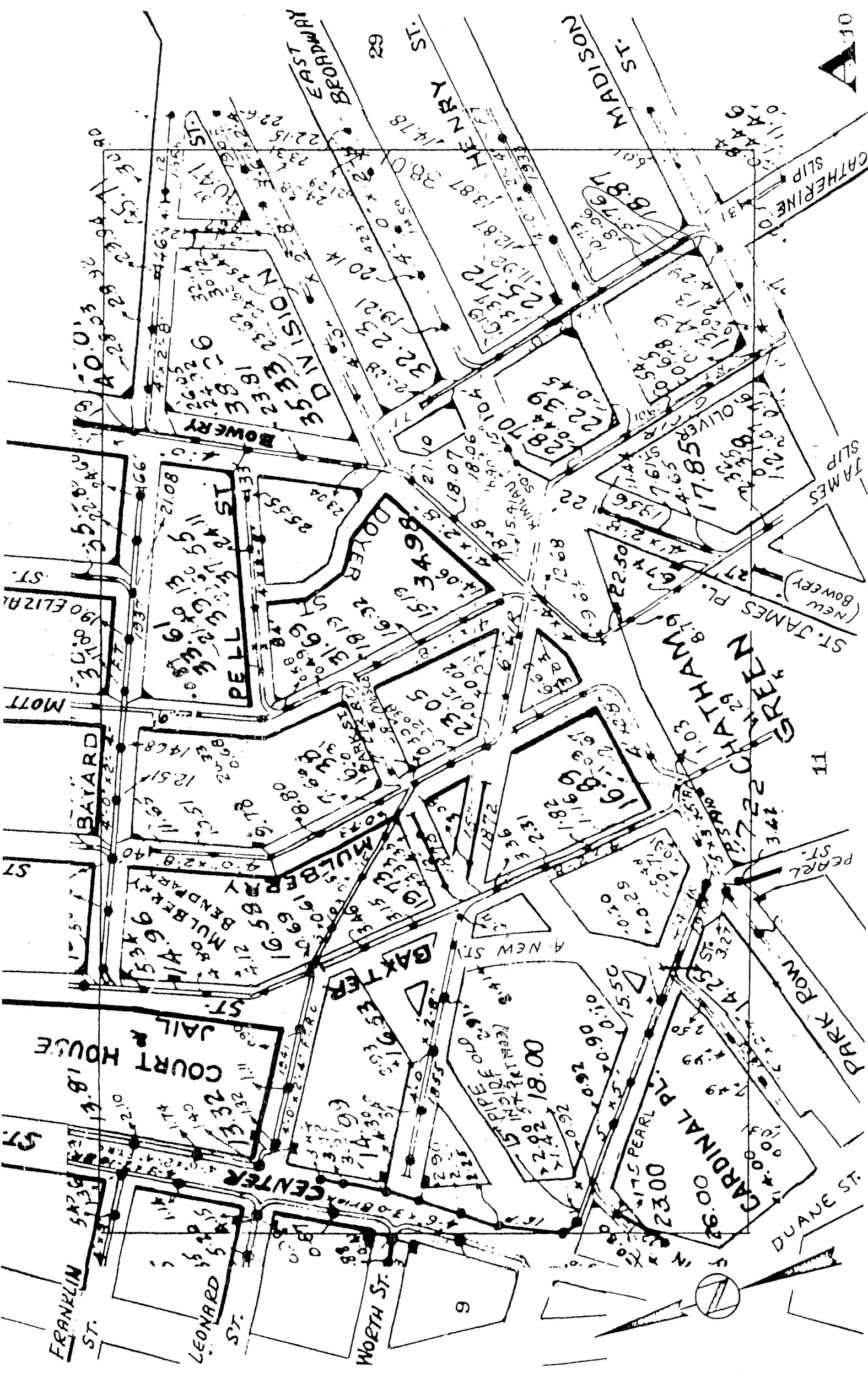
HOWARD ST.

FI # 103936

WALKER

WHITE ST.

FRANKLIN ST.



A-10

CATHERINE SLIP

JAMES SLIP

(New Bowery)  
ST. JAMES PL.

GREEN  
CHATHAM

PEARL ST.

PARK ROW

DUANE ST.

MADISON ST.

HENRY ST.

EAST BROADWAY

BOWERY

ELIZABETH ST.

MOTT ST.

BAYARD ST.

MULBERRY ST.

LEONARD ST.

WORTH ST.

FRANKLIN ST.

COURT HOUSE  
JAIL

CENTER ST.

BAXTER ST.

PIPE ALLEY

PEARL ST.

CARDINAL PL.

11

9



On January 23, 2019, Nancy Linday filed a Freedom of Information Law Request with the New York City Department of Design and Construction for the records of 125 White Street. On January 25, 2019, Nancy Linday left a voice mail message at (718) 391-1701, the NYC DDC Hotline Number listed on the DDC website, to follow up on the request. On May 1, 2019, Nancy Linday received a reply, attached in separate documents.

## **CONFIRMATION & CONTENTS of FOIL REQUEST for 125 White Street**

### **Thank You For Filling Out This Form**

Shown below is your submission to **NYC.gov** on Wednesday 23rd of January 2019 03:26:03 PM

This form resides at <https://www1.nyc.gov/site/ddc/about/contact-form.page?recipient=FOIL%20Records%20Access%20Officer>

#### **NAME of FIELDS DATA**

**Name** Nancy Linday

**Email** pactote@aol.com

**Message** Please provide all available documentation for the design and construction of the Manhattan Detention Complex Extension at 125 White Street, NY, NY 10013, on the block bounded by Center Street, Baxter Street, Walker Street, and White Street. The Manhattan Detention Complex Extension was designed by Urbahn Associates, Inc. & Litchfield-Grosfeld Associates and opened in 1990. In addition to providing all design and construction documents, all subsurface reports including depth of bedrock, location and depth of underground streams, location and extent of landfill, and boring studies, please provide the original Environmental Impact Statement and records of community meetings.

- Please provide all available documentation for the design and construction of the Manhattan Detention Complex Extension at 125 White Street, NY, NY 10013, on the block bounded by Center Street, Baxter Street, Walker Street, and White Street.
- The Manhattan Detention Complex Extension was designed by Urbahn Associates, Inc. & Litchfield-Grosfeld Associates and opened in 1990.
- Provide all subsurface reports including:
  - Depth of bedrock,
  - Location of bedrock
  - Depth of underground stream/s
  - Location of underground stream/s
  - Location of landfill
  - Type of landfill
  - Extent of landfill
  - Boring studies
  - Original Environmental Impact Statement
  - Records of community meetings.

The following are the links to file a FOIL Request with NYC DDC:

DDC FOIL information link: <https://www1.nyc.gov/site/ddc/about/foil-requests.page>

DDC FOIL request form: <https://www1.nyc.gov/site/ddc/about/contact-form.page?recipient=FOIL%20Records%20Access%20Officer>



PROTECTING KIDS. PROVIDING HOPE.

September 10, 2019

Adrienne E. Adams, Chair  
New York City Council  
Subcommittee on Landmarks, Public Siting  
and Maritime Uses  
Council Chambers- City Hall  
New York, NY 10007

Re: Testimony Regarding Closing Rikers

Dear Ms. Adams and Members of the New York City Council Subcommittee on Landmarks, Public Siting and Maritime Uses:

Since 1995, Children's Rights has been a national advocate for youth in state systems. We are also a member of the Department of Correction's Adolescent and Young Adult Advisory Board and the New York Jails Action Coalition. Our experience with adolescents and young adults in foster care and juvenile justice systems often brings us in contact with young adult and youth corrections policy, as our clients are disproportionately represented in young adult and juvenile correction facilities. While we support the plan to close Rikers Island, we are concerned about the welfare of young adults.

In creating four new borough-based jails, we urge you to think about keeping young adults, aged 18-21, housed together in one location. This is imperative in order to provide equal access to programming and educational opportunities. The current placement of young adults in various facilities on Rikers Island leaves those not housed in RNDC without the opportunity to access the programming offered in the Peace Center. As we have stated in numerous testimonies before the Board of Correction (BOC), research from biology, neuroscience, and social science clearly shows that youth development does not stop at age 18.<sup>1</sup> Young adults require support, and the child welfare field has recognized this in developing policies and best practices accordingly.<sup>2</sup> This need for support clearly extends to older youth in the criminal justice system. The practice of young adults not having equal access to programming and educational opportunities must be avoided, and can easily be addressed by giving careful thought to where young adults will be placed when Rikers Island is closed and replaced by the borough based system.

---

<sup>1</sup> See December 19, 2014 Public Comment submitted by Children's Rights.

<sup>2</sup> *Id.* See, e.g., October 7, 2018 testimony submitted by Children's Rights; February 11, 2019 testimony submitted by Children's Rights; July 9, 2019 testimony submitted by Children's Rights.

In accordance with the above, we ask that you provide an update to the public before the City Council casts a final vote in October regarding where and how young adults, aged 18-21, will be placed in the borough-based system and how they will have equal access to programming and educational opportunities.

Sincerely,



Daniele Gerard  
Staff Attorney



Meghan Kacsmar  
Paralegal



Elissa Hyne  
Senior Policy Analyst

*I support the abolitionist effort to Close Rikers with No New Jails, and reroute \$11 billion into the needs of Black and Brown working-class communities.*

*Because*

- 1) Our focus should be on how to free people, not how to build jails.*
- 2) \$11 billion would transform and uplift the material conditions of Black, Brown, poor, queer, trans and other communities targeted by policing and incarceration.*

The plan to build four new borough-based jails (in Brooklyn, the Bronx, Manhattan, and Queens) would direct \$11 billion towards establishing a city-wide jail capacity of “4,000 beds” (a reduction of its current capacity with Rikers open), designed to last, in the mayor’s own words, “for generations.” But cages are a threat to public safety and only increase violence. Safety is created by well-resourced communities, organized for justice.

- [When Cincinnati closed its Queensgate facility, which was a 1/3 of its jail space, violent crime went down by 42%.](#)
- The mayor’s plan keeps Rikers open for another decade when the next mayor can keep it open indefinitely along with the four new massive jails. This is a risk we cannot take.
- In 2018 the city moved young people from Rikers to Horizon with the promise of a smaller jail that is redesigned and more humane. [Federal monitors now say it is more violent than Rikers.](#) This is the fate of the new jails.
- We must take an uncompromising stance: No New Jails.

The No New Jails plan involves the following demands:

**(1) that the city stop incarcerating enough people to allow Rikers to close without building new jails.** This is possible by limiting or eliminating pre-trial detention and cash bail -- 7 out of 10 people detained on Rikers are in jail before trial -- decriminalizing offenses that lead to short prison sentences, and aggressively advocating for parole reforms. See [this letter from NYC public defenders](#) for more details.

**(2) That the city redirect \$11 billion budgeted towards jail construction and invest it instead in ending homelessness, keeping NYCHA public, and creating a holistic mental health network.**

## **HISTORY & BACKGROUND**

All prisons and jails are inherently violent, rooted in white supremacy and slavery.

NYC in particular has a long history of so-called “cutting-edge” and “humanitarian” jails (including Rikers), all of which swiftly gave way to the irredeemably toxic sites of cruelty they are today.

In particular, many members of the Black and Latinx trans communities in our city emphasize that the brutalization and dehumanization they experience at the hands of the state will continue in new jail facilities. They state that developing new jails only extends the lifetime of a system that will continue to cause profound and irreparable harm.

Directing resources into the prison industrial complex amounts to the theft of desperately needed community resources: programs needed to heal and prevent the damage inflicted by jails and prisons, such as healthcare, housing, and education.

Meanwhile Mayor de Blasio refuses to end broken windows policing and other vehicles for NYPD to fill Rikers and other jails. He condones the criminalization of vulnerable communities, expanded the NYPD and instituted the militarized Strategic Response Group unit that killed Saheed Vassell. He does not hold NYPD accountable for police violence against Black people even as he boasts of having a Black son.

How can we trust the sincerity of a mayor who carries out these policies to actually close Rikers and create a more humane system? How can we trust a mayor who supports privatizing NYCHA and displacing residents through gentrification and rezoning policies?

There are so many ways for the city to betray its verbal commitment to reducing harm and shrinking its carceral capacity. Jail construction will begin without any formal commitment from the mayor to actually close Rikers. The closure of those facilities will be in the hands of whoever is elected as our next mayor.

Abolitionists recognize that we can only really decarcerate when the state stops locking people up and building new jails, not merely reproducing up-to-date versions of those cages. Instead of building new jails to close old ones, as Critical Resistance says, "We should be closing jails by reducing the jail population and building up alternatives to imprisonment instead of extending the scope of the prison industrial complex."

By continuing our legislative push to end pre-trial detention, arrests for parole violations, cash bail, and broken windows policing/sentencing, we can diminish the city's carceral capacity without using our communities' resources to perpetuate harmful systems.

In an [open letter](#), hundreds of attorneys, social workers, legal advocates, and public defender administrative staff members made the case that closing Rikers without reinvesting in new jails is not only morally necessary, but also feasible.

No new jails comment

Hi! I hope we don't see any more jails built. We won't bring our incarcerated population down if there's room for more. This is money that should be used on our communities— infrastructure (incl the subway and buses), fixing lead pipes, investing in public education including pre-school/daycare, Access-A-Ride, a zillion things. We should stop arresting fare jumpers and homeless ppl and paying \$600 a night to keep them in cages. It's cost ineffective and cruel. Will look at this decision when primaries roll around.

Jon Golbe  
Prospect Hts  
Brooklyn  
<jgolbe@gmail.com>

Borough-based jails

Hi there,

I am a resident of Brooklyn with a professional background in civil rights litigation for incarcerated people. I very strongly oppose the plan to open new jails in the Boroughs, and I am horrified and alarmed by the steps the city council has taken to prevent important criticisms from being articulated in front of the council (ie, telling protesters the room is full when the room is not full, filling rooms with press and staff to prevent citizens from using the opportunity to comment publicly).

Rikers needs to be shut down, and opening new borough-based jails in its place is neither humane nor informed by policy. An overwhelming body of research shows that smaller jails are less equipped to provide mental health care, medical care, or programming of any sort. Borough-based jails represent a continuation of the failed policies that have made Rikers into what it is today.

Funds should be reinvested to meaningfully serve communities (through drug educational programs, social services, public works projects, and housing, to name just a FEW worthy expenditures). They should not be repurposed from Rikers just to incarcerate and abuse them in new facilities.

I am disgusted by the council's behavior thus far and I intend to attend future protests about this issue.

Sincerely,

Alex Kennedy

Brooklyn resident (zip code 11213)

<alexandrajkennedy@gmail.com>

Close Rikers, invest in communities

Hello,

I respectfully ask that you close Rikers jail and invest resources in communities instead of incarcerating individuals. More affordable housing, better public transportation, more educational opportunities and expanded mental health care would help everyone and lower crime.

Thank you,

Carrie Hawks

Brooklyn resident, zipcode: 11218

<maroonhorizon@gmail.com>

## Borough Based Jail Plan

Hello,

My name is Sarah Sanders, and I'm a resident of Brooklyn (zip code 11221). I wasn't able to attend the hearing last week, but I wanted to note that I support the #CLOSErikers plan to shrink the jail system, improve conditions for any who is still detained, and invest in communities. I support the Mayor's plan *with the conditions* proposed by JustLeadership and outlined in the #CLOSErikers plan.

Thank you for noting this,

Sarah

<sarahesanders@gmail.com>

--

*Sarah Sanders*

she/her/hers

[www.sarahesanders.com](http://www.sarahesanders.com)

Noelle Fries objects to BBJ plan

SEPTEMBER 13 @ 5:01PM:

Noelle Fries  
776 Crown Street  
NYC 11213  
noellefries@gmail.com

According to Noelle Fries, she strongly objects to the Mayor's Borough Based Jail plan. He is trying to push this through at all costs.

According to The City, on Aug. 30, published an article on the secret moving of prisoners from the Brooklyn Detention Complex to Rikers,  
<https://thecity.nyc/2019/08/brooklyn-jail-on-fast-track-to-shutdown.html>

Article also appeared in:

- The NY Post, <https://nypost.com/2019/08/30/brooklyn-detention-complex-on-fast-track-to-shut-down-for-new-jail-union/>
- The Brooklyn Daily Eagle:  
<https://brooklyneagle.com/articles/2019/08/30/brooklyn-jail-on-fast-track-to-shutdown/>

NO NEW JAILS – also published an article on – SEP 6

According to Noelle Fries, she just spoke to CM Levin's office, that claimed to have no knowledge of this, and were about to make a public statement trying to get answers & accountability.

## Chinatown Jail Location

Hi Speaker Johnson,

I am writing to protest the plans to locate a new jail in the Chinatown area. I have lived in Chinatown for 30 years and am proud of the neighborhood. My mother still lives in the neighborhood and I visit her often. It disturbs me that there are plans to build a new jail in this neighborhood that is already crowded and has enough vehicle traffic. This does not make any sense and Mayor DeBlasio has a warped view of how NYC should be.

Please make an effort to oppose this as many residents of Chinatown opposes this.

Sonny Yip

yippies888@hotmail.com

NO to proposed jail plan in Chinatown

Dear Councilman Corey Johnson:

My name is Alvin Tsang and I am strongly against the plan to build new jails in Chinatown. It will deeply disrupt the mental, physical and spiritual health of all people in the neighborhood and its environment. Please say NO on the plan!

Best,  
Alvin Tsang  
NYC resident

--

Best,  
Alvin Tsang  
hawkfinn1@gmail.com

## No to Borough Jails

Dear Speaker Corey Johnson-

As a life time New Yorker - I call upon you to stop supporting the Mayor's borough jails plan- & to advocate to Close Rikers Now & divert the \$11 billion cost of the plan for life affirming community needs of black and brown communities!

Rikers can be closed Now without new & expanded borough jails which reproduce violence and dehumanizing life conditions!

Sincerely,

Maureen Silverman

[maureensilverman@gmail.com](mailto:maureensilverman@gmail.com)

## Borough-Based Jails

To whom it may concern,

I'm a Manhattan resident and a decarceration advocate. I am writing in opposition to the City's jail expansion plan and in support of immediately closing Rikers. New York City is currently the safest it's been for 50 years, and the City also maintains one of the lowest incarceration rates among major U.S. cities. This is one of the strongest arguments for continuing to divest from incarceration and instead investing in community needs such as housing, healthcare, employment, and education. I will advance a few other arguments below.

First of all, I oppose the City's jail expansion plan because it includes no legally binding clause to close Rikers. The actual closure of the Rikers facilities is left up to the discretion of a future Mayor, whose commitment to decarceration cannot be predicted -- and the jail expansion plan doesn't project Rikers closure until 2026 or later, which is unacceptable. The first step is to close Rikers, not spend billions on new jails that may open while people are still detained at Rikers.

Second, it's simply not necessary to build new jails in order to close Rikers. Some math is required for this argument.

When the Mayor announced the City's plan to close Rikers in 2017, the average daily jail population (ADP) was 9,400. A year later, the ADP was down to 8,000. In March of 2019, the City established public goals for further reducing the ADP: 7,000 by 2022, and 5,000 by 2026. Today, the City has already reached its 2022 goal, and in August 2019, the Mayor's office projected an ADP of 4,000 by 2026 after taking state bail reform into account. Imagine how much lower that number could be a year from now!

The City's jail expansion plan will add about 5,000 jail beds beyond the 2,000-3,000 jail beds that already exist outside of Rikers. But the City also expects to reduce the jail population to 4,000 or less, which prompts the question: Why do we need to spend \$10 billion on new jails to make up for a 1,000-jail bed "shortage" (4,000 projected ADP minus 3,000 non-Rikers beds)? Why not reduce our reliance on incarceration instead? It seems like the need for new facilities could be easily sidestepped by adopting further reforms to reduce the ADP, such as parole reform or eliminating sentences of incarceration for many misdemeanor crimes.

Again: Why not aim for an ADP of 2,500? Or 1,250? (#CloseRikers campaign founder Glenn Martin said as much in this NYDN op-ed. <https://www.nydailynews.com/opinion/ny-oped-borough-jail-plan-too-big-20190906-ymjeda2kkvhvve5gz27anty6be-story.html> )

Third, the \$10 billion slated for new jail construction could be more effectively allocated towards community-centered programs and services that improve quality of life and potentially reduce crime. Research shows that stable housing, affordable healthcare (including mental healthcare and drug treatment), and stable employment can prevent crime. So why not spend our money on preventing crime and improving the lives of New Yorkers -- without depriving people of their liberty -- instead of relying on punishment and policing to solve our social problems?

Last, I have written a longer-form article on why we can and should close Rikers without opening “replacement jails” that I invite you to read: <https://theappeal.org/incarceration-is-always-a-policy-failure/>

I acknowledge that NYC’s progress on decarceration is almost unprecedented, and I don’t want to undermine the progress that we have already made. But spending \$10bn on 5,000 “humane” cages for New York’s most marginalized community members is out of line with reality: New York is simultaneously safer and less reliant on incarceration than any point in recent memory.

I urge you to oppose the City’s jail expansion plan and vocally support the immediate closure of Rikers and reinvestment into NYC communities that experience the most crime. Those who are closest to the problem are closest to the solution.

Respectfully,  
Jonathan Ben-Menachem  
<jbenmenachem@gmail.com>

| Date              | Full Name            | Email               | In Favor or Opposition | Representing | Representing, if other                           | Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| September 5, 2019 | Vincent N. Schiraldi | vs2637@columbia.edu | in favor               | Other        | Researcher, former Commissioner of NYC Probation | <p>Testimony to the New York City Council Subcommittee on Landmarks, Public Siting and Maritime Uses</p> <p>September 5, 2019</p> <p>Testimony submitted by:</p> <p>Vincent N. Schiraldi, Co-Director, Columbia University Justice Lab; Senior Research Scientist, Columbia School of Social Work; former Commissioner, New York City Department of Probation; former Senior Advisor, New York City Mayor’s Office of Criminal Justice; former Director, Washington, DC’s Department of Youth Rehabilitation Services.</p> <p>Dear Chair Adams, members of the Subcommittee on Landmarks, Public Siting and Maritime Uses, and members of the City Council – thank you for the opportunity to submit testimony today.</p> <p>I speak to you as co-director of the Columbia University Justice Lab, which I co-founded on the belief that justice policy should strengthen the bonds of family and community that are often threatened by poverty, crime, and punitive crime policy. I have also previously served as Commissioner of Probation for New York City, and before that I ran juvenile corrections and aftercare for Washington, DC. And before any of that, I was born and raised in New York City – in Brooklyn, where I now reside.</p> <p>It is with clarity wrought from each of these experiences that I urge you to support this land use proposal that will enable the closure of the Rikers Island jails complex. Voting to accept the City Planning Commission’s recommendation to shut down Rikers and instead utilize four smaller and safer borough-based jails is a once-in-generations opportunity to end one of our city’s most brutal legacies – and it is an urgent opportunity that we cannot miss.</p> <p>I’d like to begin by reflecting on the legacy of places like Rikers for us as New Yorkers. As a teenager in the 1970s in Greenpoint, Rikers Island and Spofford were New York’s two scariest jails with brutal legacies: Rikers for adults, Spofford for kids. Thankfully, Spofford was closed by the City’s Administration for Children’s Services in 2011 while I was New York City Probation Commissioner. It has been replaced by two facilities that, while not perfect, have dramatically improved conditions of confinement for the young people</p> |

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|  |  |  |  |  | <p>held in them.</p> <p>From 2005 to 2010, I was director of youth corrections in Washington, DC, during which time I closed a similarly notorious youth prison. I inherited the brutal Oak Hill Youth Correctional Facility – DC’s Spofford – where youth were regularly subject to beatings; solitary confinement was commonplace for minor misbehavior; rats and cockroaches crawled up on youth while they slept; drugs were so rampant that kids tested positive more frequently after they had been incarcerated for a month than they had upon entrance to the facility; and sexual abuse was commonplace.</p> <p>I was the 20th director of that department in the 19-year history of a class action lawsuit, and the plaintiffs had made a motion to put the department into receivership the year prior to my arrival. The Department was in chaos, but we achieved a core goal. Closing Oak Hill continues to be the proudest day of my 40-year career. Several previous mayors had discussed doing so, but found it difficult to pull the trigger.</p> <p>Like this moment in New York history, the political, community, and legal forces in DC combined to make my term the opportune moment for watershed reform. We not only replaced Oak Hill with the smaller, more modern New Beginnings facility but also, recognizing that buildings alone don’t change a destructive culture, increased staff training, expanded in-custody programs, opened a state-of-the-art school, improved staff-to-youth ratios, and dramatically reduced the population by creating a continuum of community programs in lieu of confinement.</p> <p>Our city is currently engaged in many of these same processes. The population at Rikers has dropped from nearly 22,000 people to just above 7,000 today, and is projected to drop below 4,000 by the time Rikers closes and the new facilities open. While the jail population has declined as community programs have expanded, violent crime has also plummeted in the city, giving the lie to a concept that has driven mass incarceration throughout the rest of the country: that we need more incarceration to be safer. We do not. We need a smaller system and community investments, and we must recognize that true public safety is built not by excluding directly impacted communities, but by centering their leadership in the work we do.</p> <p>I’d like to underscore that I know this process can be challenging. Not only has the movement to close Rikers, led by directly impacted advocates from across the city, been decades in the making, but also I worked in this city’s government when this opportunity was previously discussed. We could not get it done then. Now, the goal is within our grasp, and it’s crucial that we finish the job.</p> |
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|  |  |  |  |  | <p>I'd now like to discuss why this decision is imperative to strengthening New York's communities. Closing Rikers will continue to move the city toward reducing the unnecessary and harmful use of a uniquely brutal and irredeemable jail without compromising public safety. The Council's vote to close Rikers will additionally provide for the return home of the people who may still be detained even while further decarceration, bail reform, and – hopefully – parole reform take hold.</p> <p>Shutting down Rikers Island and instead utilizing neighborhood-based facilities is a critical step in the work to reduce incarceration and crime rates in New York City because:</p> <ul style="list-style-type: none"><li>• This land use plan is the culmination of a historic decarceration effort, moving from the 12 jails and 15,000 beds to 4 jails and 4,600 beds, or less. New York City already has the lowest incarceration rate of all large U.S. cities, and the nation is watching us as a model of what is possible. We should live up to that spotlight.</li><li>• Rikers' environment and culture are toxic and violent, creating multiple risks and barriers for individuals seeking re-entry and restoration. Closing Rikers and moving to borough-based facilities will help to improve the culture of violence by allowing for greater transparency in the facilities along with improved support services and monitoring.</li><li>• Closing Rikers will provide necessary funding relief for the City of New York. Replacing and maintaining existing facilities at Rikers would cost an exorbitant amount and closing Rikers will provide financial benefits for the city with the ability for saved funds to be reallocated to the opening of new, smaller facilities, and to community-based and community-led programs and services that produce stability and safety in impacted communities.</li><li>• Closing Rikers will increase the chances for positive reentry and lower recidivism rates. As individuals incarcerated will be closer to their families, local community, lawyers, volunteers and community-based organizations, there will be greater support for incarcerated individuals, helping to reduce effects of isolation and strengthen resources and supports to those incarcerated.</li><li>• New York City's incarceration system will run more efficiently if people are located within the same borough as where their court hearings are, in turn saving money and staff resources in addition to relieving stressors for staff, incarcerated individuals, and their families.</li></ul> <p>I recognize the Council's commitment to creating a just and safe city, coupled with a passion to represent the voices of New Yorkers. As such, I urge you to vote to close Rikers, as it will strengthen our communities, allow for appropriate reallocation of city resources and funds, and provide a restorative approach to criminal justice for New Yorkers.</p> |
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|                   |                    |                         |               |       |                  | <p>Sincerely,</p> <p>Vincent Schiraldi<br/>Co-director, Columbia University Justice Lab</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| September 5, 2019 | Josselyn Atahualpa | jatahualpa123@gmail.com | in opposition | Other | community member | <p>My name is Josselyn Atahualpa and I've been a leader with Queens Neighborhoods United (QNU) since 2014. We are a grassroots volunteer-run collective of community members fighting displacement understanding that displacement is a product of the commodification of housing, mass criminalization and over-policing in communities of color. I've done work across the borough from the Rockaways to Jamaica and from Bellerose to Long Island City. Council Member Koslowitz: I've waited on line for the Q46 outside of your office for most of life in the States, I hope you are listening closely to my testimony.</p> <p>Malcolm X once said: If you stick a knife in my back nine inches and pull it out six inches, there's no progress. If you pull it all the way out that's not progress. Progress is healing the wound that the blow made. And they haven't even pulled the knife out much less heal the wound. They won't even admit the knife is there.</p> <p>Let's be blunt: if you care about New Yorkers, you will not approve this \$11 billion jail expansion plan. I say expansion plan because this has nothing to do with closing Rikers, there is no legal guarantee in the jail plan to close Rikers. I'm sure you know that 80% of people in Rikers are awaiting trial so why then would we need new jails in every borough? By approving this plan you are sentencing many more black and brown New Yorkers to a life behind bars. As the saying goes: "if they build it, they will fill and then they will claim over-population to demand more funds for expansion". This is not the healing our communities need. For our City to thrive, we need everyone contributing to the best of their abilities, and people can't do that if they're locked up.</p> <p>We're confused about what jails do. Jails don't rehabilitate people, punishment doesn't make people better. Year after year we continue to perpetuate this idea; that bad people must go to jail, but all we've seen come out of that is more black and brown people behind bars. Where's this energy for police officers who murder unarmed black men like Eric Garner? People do bad things, yes, but people are also capable of change and growth. When you want a plant to grow, you water it and give it plenty of sunlight, you don't throw it in solitary confinement. If we want people who have done bad things to become better people we must meet them where they're at and address the reasons why they do bad things. This requires addressing poverty, housing insecurity, mental and physical health needs. This requires creating community accountability practices and</p> |

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|                   |                 |                   |          |          |                                      | <p>educating the community about harm. This requires the hard work of creating an alternative path that doesn't continue the same patterns of harm that has been brought on by mass incarceration. It's 2019 and the world is literally burning, why not take a chance and create a better New York?</p> <p>In Queens Neighborhoods United, we have a policy not to turn to the police when we have issues. It's been a hard and lengthy process, but not impossible to address issues internally and to think of alternatives that center transformative justice. I have friends that have been stopped and frisked, friends who have been harassed and assaulted by the NYPD. I love people who have been deported and who have been detained by ICE. I wonder if you've ever felt that helplessness? Seeing people you care about mistreated and dehumanized, wanting to burn it all down but knowing there's nothing you can do to change it. This is what you uphold by approving these \$11 billion dollars to go to the expansion of these jails. However, unlike me, at this moment in time you have the power to change this. I hope you act on the right side of history.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| September 5, 2019 | Richard Buonomo | gemstoner@msn.com | in favor | Advocate | Prison & Reentry Ministry Leadership | <p>My name is Richard Buonomo and I am co-chair of Prison &amp; Reentry Ministry at the Episcopal Church of the Heavenly Rest in Manhattan. I speak to the room from the vantage point of those of us who bring not-for-profit and volunteer programming to incarcerated, formerly incarcerated and at-risk men and women. I'm not talking about volunteer tourism wherein do-gooders check off the "community service" box singing Christmas carols at the local jail. I'm referring to literacy programs, high school equivalency, college degree classes, job preparation, resume writing, interview practice, parenting skills - programming with research driven measurable positive impact on reduced recidivism, successful parole outcome, reduced parole revocation, effective preparation for much needed alternatives to incarceration and successful reintegration into communities following release. With our Partners, we effectively bring such programming into state prisons and community centers where, as I like to say, we put to the "correction" into "Corrections".</p> <p>But we can't bring these programs to Rikers. Why? Because the geographically isolated location, penal colony culture, and sprawling bureaucracy that manages the dozen or so distinct jails, all creates barriers to getting these program onto the island. A couple years back, someone from the Mayor's office reached out to our partner Circles of Support requesting us to bring the Raising My Voice public speaking program to a some Rikers jails. After tweaking the curriculum we began processing volunteers thru the City Dept of Corrections at the Bulova building near LaGuardia. Because city corrections oversees a dozen Rikers jails, the screening and volunteer training process kept changing as some event in one jail constantly reset the requirements to volunteer on the entire island. 18 months later, our volunteer core of teachers, lawyers, business professionals, all offering to share their time and talents to support Rikers inmates, were still not cleared. By then, the employee from the Mayors office changed jobs, and the opportunity to bring Raising</p> |

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|                   |              |                          |               |       |                           | <p>My Voice to Rikers was dead. Its heart breaking that all the hard and soft skills Raising My Voice could have brought to Rikers inmates never made it there. Who suffers? All our local communities suffer because instead of transforming individuals who have broken the law into productive, trustworthy citizens, we warehouse them in the current penal colony that breeds hardened, career criminals.</p> <p>So not only would smaller, borough jails be more geographically accessible to program providers - the commensurately smaller, local administration would be more nimble to invite intelligent, effective initiatives that bring more corrections to our City Correctional Facilities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| September 5, 2019 | Taylor Baker | taylorbaker229@gmail.com | in opposition | Other | I don't represent anyone. | <p>To Whom it May Concern:</p> <p>My name is Taylor Baker, and I am a lifelong resident of Elmhurst, Queens. I am writing this letter partly because I cannot be present the day of only public hearing City Council is hosting on Thursday, September 5, 2019. I have work, and it is undemocratic to hold this kind of important hearing during a day and time at which most people are unavailable, including me, because our voices should be heard when it comes to this plan.</p> <p>I am also writing to say that this plan for 'community jails' is simply wrong. Jails and prisons are inhumane and any attempt to make 'more humane' jails has failed. The few existing neighborhood jails were also meant to be 'more humane' yet are sites of deep harm. Earlier this year, community members were protesting outside of MDC Brooklyn because there was no heating in the jail during some of the coldest days New York experienced – those who were imprisoned were left to freeze. How is that humane? There is no guarantee for 'humane' jails because they are inherently inhumane.</p> <p>Within the plan, there is also no explicit guarantee that Rikers will close – de Blasio has promised it, but once he is out of office, there is nothing holding the next mayor accountable to this promise. What this tells me is that the plan to open community jails is an attempt to expand incarceration throughout the city without actually helping communities be safe and flourish. More jails means more surveillance and police presence throughout our communities, which has only ever lead to more arrests and broken windows policing. What our communities need are investments in social services, health care, education, and public housing – by investing in these things, communities will truly be safer.</p> <p>But make no mistake, Rikers must close, but this does not mean building new spaces for the same unjust practices to continue. 80% of people in Rikers are there awaiting trial, and do not need to be locked up. End cash bail, and allow for more remand hearings. Rikers must close, furthermore, because many are unjustly arrested. We need to</p> |

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|                   |                  |                               |               |          |       | <p>decriminalize sex work, poverty, homelessness, drug use and mental illness. No one should be arrested for simply trying to survive, especially as social services continue to be cut. The city must take responsibility for those that are struggling and help them, not incarcerate them.</p> <p>Do the right thing and reject this proposal. It will only further harm communities, and does not address any of the root causes of incarceration. There has been little opportunity for input from the community, and approving this proposal would be completely undemocratic and denying the voice of the people, of whom you swore to represent.</p> <p>Sincerely,<br/>Taylor Baker</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| September 5, 2019 | Rohit Chandan    | rhtchandan@gmail.com          | in opposition | Other    | Voter | <p>(I cannot speak in person because I, like many others am working at this hour).</p> <p>I strongly oppose the creation of these jails. For any city council member that ever plans to run for any elected office, know that New Yorkers will remember during election time that you had the opportunity to use \$11 Billion dollars to fund NYCHA, expand fair fares and expand other social programs, but you choose instead to promote mass incarceration and waste \$11 Billion on creating new jails.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| September 5, 2019 | Westlin Sullivan | westlingreysullivan@gmail.com | in opposition | Advocate | N/A   | <p>The Mayor is asking the question - how do we build new, better jails? It's the wrong question. The question we should be asking is what keeps our communities safe?</p> <p>Closing jails actually increases safety. When Cincinnati closed Queensgate facility - which was one third of their jail space - it led to a 40% drop in violent crime along with another 40% drop in felony arrests. When the NYPD did a work slow down in 2014, it led to a significant drop in crime and violence, with 2,100 less complaints of crimes and lower assaults and serious felonies. If you want to increase safety, you close jails and put resources in the hands of our communities.</p> <p>We know that jails don't make us safer. They create a cycle of violence where people who have done harm get brutalized and then are put back into their neighborhoods with no resources. For the last 50 years we know that cages do not create safety. Rikers is named after a slave catcher and like all jails is rooted in slavery.</p> <p>So we have an opportunity to do something different. We can create safety by putting \$11 billion into the hands of our communities to first guarantee people's basic needs like ending homelessness, creating holistic mental health networks, but also massively investing in community based violence prevention, intervention and accountability.</p> |

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|                   |                  |                      |               |          |                                             | Creating safety in our communities is closing jails, divesting from policing, investing in basic needs, and empowering community led efforts to prevent and intervene when violence occurs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| September 5, 2019 | Andrea Seltzer   | aseltzer01@gmail.com | in opposition | Advocate | N/A                                         | I oppose all plans to put more money into our prisons. Expansion of our prisons will only ensure the NYPD will feel pressure to fill all vacant cells. This will not keep NYC safe. This already does and will negatively impact communities of color in our city. We need to take all funds proposed for this prison expansion and invest in community. Prison is a for-profit industry and is one of the main contributors to the oppression of black and brown people. It is a modern-day form of slavery. I will not allow my tax money to be used for such exploitation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| September 5, 2019 | Camila Dominguez | camidmngz@gmail.com  | in opposition | Advocate | N/A                                         | I am a resident of Brooklyn and member of this community. There is no place for jails in a society where each person is cared for. The city of New York must invest in programs that improve people's lives and give them opportunities to live freely without interacting with the criminal justice system like the Mayor's plan proposes. I don't want any of my neighbors, friends, coworkers, or anybody else to live their lives in a cage. There is no guarantee in the Mayor's plan that Rikers jails will close. Instead, the city wants to build even more cages that will effectively be used to house those who commit the crime of being poor, black, queer, disabled, an immigrant, and on and on.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| September 5, 2019 | Amanda Gabai     | algabai@yahoo.com    | in opposition | Other    | Brooklyn resident of the Boerum Condominium | <p>My name is Amanda Gabai. I'm an attorney here in NYC and a resident of the Boerum Condominium, across the street from the Brooklyn Detention Center. I also live across the street from a bail bondsman, and at least 3 other bail bondsmen are located within 3 blocks of where I live.</p> <p>This January, I went with a group of constituents, organized by Indivisible BK, to meet with our State Senator Velmanette Montgomery. Senator Montgomery and her staff told us that the vast majority of the inhabitants of the Brooklyn jail were there for a total of 36-48 hours, while they scraped together the funds to post bail. Something is wrong with this picture. They had calculated that if they enacted comprehensive bail reform in NY State, they should be able to close Rikers without expanding community jails. And then do you know what they did? They passed comprehensive bail reform this past April. After this legislation was passed, experts estimated that 43% of the City's current jail inhabitants wouldn't need to be held any longer.</p> <p>The current jail proposal was crafted before bail reform was enacted. The new bail reform law goes into effect in January 2020. I urge you to craft a new plan that takes into account this bail reform legislation and the reduced need for detention centers that it will yield. This is not a time for "If you build it, they will come." The goal should not be to incarcerate more people simply because they can't post bail.</p> <p>Please close Rikers. It needs to go. But do it right. Reevaluate the need for new or</p> |

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|                   |                |                         |               |       |                                 | <p>expanded jails if you will no longer need to fill borough jails with non-violent defendants for 2 days while they try to scrape together bail funds.</p> <p>Please create a new plan that takes into account the current landscape and the impact of the new bail reform legislation, and close Rikers without so drastically expanding borough jails.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| September 5, 2019 | Noël Madland   | svfashioninc@gmail.com  | in opposition | Other | Community member                | <p>Dear Councilmembers,</p> <p>I am requesting that you vote no to build more jails. Closing Rikers will help the community. Building more jails will not. The money for this project should instead be used for things that will aid the community, such as housing for the homeless, care for the mentally ill, schools, and jobs.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| September 5, 2019 | Sabina Madland | sabinamadland@gmail.com | in opposition | Other | Community member                | <p>Dear Councilmembers,</p> <p>As your constituent, I am asking you to vote no on this land use application to improve our communities and make all New Yorkers safer. We must close Rivers without building more jails in which to punish poor people of color. This money would be much better spent investing in our communities through public housing, jobs, education, and health services including substance use and mental health. As a Councilmember, you have the power to better the community by taking these actions and closing Rikers.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| September 5, 2019 | George McGrath | mcgrathcom@yahoo.com    | in opposition | Other | Queens host community residents | <p>The de Blasio administration is asking the Council to approve plans for a multi-billion dollar borough-based jail system based on little more than a few broad-brush conceptual designs, an incomplete and inaccurate environmental study that glosses over the potential impacts, and a lack of any meaningful engagement with communities that are being asked to bear the burden. achieve the goals of a “smaller, safer, fairer” detention system, will be extremely costly to build and operate, and will create damaging environmental and quality of life impacts in the surrounding neighborhoods for decades to come.</p> <p>The process of siting and planning the borough-based jail system has been fundamentally flawed from the outset. The Lippman Commission originally recommended the creation of a network of smaller, community-based jails with 500 detainees, which would be located away from residential areas and integrated with the surrounding neighborhoods. This vision has metastasized into four monolithic structures – including what would be the world’s tallest jail in Manhattan – which will overpower the surrounding residential areas.</p> <p>The proposed Kew Gardens jail would be three times the size and hold nearly three times the number of detainees of the old Queens house of detention, which closed in 2002. The 1,200+ detainees would be concentrated indoors in a massive, largely windowless 27-story hulk with minimal access to outdoor recreation except for the rooftops. The majority of detainees are expected to come from other boroughs of the City or be</p> |

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|  |  |  |  |  | <p>transported to other boroughs for trial. Contrary to the project's goals, most detainees will not be any closer to their relatives and will still be bussed several miles to Court.</p> <p>DOC maintains these unproven high-rise facilities will fit seamlessly into their host communities with minimal impact. The truth is quite the opposite. The massive 1.4 million square foot Yankee Stadium-size structure planned for Kew Gardens will overshadow the entire neighborhood, dwarf the historic three-story Queens Borough Hall, and block the present expansive, open sky view for thousands of Queens residents.</p> <p>The proposed mega-jail will also strain the already overburdened sewer system serving Kew Garden and Forest Hills, which routinely backs water into the buildings along Queens Boulevard during heavy storms. It is difficult to believe DOC's assertion that a new, massive detention complex will have no additional impact. Absent a hydraulic study, not included in the DEIS, it cannot be determined whether the existing sewer system will need to be upgraded.</p> <p>The DEIS omits any mention of the massive, complex, sprawling Kew Gardens Interchange Project (KGIP) highway construction that began in late 2010 and is now in Stage 3 with no end in sight, in exactly the same vicinity as the proposed Queens jail. Completely ignoring this on-going construction with all its concomitant pollution, noise, traffic congestion, and bottlenecks, the City now wants to inflict another seven or more years of construction fallout on residents of this area on top of this never-ending, massive, KGIP highway work.</p> <p>For the first time in City history, Council Members are being asked to vote on actions, special permits, waivers, de-mapping of 82nd Avenue (in Queens) and parking changes for four separate major developments under one ULURP application. One vote or "one size for all" does not allow for individual differences and disparities among the boroughs. Staten Island was purportedly omitted from the plan because it had too few detainees. Yet Queens, with the smallest number of detainees of the remaining boroughs, is getting more than its "fair share" -- a women's jail for all the boroughs, as well as the same number of detainees as the other three boroughs.</p> <p>Five Community Boards in the four impacted areas have all voted and spoken loud and clear against the plan as have Queens and Bronx Borough Presidents Melinda Katz and Ruben Diaz.</p> <p>I urge Council Members to join them and reject this ill-advised and unsustainable borough-based jail plan, and ask the Mayor and DOC to restart the process and create a comprehensive, fair solution that makes environmental, economic and common sense.</p> |
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| September 5, 2019 | Catherine Damman | catherine.damman@gmail.com | in opposition | Advocate | N/A | <p>Councilmembers: there is no question that Rikers must be shut down immediately and forever. However, the land use application before you would enable the construction of four new jails—that is, 5,700 new cages. To vote in favor of this plan would only continue and extend our city’s violent, racist regime of policing.</p> <p>Violence and harassment are entrenched at Rikers, the name of which (after slave catcher Richard Riker) makes the connection between contemporary U.S. policing and incarceration and the brutal history of slavery explicit. The plan before you contains neither a clear roadmap nor a timeline to ensure the necessary closure of Rikers. New Yorkers deserve better.</p> <p>New Yorkers deserve a different future, one that concretely addresses the disproportionate policing of Black and Brown community members and the criminalization of poverty. Adding new, ostensibly “better” jails is not the answer. Putting people in cages does not make our city safer. The \$11 billion allocated toward the building of new jails would be much better spent ensuring all New Yorkers’ needs are met: housing, medical and holistic mental health care, jobs, and education. Close Rikers. No New Jails.</p> |
| September 5, 2019 | Nora Benavidez   | nbenavidez@pen.org         | in favor      | Advocate | N/A | <p>Written Testimony<br/>New York City Council, Subcommittee on Landmarks, Public Sitting and Maritime Uses<br/>Public Hearing on Borough Based Jails System<br/>***<br/>By Nora Benavidez,<br/>Director of U.S. Free Expression Programs, PEN America<br/>September 5, 2019</p> <p>Thank you for having me today and thank you to Councilman Dromm for your important work as well as to the sub-committee for its leadership here.</p> <p>My name is Nora Benavidez, I am the director of U.S. Free Expression Programs at PEN America, a non-profit based in New York City. We work at the intersection of literature and human rights, to protect free expression in the United States and worldwide.</p> <p>Today, I am here to speak about the critical importance of providing literature and book access to individuals who are incarcerated. The larger conversation you are having here today and over the last several months presents an opportunity to voice what might otherwise go unsaid.</p> <p>Fundamentally, incarcerated people at our New York City jails deserve access to books.</p>                                                                                                                                                 |

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|  |  |  |  |  | <p>As you evaluate future steps for the jail system in New York City, it would be an oversight to not consider the powerful role jail libraries can play in helping incarcerated people remain connected with broader society.</p> <p>We believe this fundamental right to read must be staunchly defended and libraries in our local jails must be protected for the value they provide.</p> <p>PEN America believes the right to read and the right to education are fundamental to the fulfillment of all our human rights.</p> <p>Numerous studies show that access to literature reduces recidivism and better prepares individuals to thrive upon re-entry. For incarcerated people, the written word is a rare source of information, education, as well as a window to the wider world.</p> <p>But the reality is that incarcerated people do not have sufficient access to literature or libraries. This is often the result of ad hoc, incidental, or opaque book banning policies. This problem is systematic and comprehensive across the country's jails and prisons, where authorities can censor content with little oversight or public scrutiny.</p> <p>Further, our nation's prison and jail libraries are under-funded, under-resourced, and under-stocked. They are insufficient to address our incarcerated population's need for access to literature.</p> <p>Rikers Island runs its library from a single cart. That means that for roughly 7,000 incarcerated people spread out among the complex's 11 facilities, getting your hands on even one book can feel like finding a treasure.</p> <p>The American Library Association recommends a minimum number of 15 books per person, or at least 5,000 titles for smaller institutions. Yet prison library book acquisitions have fallen grossly behind this standard.</p> <p>Prison librarians—like those in any other under-resourced location—may find themselves “hustling” for book donations to sufficiently stock their shelves.</p> <p>Meanwhile, funds for jail or prison libraries are extremely vulnerable when State officials cut budgets.</p> <p>So, as you consider the future of the New York City jail system, funding for and access to libraries for incarcerated people must not be an afterthought. It is a vital and dignity-enhancing way that incarcerated people can engage and prepare for re-entry.</p> |
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|                   |              |                          |               |       |                     | <p>Here at our local jails, over 60% are waiting for pre-trial resolutions. That means they are presumed innocent. They must be given the ability to access books--more access than can be offered by a single library cart.</p> <p>Just as the city has recognized that public libraries have a signal role to play in the digital age as gateways to information, networks and the fulfillment of personal ambitions and require commensurate investment, so prison libraries should be recognized as essential points of leverage to enable constructive use of incarcerated\ ' time and preparation to transition toward productive, law-abiding lives post-release.</p> <p>As you continue your work in this space, PEN America stands ready to assist in further expert review for you and for the Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| September 6, 2019 | Sara Feldman | sara.e.feldman@gmail.com | in opposition | Other | Community organizer | <p>My name is Sara and I am a resident of Elmhurst, Queens. I work at a community organization which works to build the power of immigrant workers in NYC. I am writing to oppose the NYC jail expansion proposal.</p> <p>Immigrant construction workers spend their lives building the structures in which we all live, work, and study. They work in substandard safety conditions and are frequently not paid for their work. However, immigrant workers, both undocumented and documented, are often unable to move freely through the city, as racial profiling and overpolicing increase their risk of interacting with the criminal justice system, which can result in detention or deportation, severely undermining their own health and stability as well as that of their families and communities. I am concerned that expanding the city's jails will harm already disadvantaged communities, including people who have immigrated to the US.</p> <p>The US incarcerates people at a significantly higher rate than any other country in the world does. Eighty percent of the people in Rikers Island are there awaiting trial. Those in pre-trial detention can either pay bail or can be released through a remand hearing. The bail system allows wealthier people to be freed immediately, while those who cannot afford to pay are forced to wait in detention, and often end up pleading guilty to their charges in order to be released sooner. By granting lower bail amounts and remand review hearings, judges could release many people who are currently detained pre-trial in NYC. It is clear that the borough-based jail expansion plan would only serve to continue incarcerating people of color, people who are immigrants, and low income people- communities that are already over policed and under resourced. Instead of investing in jail expansion, NYC should invest in affordable housing, community health services, and alternatives to incarceration.</p> |

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|                   |               |                         |               |         |     | <p>History has shown us that new jails built to be supposedly more “humane” are never successful in doing so- there is no such thing as a humane jail. Changing the building will not change the system. This city’s and country’s systems of detention and incarceration only serve to perpetuate racial injustice and ethnic cleansing, as many detained and incarcerated individuals are targeted simply because of their race. As an American Jew with relatives who were forcibly removed from their homes and killed in the Holocaust, I know what these systems of injustice can lead to. New York provided a safe haven-- education, community resources, and more-- for the rest of my family who made it here alive. Growing up in Brooklyn and the Bronx, my grandparents were able to survive and thrive thanks to the city’s investment in community resources such as public schools. Because they were white, they were not targeted for detention or profiled by the police. I asked them what they thought about the proposed plan. The idea that new jails could be built just a few blocks from where they grew up, with the purpose of incarcerating people who could be their neighbors, is absolutely abhorrent to them.</p> <p>Continuing to invest the city’s money in jails will only further racial profiling, broken windows policing, and other practices that perpetuate inequality. New York City must create the conditions in which ALL people can live free of fear of detention, and with access to the resources necessary to live healthy and safe lives.</p>                                                                                                                                              |
| September 6, 2019 | Mon Mohapatra | nonewjails.ny@gmail.com | in opposition | Visitor | N/A | <p>I, a resident of Brooklyn and No New Jails member, am standing here now to point out that today has not been the democratic process that you intended. Today has been much like this entire ULURP process, in which we have repeatedly — repeatedly — seen the city laugh in the face of due process over a decision as large as 11billion dollar new jails. I don’t want to the city council to pretend that there are not already plans to move incarcerated people over to Riker’s in anticipation of construction. I don’t want the city to build new jails now, or ever. The reason I am talking about democracy, which is a sham as ever, is because if this jail expansion plan was actually given a public forum with public engagement, if it solicited widespread public opinion, I guarantee you that New Yorkers would not want jails. They would not want a Rikers 2.0 where they could have real and high quality affordable housing, where they could have the best schools and a better MTA.</p> <p>This plan is not about safer or better neighborhoods; it’s not about parking or pollution — it is entirely about the people who have been discarded in the aggressive and negligent way the city has gone about pushing the plan forward. Incarcerated people, their loved ones, and everybody who believes that people take care of each other and keep each other safe, say no new jails because we are imagining what this money could do in the hands of our people, not in the hands of a Mayor who has not even interacted minimally with the public about this plan that would impact the lives of millions of New Yorkers for decades to come. Is this a decision to be made so lightly? Is this a decision</p> |

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|                   |                          |                   |               |       |          | <p>where you would risk how angry the public will be if you build these jails, when you always had the option to implement truly humane policy? By ending pre trial detention, passing comprehensive bail reform, decriminalizing sex work and walking while trans, by ending broken windows policing and reducing arrests, and much much more, the city has its pick of methods to truly decarcerate NYC. This is an opportunity for the City Council to understand and respond to what democracy looks like. I urge you all to vote no on the jails expansion plan, and Shut Down Rikers.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| September 6, 2019 | Nick Encalada-Malinowski | nick@vocal-ny.org | in opposition | Other | VOCAL-NY | <p>September 3, 2019</p> <p>Mayor Bill de Blasio<br/>City Hall<br/>New York, NY<br/>10007</p> <p>Dear Mayor Bill de Blasio,</p> <p>VOCAL-NY has long advocated for the closure of Rikers Island. We were glad to see a commitment from your administration on this issue in March of 2017. Since then we, as an organization in partnership with our members -- many of whom have experienced firsthand the traumatic effects of New York City jails -- have become increasingly frustrated with the City's approach to what could be a historic opportunity for real, meaningful justice reform. As laid out in more detail below, we cannot support the City's current plan to close Rikers because there is no commitment to the expansive community investments that will both meet people's needs and obviate the impulse to use the criminal legal system to mitigate social issues. To build new jails without community investments signals a commitment to the failed politics of mass incarceration.</p> <p>We urge you to take a hard look at the issues of homelessness, substance use disorders, poverty, structural racism and marginalization that are plaguing our city. We need a vision for addressing these interconnected issues that does not include the police or jails and is instead focused on healing. Our city needs a caring and compassionate new deal that will invest in an infrastructure that addresses our immediate public health and poverty crises, and gets us on track to permanently resolve them.</p> <p>Please see and consider our platform below, which has been conceived in the grounding principle of driving our jail population to zero through community investment. This must be the goal of any long-term municipal criminal justice policy effort.</p> <p>A Caring &amp; Compassionate New Deal for New York <small>SEP</small></p> |

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|  |  |  |  |  | <p>We are in a unique moment in history. Across the country, the public is increasingly in support of reducing jail and prison populations, and in New York, local elected officials are responding to these demands with concrete policy solutions, like reforms to our bail and discovery laws and commitments to close Rikers Island --- one of the largest jail complexes in the world.</p> <p>Whether or not New York City will seize this opportunity and take action towards truly transformational change remains very much in doubt. In fact, if there is not a significant shift in the City's approach to criminal justice reform -- one centered on addressing structural social issues -- we will never get there.</p> <p>This week, the City Council will consider the Mayor's plan to build four massive new jails to replace the older jails on Rikers Island and in the boroughs. Despite an estimated \$9 billion price tag for the new jails, not a single dollar has been committed to investments in the communities from which the City jails draw their population. While the Mayor has described this plan as a progressive reform, that isn't true. Replacing old buildings with new buildings will have little to no impact on how the criminal justice system operates. Nor will it decrease the number of people who are eventually shuttled back and forth between their communities, jails, court houses and upstate prisons. New jails do nothing to address the structural social issues that the City has long attempted, however inappropriately, to address with police, criminalization, jails and prisons.</p> <p>Today we are calling on the Mayor's office to commit to a tens-of-billions of dollars investment package to fund what our communities have long been starved for: healthcare, housing, education, youth services and other fundamental resources -- as well as a process for determining how these funds will be allocated. Without this allocation, there is no way that we can support the Mayor's plan to close Rikers Island by way of a construction project. We also call for an immediate divestment from the New York City Police Department, beginning with all city dollars allocated for the purpose of policing the homeless and those struggling with substance use disorder or mental illness.</p> <p>The City's jails have long been seen as a catchall to manage our most pressing crises: record homelessness, unmet mental and behavioral health needs, substance use disorders (SUD), joblessness, and poverty. The jail population is a symptom of failed social policies and the politics of mass incarceration. According to reports, 16% of the daily jail population has been diagnosed with a serious mental illness, and 75% have a substance use disorder. These numbers are similar to incarcerated populations across the country. People are in jails and prisons because social safety nets and local governments have ignored or failed them. New jails cannot address these challenges, nor can they address the shameful history of racial discrimination and divestment from our</p> |
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|  |  |  |  |  | <p>communities.</p> <p>We are in the midst of historic housing and homelessness crisis, with over 60,000 people sleeping in New York City shelters on any given night. We are in a historic overdose crisis that took 1444 of our neighbors last year, hitting especially hard in extremely low-income communities of color -- the same communities from which the City has historically divested. At the same time, gentrification is creating additional stress on our communities and there is a growing perception that everyone's quality of life in New York City is worsening.</p> <p>The City's approach to criminal justice reform is based on an antiquated notion that crime is a result of moral or personal failures rather than dictated primarily through structural inequality and politics. So far, planning from the City has been narrowly focused, close-minded and apparently committed to continuing the wrong-headed approach of using the blunt instruments of courts and jails to mitigate social issues to which they are poorly equipped to respond. This shows the Mayor has misunderstood how to actually address community issues and has committed to mass incarceration as a way of life and social organization in New York City for the future. As we chart a new chapter for the City, it is vital that this framework be reversed.</p> <p>While we are asking the City to establish a long-term fund for community investments--and to establish a task force or commission at the Mayor's Office or inside City Council to guide a community-led process for distributing these funds--we also demand immediate investments for which we just cannot wait:</p> <ul style="list-style-type: none"><li>• The creation of emergency housing for all people in need, and critically for those facing immediate crises of health and safety and are actively using drugs, alcohol, or struggling with mental health issues;</li><li>• The creation of permanent housing to house homeless New Yorkers, including the rampant acceleration of supportive housing units to house individuals actively using drugs, alcohol, or struggling with mental health issues;</li><li>• The creation of a safety-net infrastructure that leverages the wealth of our highest-earning to care for their neighbors and community members who are in need of support in order to maintain housing, medical care, and other vital needs;</li><li>• The support of a public health infrastructure that squarely places the issues of substance use disorder, mental and behavioral illness, and "quality of life" issues in the realm of health professionals who can help, and take it out of the hands of the police and court system.</li><li>• A process for securing substantial resources and stability for every person leaving jail and prison and returning to our communities.</li></ul> |
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|                   |            |                      |               |                      |     | <p>We need to see a plan that charts a vision for driving our jail population down to zero through community investment. This must be the goal of any long-term municipal criminal justice policy effort. Meeting the needs of marginalized people -- who have been fighting for resources for centuries -- is the surest way to begin the process of moving away from our reliance on the brutal, deadly, criminal justice system, which has shown over and over again that it is not up to the task of keeping our communities strong, safe and whole.</p> <p>Should you have any questions, please feel free to reach out directly to Nick Encalada-Malinowski, Civil Rights Campaign Director, VOCAL-NY – at 347-259-4835 or nick@vocal-ny.org</p> <p>Sincerely,</p> <p>Nick Encalada-Malinowski, Civil Rights Campaign Director, VOCAL-NY<br/> Roger Headley, Community Leader, VOCAL-NY</p> <p>cc:<br/> New York City Council Speaker Corey Johnson<br/> Commissioner Steve Banks (DSS)<br/> Commissioner Oxiris Barbot, MD (DOHMH)<br/> Commissioner Louise Carroll (HPD)<br/> Director Elizabeth Glazer (MOCJ)</p> |
| September 6, 2019 | Lara Tobin | lara.tobin@gmail.com | in opposition | Medical Professional | N/A | <p>My name is Lara Tobin and I am a resident of Kensington Brooklyn, and a constituent of Council Member Brad Lander. I have lived in NYC for 20 years. I am currently a member of JFREJ - Jews for Racial and Economic Justice. I am also a Licensed Master Social Worker (LMSW) providing behavioral and mental health services. I want to testify to the fact that the systems that we have created to incarcerate New Yorkers are deeply harmful and that there are options that are safer and less expensive.</p> <p>Jails and Prisons are made to segregate people from their community, and forcibly isolate people. As mental and behavioral health specialist, I know that Social Isolation is medically and mentally harmful. (see research that shows loneliness and social isolation are twice as harmful to physical and mental health as obesity; study can be found here:</p>                                                                                                                                                                                                                               |

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|                   |                  |                                 |               |       |                                     | <p><a href="https://journals.sagepub.com/doi/abs/10.1177/1745691614568352?journalCode=ppsa">https://journals.sagepub.com/doi/abs/10.1177/1745691614568352?journalCode=ppsa</a></p> <p>Investing in anything that increases this isolation- both the folks who are incarcerated, and the folks who are deprived of their loved ones- is an act of violence against all of us, and actively creating a public health crisis.</p> <p>Besides being a social worker, I am also a resident of this city who has had a loved one who was incarcerated, and I have witnessed and benefited from the deep empathy and caring in communities that works to rehumanize and reconnect people with each other outside of jails and prisons.</p> <p>The economic numbers also work to not build more jails. 80% of people in Rikers are there are in pre-trial detention. We can save money by granting bail and remanding review hearings to release everyone currently detained pretrial. Folks are being isolated simply because income levels in this city are too low, and the systems of paying bail are too arcane. This isolation ruptures people's ability to work and therefore, ability to pay rent, keep housed, support their loved ones, spend their money at local stores, everything that we know is beneficial in the community - as the city is already spending money to support through funding NYCHA, workforce one, small business development, and so on, there are already funding streams that exist. We can close Rikers, and reinvest that money in communities so that people can build what they need.</p> <p>I want to live in a city that builds systems based on human connection. I want a city that invests in its own residents and not business owners that profit off of our pain through incarceration.</p> <p>We can close Rikers and not build another jail. The numbers work, increasing our collective humanity works, and I'm asking you to have the intelligence to use these funds from closing Rikers to build on what we know will work - invest in the communities who are already building systems where people see the humanity in each other. Please vote NO and do not spend the money to build new jails.</p> |
| September 6, 2019 | Rory Pfothenauer | rorypfot@gmail.com              | in opposition | Other | Citizen                             | <p>Indeed- Rikers must be closed as soon as possible. But it's high time to look at new and alternative solutions to America's problem of incarcerating primarily black and brown men in inhumane conditions. The mayor's proposal will not create a safer city, but rather likely lead to higher incarceration rates of the most vulnerable and poorest. I urge the mayor to use his remaining time in office to enact meaningful change and work with reform organizations to move towards restorative justice. CLOSE RIKERS NOW! NO NEW JAILS!</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| September 7, 2019 | Aida Vernon      | queensresidentsunited@gmail.com | in opposition | Other | Member of neighborhood organization | <p>Good afternoon. My name is Aida Vernon. I am a member of Queens Residents United. This group represents neighborhoods in Queens, such as mine, that will be impacted by the 30-plus story, 1.9 million square foot Mega Jail that Mayor DeBlasio wants built in</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|  |  |  |  |  | <p>Kew Gardens. This is the biggest jail that's planned, by footprint.</p> <p>I'm not here to argue against closing Rikers. I'm here to ask the City Council to vote against this ill-conceived and incredibly expensive Jail Plan that some of us call "Jailgate" – a plan that will divert vital resources away from communities. The only thing that this Plan is guaranteed to do is to enrich builders and others that stand to profit from high-rise jail construction.</p> <p>The Mayor wants you to rubber stamp this scheme. The City Council needs to act as a check on the Mayor. The Mayor is accountable to the people of the City of New York. As the Council is.</p> <p>This Jail Plan is the product of an undemocratic process that excluded residents of the neighborhoods chosen for Mega Jails. It came out of back-room meetings of an elitist establishment that included some of the individuals who testified here, and with all due respect, the Lippman Commission. To these folks, we are just specks on the NYC map. There has been no meaningful outreach to our communities, contrary to what they tell you. And this 4-in-1 ULURP process is inadequate to evaluate a plan that is much, or more about people than it is about buildings.</p> <p>Of course we who live in the areas where the jails are planned care about our communities. If we don't, who will? The Mayor doesn't. He made that clear in a meeting months ago in Queens when he waved away our concerns.</p> <p>And up until this point, the Council Members who I understand represent the four districts, as well as my own Council Member Mr. Lancman, who just today for the first time acknowledged that it is across the street from my neighborhood – they have whole hog been supporting the Mayor's Jail Plan.</p> <p>It is NOT progressive to disenfranchise communities throughout the city and divert resources away from our schoolchildren and seniors and the homeless. And the addicted and the mentally ill in need of treatment, to keep them from ending up in jail in the first place. Borough-Based Jail advocates constantly invoke the mantra of the "moral imperative" of closing Rikers - which they then falsely equate with building big skyscraper jails in residential areas.</p> <p>Is it not a greater moral imperative to invest in New York City communities by giving residents the educational, housing and other resources that they need to become productive members of society?</p> |
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|                   |                          |                               |               |          |                               | THIS IS NOT JUSTICE. THIS IS JAILGATE. And I ask the Council to please vote against it.<br><br>Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| September 7, 2019 | Hana Yamahiro            | hanayamahiro@gmail.com        | in opposition | Other    | Community Member              | I'm a community member concerned about building 5 new jails in New York City. If you build new jails the city will fill them and decarceration will not happen. We will not focus resources on building our communities if we use them to build new jails. Jails do not keep the community safe. Investing in our youth, our minorities, our poor neighbors will keep us safe. Building new jails in each borough is not an acceptable solution to closing Rikers Island. There should not be 5 new jails built.                                                                                                                                                                                                                                                     |
| September 7, 2019 | Anayvelyse Allen-Mossman | anayvelyse@gmail.com          | in opposition | Other    | Myself                        | I am all in favor of closing the Rikers Island prison, but in staunch opposition to opening four new jails to replace it. There is no such thing as a "humane" jail--the condition of imprisonment is dehumanizing in itself. The only purpose this plan serves is to scatter the city's imprisoned population, scattering and wasting public funds in their wake. These funds would be much better served to giving housing, comprehensive mental and physical health care and community-based support programs with far-above minimum wage jobs to those currently at Rikers. Instead of inaugurating a new era of more jails, closing Rikers should be the beginning of the end for incarceration in New York City--that would be a truly modern and humane plan. |
| September 8, 2019 | Hannah Sotnick           | hrs2129@gmail.com             | in opposition | Other    | Community member and advocate | I support the closing of Rikers but I am wholly opposed to any plans to build new jails in New York City. The prospect of the city building five new jails, while being under no legal obligation to close Rikers, is a terrifying prospect for our community. It will result in higher incarceration rates of our community members. History shows that any time new jails are built, even alongside promises of reducing incarceration rates and "incarcerating people closer to their communities," those jails will be filled. This plan will lead to more dehumanization, violence, and pain in our communities. The city must commit to building no new jails in New York.                                                                                     |
| September 8, 2019 | Carlen Zhu               | carlenzhu@gmail.com           | in favor      | Other    | Community member              | Closing Rikers is the right thing to do and I am in full support of it. However, replacing it with more jails is hardly a solution. A jail is a jail, no matter how "modern" or "humane". We need community programs to help stop the cycle of mass incarceration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| September 9, 2019 | Eric Michael thodes      | erhodes@antiochcollege.edu    | in opposition | Other    | Teacher                       | Close rikers and do not expand to other boroughs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| September 9, 2019 | Kelly Mill               | kellymill92@gmail.com         | in opposition | Other    | Community member              | Rikers should be closed immediately and no new jails should be built. If the city builds new jails, they will fill them. Locking people up is not the solution -- the billions should be invested in communities, to address the needs of those targeted by criminalization. If the goal is a more safe and nurturing city, where all thrive, instead of building up the carceral state, we should be working toward giving folks stable housing and opportunities.                                                                                                                                                                                                                                                                                                  |
| September 9, 2019 | Richard Aborn            | misael.syldor@morejustnyc.org | in favor      | Advocate | N/A                           | Dear City Council Members,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|                   |                |                                                                                  |          |          |     | <p>My name is Richard Aborn and I support closing the Rikers jail complex and shifting to a borough-based detention system.</p> <p>I am the President of the Citizens Crime Commission, a nonpartisan organization working to reduce crime and to improve the criminal justice system and the safety of New York City. I previously served as a prosecutor in Manhattan, where I prosecuted major felonies, including homicides. I am also a member of the Lippman Commission.</p> <p>The jails on Rikers Island do not make our city safer. 80% of people in jail are held awaiting trial. No matter the charged offense, they deserve the presumption of innocence and to be treated humanely while incarcerated. This is not only a point of morality—it is also central to making New York City a safer place. The large majority of people who enter our city’s jails return directly to our neighborhoods. Our detention system should equip them with the tools do so successfully. Rikers has the opposite effect.</p> <p>New York City has made great progress in reducing the number of people in jail, and thanks to recent pretrial reform legislation in Albany, that trend will continue. But for the people who will still be held before trial, a modern system of borough facilities is a chance to connect people with important programs and services, giving them a better chance at reducing the risk of recidivism. Borough facilities will also facilitate more frequent visitation by family and friends, which is linked to improved behavior in jail and better outcomes when people re-enter society.</p> <p>Shutting the Rikers jails and creating a much smaller, more humane system in the boroughs would be a monumental step forward for criminal justice, fairness and decency in New York City. I implore you to vote in support of that plan.</p> <p>Thank you for considering my perspective.</p> |
| September 9, 2019 | Alethea Taylor | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Advocate | N/A | <p>My name is Alethea Taylor and I am in support of the borough based jail plan. I am a former Executive Director of Greenhope Services for Women that provides trauma-informed care for justice-involved women and I have worked in Rose M. Singer, the women’s jail. I am a member of the Independent Commission on New York City Criminal Justice and Incarceration Reform, also considered the Lippman Commission. I am also a consultant with the New York Women’s Foundation. And most importantly a family member of a formerly incarcerated individual.</p> <p>My focus today are women. 80% of women in jail are mothers to young children. The overwhelming majority of women in jail have extensive histories of childhood and adult physical, sexual and emotional abuse. Many have substance use and mental health</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|                   |                |                                                                                  |          |          |     | <p>needs. Rose M. Singer Center cannot provide adequate trauma-informed care or healing to these women including women with children on Rikers. Its very physical environment prevents it. Furthermore, Rikers' isolation makes it incredibly difficult for women to maintain contact with their children and other family members. Worst - the horrific prevalence of sexual assault on Rikers – and the lack of accountability for it.</p> <p>Clearly, we need to do everything to make sure few women as possible ever end up in jail. We have much better options, like the organizations associated with the Women's Community Justice Project with a phenomenal track record at helping women get the care they need – and with low recidivism. The City should invest heavily to grow programs like this.</p> <p>We must properly support those who are incarcerated, keep them safe, and give them the tools they need to succeed when they get out. Women should be housed together in a single facility that meets their needs, ideally Lincoln Correctional Facility in Manhattan.</p> <p>This is a once-in-a-lifetime chance to turn hope into reality. The alternative of doing nothing is unacceptable. If this plan fails, we will condemn countless women to the continued inhumane conditions at Rosie's for generations or more. Please support this plan. Thank you.</p> |
| September 9, 2019 | Colvin Grannum | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Advocate | N/A | <p>My name is Colvin Grannum and I am writing to speak in support of closing Rikers and replacing it with a much smaller correction facility in each borough.</p> <p>I am the president of the Bedford-Stuyvesant Restoration Corporation, the nation's first community development corporation. I am also a member of the Independent Commission on New York City Criminal Justice and Incarceration Reform.</p> <p>Many people jailed on Rikers come from the communities Bed-Stuy Restoration Corp serves. I have seen the profound toll that the Rikers jails take on the primarily African-American people who are incarcerated there.</p> <p>Spending even a few days on Rikers can be devastating and can result in long-lasting mental, physical and financial harm across families. It also harms the correction officers who patrol the jails, many of whom also live in our communities. The stress and violence they experience does not stay contained within the walls of the jails, but ripples out to their families as well.</p> <p>Deep changes to the criminal justice system are absolutely essential so that many fewer people are in jail in the first place.</p> <p>But a much smaller borough based detention system is also necessary to put an end to</p>                                                                                                         |

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|                   |            |                                                                                  |          |          |     | <p>Rikers. Better-designed facilities with designated space for programs and treatment can be safer for incarcerated people and correction officers. Proximity to the courthouses will facilitate timely and fair trials as well as visits from attorneys and loved ones, which are crucial to improving the chances of staying out of jail once released, and ultimately to improving public safety. This plan would ensure our city safely holds many fewer people in jail and thus would free up billions of dollars to invest in community infrastructure and services.</p> <p>Your support of the City's plan, even as we work to improve it to address concerns raised by those who live near the proposed facilities, would send a powerful message to all New Yorkers that Rikers will be shut down and true criminal justice reform is on the horizon.</p> <p>Thank you.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| September 9, 2019 | Herb Sturz | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Advocate | N/A | <p>My name is Herb Sturz. I am writing on behalf of the Fedcap Group where I serve as Senior Advisor. In 1961 I cofounded the Vera Institute of Justice and then several NY City non-profits focused on social and criminal justice initiatives. I also served as Deputy Mayor for Criminal Justice and Chair of the City Planning Commission. I am testifying today because New York City is close to ending the odious pretrial penal colony on Rikers Island.</p> <p>The four borough based jails that would be authorized by this application are essential to this effort. Without site selection approval of new more accessible and humane jails, there will be no closing of Rikers. City Council decisions are not easy; not everyone goes home happy. But I also know that the Council appreciates the gravity and urgency of supporting an effective alternative to Rikers Island. No one underestimates how hard it is to put an end to Rikers, even with the City's recent success in dramatically reducing crime and the number of pretrial detainees.</p> <p>In the 1970's and 80's the City sought to shut down Rikers for the same reasons that exist today. Now, we have a chance to close Rikers once and for all. I appreciate that the Council might have concerns regarding the unique approach for designing and building the new jails. This is not a typical Special Permit for a building with drawings and design parameters attached. The individual jails will benefit from oversight regarding cost and schedule, as well as neighborhood context and architectural quality at the four locations. Strategies are being developed by women and men of good will to ensure vigorous community engagement as design progresses for each site.</p> <p>Without the Council's approval we will lose the opportunity to rectify what Rikers has become – an egregious injustice itself, undermining our great City.</p> |

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|                   |                    |                               |          |       |                                                          | It's now or never!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| September 9, 2019 | Hon. Mathew D'Emic | misael.syldor@morejustnyc.org | in favor | Other | Administrative Judge of the Brooklyn Mental Health Court | <p>Dear City Councilmembers,</p> <p>My name is Matthew D'Emic and I am the administrative judge for criminal matters in Kings County Supreme Court. I am also a member of the Independent Commission on New York City Justice and Incarceration Reform, commonly known as the Lippman Commission.</p> <p>Thank you for this opportunity to testify in favor of the city's application for a borough-based jail system.</p> <p>When former Chief Judge Lippman asked me to join his commission, I was highly skeptical of the idea that Rikers Island could or should be closed.</p> <p>However, after a year of meetings and listening to the experiences of former Rikers detainees, their families, correctional, mental health and other experts, and most importantly, visits to Rikers, I am now firmly convinced that we as a community have no other choice.</p> <p>I am also the presiding judge in the Brooklyn mental health court and, in that capacity, have experienced the decompensation of accused individuals on Rikers Island and its deeply dehumanizing effect on people living with serious mental illness.</p> <p>Smaller, local facilities will certainly be a better option for them. In fact, for all incarcerated defendants, jails that are close to the courts, their families and their attorneys, as opposed to the isolated outpost that is Rikers, serve justice and alleviate inequalities unworthy of our city.</p> <p>I contend that now is the time to choose progress over retreat before this opportunity evaporates for generations.</p> <p>There are many practical reasons to close Rikers. Having witnessed the decrepit, dank conditions in which we house detainees and the spirit-crushing travel to and from the island both for them and their families, there is one overriding reason for closing it: its abasement of human dignity.</p> <p>No person, no matter the accusation, should lose his or her personal dignity. Whatever insults human dignity, dishonors us.</p> <p>Rikers Island dishonors us.</p> |

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|                   |                       |                               |               |       |                                                      | Thank you for your courtesy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| September 9, 2019 | Hon. Jonathan Lippman | misael.syldor@morejustnyc.org | in favor      | Other | Former NYS Chief Judge                               | <p>Good morning, I am Jonathan Lippman, the former Chief Judge of New York and the Chair of the Independent Commission on New York City Criminal Justice and Incarceration Reform.</p> <p>We are at a crossroads critical to the future of New York City: will we close the jails on Rikers Island forever, or will those shameful places continue to exist and harm New Yorkers for decades to come?</p> <p>As you deliberate, I ask that you keep a few basics in mind.</p> <p>First, that the majority of New Yorkers support this plan. A poll of New Yorkers from our Commission found that 59% support closing Rikers and building borough-based jails. Second, we can safely get to the goal of no more than 4,000 people in jail. We have already made tremendous strides, reducing the jail population from over 10,000 when our Commission began our work in 2016 to approximately 7,000 today.</p> <p>And, with many fewer people in jail already, New York is as safe as it's ever been. We have proven that justice reform and public safety go hand in hand and are not mutually exclusive.</p> <p>Finally, there is no viable path to closing Rikers that doesn't include borough-based facilities. Rejecting the plan will mean Rikers continues to exist for generations to come. That cannot be our legacy.</p> <p>This is, in the end, a moral issue. The Rikers Island jails disproportionately impact black and brown communities and are an affront to humanity. We must shutter Rikers and once and for all remove this stain from the soul of our great city. Thank you.</p> |
| September 9, 2019 | Charles Lai           | clai@chungpakldc.org          | in opposition | Other | Community Based Organization - Chung Pak LDC complex | <p>37 years ago, 12,000 Chinatown residents protested against the City's plan to build another jail there. The City ignored the community and built it anyway.</p> <p>My name is Charlie Lai. I am the Director of Chung Pak – the building that physically shares a common wall with the Manhattan Detention Center. We are the most directly and most severely affected entity by the proposed 450-foot jail. This massive replacement will be 3 times taller than our 13-story building and overshadows almost every other building in the area. This replacement could wreak havoc and lasting damage to our senior housing project, daycare center, community health clinic, and 14 small businesses. We are truly afraid that the proposed demolition and construction could threaten and/or damage the physical stability and very foundation of our building complex.</p> <p>But, more importantly, we are gravely concerned about the psycho-social, physical health and safety of our 105 low-income elderly seniors who reside in our building.</p> <p>Our building complex is integral to the Chinatown community and with our ability to</p>                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|                   |               |                               |          |          |     | <p>meet the diverse needs of the community, we are a vital asset to the socio-economic wellbeing of the extended Chinatown area.</p> <p>We, of course, want to make sure our building complex and our seniors are protected. We sincerely appreciate the many City agencies, the Council's central staff, Council Member Chin and Borough President Brewer's active support and attention. But, we are an integrated community. We cannot exist without all of our neighbors' ability to thrive. This new jail not only impact our building, it impacts our entire neighborhood: Tribeca, SoHo, Little Italy &amp; Chinatown. All of our voices and needs must be heard and addressed.</p> <p>Chinatown supports the elimination of the inhumane conditions at Rikers. We support the criminal justice reforms, programs and legislation that is taking place on the City and State level. However, it is a huge mistake to madly rush to passing the Jails Plan without a much clearer sense of numbers of people being housed, their specific program needs, the jail's design and environmental impacts, its true financial costs AND a publicly articulated mitigation plan for Chinatown's and other affected borough's residents. The City Council needs to lead a citywide civic engagement effort and enhance democratic processes. It is smart planning and responsible governance.</p>                                                                                                                                                                                                                                                                     |
| September 9, 2019 | Peter Samuels | misael.syldor@morejustnyc.org | in favor | Attorney | N/A | <p>My name is Peter Samuels and I am writing in support of the plan to close Rikers Island.</p> <p>I am on the boards of the FedCap Group and Argus Community, Inc., organizations that provide social services to underserved communities in New York City. I am also a member of The Independent Commission on New York City Criminal Justice and Incarceration Reform, commonly known as the Lippman Commission.</p> <p>It did not take our Commission long to conclude that the Rikers jails are irredeemable, and that Rikers is emblematic of much deeper issues in our city and its criminal justice system – far too many people are incarcerated, almost 90% of whom are people of color, and most people who are incarcerated have a mental health diagnosis or substance use issue.</p> <p>New York City can and must hold far fewer people in jail. The push to close Rikers from the administration and City Council have already accelerated a process of decarceration that has resulted in 2,500 fewer people in jail over the past two and a half years, while crime continues to drop to historic lows. In other words, fewer people in jail has not increased crime, just the opposite.</p> <p>The four borough facilities that are under consideration now are a necessary path to put an end to Rikers. Safer facilities, closer to courthouses and family members, equipped with proper space for medical care, therapeutic programming, and re-entry services will facilitate more opportunities for success when a person is released from jail. That is the right and humane thing to do, and it will ultimately improve public safety.</p> |

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|                   |                  |                                                                                  |          |          |     | <p>Our commission projected that a drastically smaller system of detention would save our city more than a billion and a half dollars each year, far exceeding the cost of building borough facilities and enabling long term investments in other areas.</p> <p>Every day Rikers is still open is a day New Yorkers are being harmed. If we as New Yorkers fail to act now, fail to seize the moment, the very real risk is that we will lose the chance to close Rikers Island for many years, maybe forever. Please vote in support of this plan to close those jails as fast as possible.</p> <p>Thank you.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| September 9, 2019 | Robert Fiske Jr. | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Attorney | N/A | <p>My name is Robert Fiske. I am senior counsel at Davis Polk and Wardwell and a former United States Attorney for the Southern District of New York.</p> <p>I am writing to urge the City Council to support the plan to close the Rikers jail complex, to reduce the number of people who are incarcerated in our city, and to hold those people who are incarcerated in a much smaller system of borough facilities.</p> <p>From the perspective of public safety, criminal justice, and morality, this plan is the right approach. We must take advantage of it.</p> <p>The eight active jails on Rikers Island are in bad physical condition and these conditions and their isolation have produced what so many agree is “a culture of violence.” In many respects, they leave people much worse off than when they enter.</p> <p>We can and must do better, starting with efforts to incarcerate many fewer people. There is much farther to go, but the progress that has been made over the past few years is encouraging, as thousands fewer people are in jail on any given day. This progress should continue as bail and discovery reforms take effect in January.</p> <p>There are two extremely important benefits that make approval of this plan so important. First, for the smaller number of people who are incarcerated, better designed jails with better visitation areas, improved sightlines, smaller units, and designated treatment and programming space provide an opportunity to break with the terrible legacy of Rikers. Second, the proposed facilities are closer to courthouses, eliminating logistical difficulties involved in transporting people to and from court and facilitating visits from family members, lawyers and other service providers.</p> <p>Putting an end to an institution like Rikers is no simple matter, and this is not the first time that New York City has sought to do so. But never before have we been this close. Please seize this moment and pass the plan.</p> |

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|                   |                  |                               |          |                          |     | Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| September 9, 2019 | Stanley Richards | misael.syldor@morejustnyc.org | in favor | Detainee/Former Detainee | N/A | <p>My name is Stanley Richards. When I was younger, I spent about ten years behind bars for the harms I caused, including two years on Rikers Island. When I came home from prison, I dedicated myself to helping people like me succeed on a different path. Today, I am the Executive Vice President of the Fortune Society, Vice-Chair of the New York City's Board of Correction, and a member of the Lippman Commission.</p> <p>I know the hell of Rikers and I know it has to be closed as soon as possible. Every day it stays open is a day our loved ones and neighbors are harmed. That goes for the people who are incarcerated there – almost all of whom are people of color – and the people who work there, most of whom are people of color too.</p> <p>We need drastic action to change the dynamics of the jails and we cannot wait. Shutting Rikers and replacing it with a borough-based system is our best chance to get a handle on the unacceptable level of violence in the jails and to hold everyone accountable. With a much smaller system, so much of the money we now spend on the Department of Correction can be invested in our communities, schools, mental health, substance dependence, and diversion programs. We must do all we can so people never go to jail in the first place.</p> <p>Then, let's use Rikers for good. Imagine putting green infrastructure out there. We could close the power plants in Queens and the Bronx that spew out pollution and hurt our children. We could stop thousands of gallons of human waste from flowing into the water around our communities every time it rains a lot. Imagine how we could grow and thrive.</p> <p>The City's jail plan is not perfect, so we look forward to working with you and the Administration to improve it. The time now is our best chance to make sure that Rikers – and the Barge – close forever. If this plan fails, those jails will be with us for a generation or more. That cannot happen. Please vote in favor of the plan.</p> <p>Thank you.</p> |
| September 9, 2019 | Tyler Nims       | misael.syldor@morejustnyc.org | in favor | Advocate                 | N/A | <p>My name is Tyler Nims. I am the executive director of the Independent Commission on New York City Criminal Justice and Incarceration Reform, commonly called the Lippman Commission.</p> <p>There has been a deepening awareness of the need to change the criminal justice system so that many fewer people are incarcerated in our city.</p> <p>There is widespread agreement that the jails on Rikers Island are places of misery and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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|                   |                    |                                                                                  |          |          |     | <p>pain, and have been for decades.</p> <p>Nothing I can say can express this more powerfully than the words of the people have who have been locked up there.</p> <p>It is long past time to put an end to this place.</p> <p>This plan comes before the City Council with a land use application for rebuilt borough jails, but it is part of a much broader effort to put an end to Rikers and its legacy. That effort is succeeding. In fewer than three years, there are almost 3,000 fewer people incarcerated in our city—proof of the power of this idea.</p> <p>Yet conditions at Rikers are as bad as they ever have been, for those who work there, those who are incarcerated there, and those who must travel hours to visit.</p> <p>A smaller and better-designed borough system is a chance – and an imperative – to ensure that the much lower number of people who remain incarcerated, and those who work in and visit these facilities, are treated with safety and dignity.</p> <p>There are some people who have argued that this plan provides no guarantee that Rikers will close.</p> <p>But voting no to this plan will guarantee those jails stay open.</p> <p>Please vote yes so that New York City continues on a path to a future without Rikers Island.</p> <p>Thank you for your time.</p> |
| September 9, 2019 | Seymour James, Jr. | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Attorney | N/A | <p>My name is Seymour James. I am writing in support of the plan to close Rikers and replace it with borough-based jails.</p> <p>I was a public defender in New York City for over 40 years, and until last year, served as the Attorney-in-Chief at The Legal Aid Society. I am currently a partner at Barket Epstein, and a member of the Independent Commission on New York City Criminal Justice and Incarceration Reform.</p> <p>My decades as a public defender made something very clear: Rikers Island harms thousands of New Yorkers every day, most of them people of color. The jails are isolated, they are decrepit, and they have to go.</p> <p>Because of the culture there, bred in large part by Rikers' isolation, officers are far too</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|                   |              |                               |          |          |     | <p>likely to resort to violence and are rarely held accountable for doing so.</p> <p>Because of Rikers' isolation, a one hour visit by an attorney can take all day. That means public defenders with very limited time often have to choose between visiting a single client – or working on their dozens of other cases, people to whom they also owe their attention.</p> <p>Family members face the same difficulties visiting. If people cannot take a day off work, or arrange hours of childcare, those visits just don't happen. I cannot tell you how many clients told me over the years how critical visits by their families were to them. Those visits brought them calm and hope, and allowed people to remain connected to their communities and loved ones.</p> <p>Furthermore, the expensive, logistical nightmare of busing hundreds of people at Rikers to and from court every day means people are often brought to court late and sometimes not at all. A single missed court date can add weeks to people's pre-trial incarceration.</p> <p>We have a historic chance to change all this. The Mayor's plan would greatly reduce the number of available cells and turn us towards a path where incarceration is a last resort. At the same time, for anyone who remains incarcerated, borough facilities offer the chance to end the unacceptable brutality and degradation of Rikers. Let's work to improve the plan. And critically, let's invest in our communities, so people have the opportunities for success they have been denied for so long. This is our time. Please approve the best version of this plan possible, and let's make history together.</p> <p>Thank you for your time and consideration.</p> |
| September 9, 2019 | Insha Rahman | misael.syldor@morejustnyc.org | in favor | Advocate | N/A | <p>I'm Insha Rahman from the Vera Institute of Justice.</p> <p>I'm a former public defender and a long-time New Yorker.</p> <p>Over the years, I've visited loved ones and people I've represented at the jails at Rikers Island, the Boat, the Tombs, and the Brooklyn House of Detention. I've seen firsthand the violence and danger within those walls. We can't in good conscience condone the existence of facilities like these that don't provide safety for people incarcerated there.</p> <p>We must close each and every one of them without further delay. And, for now, they must be replaced with safer and better jails in our communities.</p> <p>Voting yes on closing Rikers and building new borough-based jails is not at odds with</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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|                   |                 |                   |               |       |               | <p>striving for a day when jails become obsolete. As a city we have already come further than we could have ever imagined in delivering public safety by using incarceration less.</p> <p>And we can—and must—go even further.</p> <p>First, invest in the services and resources that build our communities. It will cost \$260 million a year to provide housing, education, and supportive services. Before we spend \$8.7 billion to close Rikers and build new jails, commit to spending a fraction of that amount on the resources that help people thrive.</p> <p>Second, set the bar high for how low we go in the use of incarceration. There are 7,100 people in jail today. The new bail laws will get us under 5,000 and parole reform will land us closer to 4,000. By arresting less, expanding diversion, investing in pretrial services, and providing more effective alternatives to incarceration, we can reach an average daily jail population of less than 3,500.</p> <p>As we build new jails, think to the future and a day when we won't need them. Build them in a way that allows for flexible and evolving use—as future community centers, libraries, grocery stores. Design them as spaces that we would be proud and eager to repurpose for another use.</p> <p>Finally, so long as we have jails, create a culture where the prevailing values are human dignity, respect, and autonomy—not violence and control.</p> <p>The idea of closing Rikers used to seem like a pipedream. Today, it is entirely within reach. In the future, the idea of no jails can be within reach too. But today, moving forward with a vote of yes to the plan before us doesn't end the power you have to invest in our communities to deliver on public safety—now and in the future—that we as New Yorkers deserve. We owe it to ourselves to do so.</p> |
| September 9, 2019 | Melissa Morrone | mrm@openflows.com | in opposition | Other | city resident | <p>[statement I gave in person around 6:30pm on September 5]</p> <p>The positive language that's used to describe the proposed borough-based jails (like their "modern design," natural light, fresh air, and so on) could have been taken from 19th century penitentiary reformers, and indeed is similar to how Rikers - which should be closed as soon as possible - would have been spoken of when it was new. We don't have to make the same mistakes now.</p> <p>I know that many of you on the City Council are supporters of policies to improve policing and justice practices in order to lower the number of people in jail in the first place. Investing in communities rather than expanding jails is what you should be doing</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|                   |                  |                                                                                  |          |          |     | <p>now to further that work. You have the power to invest these billions of dollars instead in education, social services, housing, healthcare, restorative justice, and more. Having a more livable city for all its residents would obviate the need to build more and bigger detention spaces.</p> <p>I also want to speak as a public librarian over in Brooklyn, where I see every day how factors related to incarceration, both its causes and its results, play out in public space - factors including poverty, stress, trauma, mental illness, homelessness, structural racism, inequality, and much more.</p> <p>I know how much the Council does to keep New York City\'s libraries functioning as well as they do - including definitely Councilmember Van Bramer, who was here earlier - and I implore you each to think about how the money that this proposed project would cost could be better spent in your communities. This borough-based jails plan will impact the entire city and should not be considered solely as a development project in four members\' districts. Rather, these billions should be spent directly on community sustainability and safety, not on new jails.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| September 9, 2019 | Eric Goldenstein | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Advocate | N/A | <p>The Natural Resources Defense Council (“NRDC”) is a not-for-profit legal and scientific organization active on a wide range of public health, natural resource protection and quality-of- life issues across the county, around the world and in New York City where our main office has been located since our founding in 1970. For almost five decades, NRDC has had a team of lawyers, scientists and other experts working exclusively on environmental matters affecting New Yorkers, including support for public transit, enhancement of parks and community gardens, air and water quality protection, solid waste reform, clean energy, sustainable development and environmental justice.</p> <p>We are pleased to write in support of the closure of the Rikers Island jails and the conversion of this island into what we believe could be a model of environmental sustainability.</p> <p>At first blush, it may sound strange that an environmental organization is testifying in support of a plan that would shut a citywide jail facility and instead create a borough-based jail system. Some may ask if this is really an “environmental” issue. At NRDC, we believe the answer is yes. The definition of “environment” should be broad enough to include the conditions under which thousands of our fellow New Yorkers are forced to live as they make their way through the criminal justice system. The report of the Independent Commission on New York City Criminal Justice and Incarceration Reform, chaired by former New York State Court of Appeals Chief Judge Jonathan Lippman, said it all: “Closing Rikers Island is a moral imperative. The island is a powerful symbol of a discredited approach to criminal justice — a penal colony that subjects all within its walls to inhumane conditions.”</p> |

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|  |  |  |  |  | <p>Moreover, the closure of Rikers would present a once-in-a lifetime opportunity to convert this island of shame into a showpiece of green development. This island could be transformed into one that houses energy-producing solar arrays, along with modern sewage and organic waste treatment facilities, allowing older waste facilities and polluting powerplants located in densely populated city neighborhoods to close. In short, the proposed plan to close Rikers Island jails is one that demonstrates how social justice and environmental protection can walk hand-in-hand to the benefit of all New Yorkers.</p> <p>While New York City has an unprecedented need for affordable housing, a re-imagined Rikers Island is not suitable for such development. The 413-acre island is largely composed of landfill, with ash, garbage and other unsavory substances remaining just below the surface; cleaning up this land to acceptable residential standards would be enormously expensive. Additionally, the island is adjacent to LaGuardia airport; height restrictions and noise pollution would further impede residential development.</p> <p>What a jail-free Rikers Island does present is an unparalleled opportunity to repurpose this land mass for environmental projects that will be broadly beneficial to the city for decades. We see at least three potentially transformative land uses that warrant serious consideration.</p> <p>The first is using a portion of the island's acreage for green energy. For example, the island could provide space for a giant solar array and energy storage facility that could provide New Yorkers with clean and reliable energy in perpetuity. Such energy plans might even allow for the closure of older, fossil-fuel "peaker" power plants that are currently located in densely populated city neighborhoods and whose emissions pose localized air quality problems, especially for residents suffering from asthma and other pre-existing lung diseases.</p> <p>A second worthwhile land use would be to create a modern facility that could convert city-generated food waste and yard waste into compost. Such an operation would prevent such wastes from being buried in landfills where they become a major source of global-warming methane emissions. And an in-city composting operation would save city taxpayers tens of millions of dollars a year that would otherwise be spent shipping food wastes and yard wastes to distant landfills or incinerators.</p> <p>A third sustainable project would be to construct a state-of-the-art sewage plant on the island. Four existing city sewage plants closest to Rikers Island — located in Queens, the South Bronx, and Wards Island — are nearly 80 years old; as they approach the end of their useful lives, they will require expensive upgrades. Constructing a consolidated new</p> |
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|                   |                  |                                                                                  |          |          |     | <p>plant on the island could allow the city to shut down one or more of these older facilities — freeing up the waterfront acreage where they are now located for more desirable, community-friendly land uses.</p> <p>Of course, a comprehensive land use planning process that fully engages the public should precede any final decisions.</p> <p>Councilmember Costa Constantinides has given such ideas a much-needed by proposing the Renewable Rikers Act. Among other things, the legislation would transfer control of the island from the Department of Corrections to the Department of Environmental Protection, forever ending Rikers history as a home of jails and paving the way for a sustainable future.</p> <p>Finally, we propose that as part of the transition, the City Council officially rename Rikers Island as “Green Island,” or maybe “Green Jobs Island.” What could be better than transforming this land mass from a collection of jails into a place that offers hundreds of good- paying, society-benefiting green jobs for New Yorkers?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| September 9, 2019 | Michael Jacobson | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Advocate | N/A | <p>My name is Michael Jacobson. I am writing in support of the plan to close Rikers and create a borough based system of detention.</p> <p>I served as the Commissioner of the Department of Correction from 1995-1998, where I was responsible for overseeing New York City’s jails, including the jail complex on Rikers Island. Since then, I have served as President of the Vera Institute of Justice and, currently, as Executive Director of the CUNY Institute for State and Local Governance. I am also a member of the Independent Commission on NYC Criminal Justice and Incarceration Reform, commonly referred to as the Lippman Commission.</p> <p>My experience as Correction Commissioner convinced me that the Rikers jails should be shut down forever, and that a much-smaller set of jails in the boroughs represent our best chance to close an abysmal chapter in New York City’s history.</p> <p>Most of the buildings on Rikers are decaying and incredibly poorly designed structures that create safety hazards and inhumane conditions for the people who work on Rikers and those who are incarcerated there.</p> <p>But beyond these physical issues is its isolation. For a jailed person, a visit from the outside is a lifeline that improves behavior inside the jail and when that person returns home. But the inaccessibility of Rikers makes visiting difficult or even impossible for many family members and other loved ones. Service providers and lawyers, whose work can be so important to a detained person’s chances in court and when returning home, also have difficulty traveling to and working on Rikers. Perhaps most importantly, the</p> |

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|                   |               |                                                                                  |          |          |     | <p>isolation has a real symbolic and psychological toll, fostering impunity, hopelessness, and inhumanity.</p> <p>In many ways, Rikers Island is a modern-day penal colony. I believe that better-designed borough jails with many fewer people locked up provide a chance for a smaller and more humane detention system—one that is based on dignity—that simply cannot be achieved on Rikers Island. Borough-based jails, while obviously not cheap, would save enormous amounts of money over the long run—we calculated savings of more than \$500 million each year. They would also be much less expensive than rebuilding on Rikers – which would cost at least \$2 billion more.</p> <p>This plan to close Rikers has the added benefit of providing the city with a 420-acre parcel of land such as it will never see again. The potential re-use of Rikers Island for all sorts of essential economic development, infrastructure, and regional transportation issues will be a huge benefit for New York City in the decades to come.</p> <p>The land use process for the City’s proposed facilities raises many complicated issues that you must review and consider. I ask that as you do so, you also consider the opportunity and imperative to put an end to the Rikers jails.</p> <p>Thank you.</p>                                                                                                                 |
| September 9, 2019 | Misael Syldor | <a href="mailto:misael.syldor@morejustnyc.org">misael.syldor@morejustnyc.org</a> | in favor | Advocate | N/A | <p>My name is Misaël Syldor and I am writing in support of closing Rikers and shifting towards a much smaller borough based system of detention. I am the program associate of the Independent Commission on NYC Criminal Justice and Incarceration Reform, but I want to speak as a child of Briarwood, a proud child of Haitian immigrants and descendent of a long line of freedom fighters, and as a fellow New Yorker.</p> <p>This is not the first movement to close Rikers, but we absolutely must make sure it is the last. To try to stop this process would condemn New Yorkers to continue to languish in dangerous and often merciless conditions on a toxic island. It does not improve public safety to operate an excessively punitive system, and it is an immense disservice to our city.</p> <p>Now is the time to address concerns about the plan, but it is not the time to restart this process. The people power of directly impacted leaders in the CLOSERikers campaign and other advocates, who’ve been working relentlessly on this movement, got us to this point, and advocates are continuing to improve the plan. Your vote can help ensure that the best plan is put forward, not only to close Rikers, but to drive our city on a new path to invest in true public safety and community wellness.</p> <p>We are already working towards a future where our city holds many fewer people in jail,</p> |

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|                   |                                            |                       |               |          |     | <p>and we can ensure that momentum continues with approval of this plan. We can create a future where if a person is incarcerated, they are held in a safer, more normalized environment, with access to trauma informed programming and comprehensive medical care, and at the same time, make sure these kinds of services are robust, well-funded, and expanded in our communities to divert people from justice involvement.</p> <p>Plans to close Rikers in the past were defeated, extending the human rights crisis that exists today. There is a long road ahead, but this can be the first step to guarantee us on the path to permanently closing Rikers, and transforming our criminal justice system. Please vote in support of this plan. Thank you.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| September 9, 2019 | Brooklyn Law School National Lawyers Guild | brooklawNLG@gmail.com | in opposition | Advocate | N/A | <p>The Brooklyn Law School chapter of the National Lawyers Guild (BLS NLG) is an organization of students committed to using the law to support human rights, seek justice, and give power to the people. This chapter participates in the Parole Preparation Project, working directly with incarcerated people to prepare for parole hearings, and trains students to become Legal Observers at NYC based protests. Many students in the organization also participate in other pro bono projects, internships, and clinics focused on decarceration.</p> <p>BLS NLG strongly opposes Mayor de Blasio's proposal to spend \$10 billion on building new jails in NYC, and urges the NYC Council to vote against this plan.</p> <p>After years of effort by incarcerated people, family members, and advocates to bring internal conditions to light, Rikers Island is now rightfully associated with an image of violence. Survivors of Rikers Island, many of whom are being held pre-trial, routinely share horrifying stories of life inside the jail. When Kalief Browder died by suicide as a direct result of carceral trauma in 2015, it sparked national attention, and local activists organized to call for Rikers to be shut down completely.</p> <p>Rikers Island is not an exception. It is the rule.</p> <p>Prisons and jails perpetuate violence wherever they may be. Building four new jails is not a solution to the harm experienced every day by the people held at Rikers Island. The plan in front of the City Council would build 6,000 new cages for humans in NYC, and would fail to reduce the number of people in the system.</p> <p>There are many ways that \$10 billion could be spent to truly support marginalized individuals, most notably by spending on housing, mental health, and jobs. BLS NLG supports investment in communities, not punishment. Additionally, ending pre-trial detention would drastically reduce the number of people in jail each day.</p> |

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|                    |                  |                       |               |          |     | BLS NLG stands with No New Jails NYC (NNJ) in opposition of the current proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| September 9, 2019  | Taekia Blackwell | taekiab@gmail.com     | in opposition | Visitor  | N/A | We need to lower the incarcerated population of New York, starting with those under 18 years of age and who were incarcerated for marijuana convictions which would not stand based on current statutes. I applaud the effort to #closerikers however, the idea of “more humane prisons” an oxymoron. I urge the council to move forward with closing Rikers with NO NEW JAILS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| September 9, 2019  | Leila Howard     | leilaarisa@gmail.com  | in opposition | Advocate | N/A | Please do not expand the jail system, please do not spend 11 billion dollars or even 1 dollar to increase the number of jails. The problems with the carceral state cannot be improved by adding jails. Retrain the police force so that they can actually help people and get rid of bad actors and murderous/harmful cops. Stop the violence on black and brown lives by criminalizing us. Invest in resources for poor and marginalized communities, invest in healthcare and community care, invest in schools - don't open new jails. And close Rikers. Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| September 10, 2019 | Andrew Shapiro   | ashapiro128@gmail.com | in opposition | Advocate | N/A | <p>My name is Andrew Shapiro and I am one of Diana Ayala's constituents living in East Harlem. I am a student in sociology at the Graduate Center, CUNY and an instructor at Lehman College. I am writing to express my vehement opposition to Mayor De Blasio's jail expansion plan.</p> <p>The mayor and his supporters have presented the Borough Jails Plan as the one “practical” means of closing the Rikers Island Correctional Facility. As someone who has studied and fought against the carceral system in New York and beyond, I enthusiastically support any steps that will get us closer to shuttering the atrocity that is Rikers. The problem is that Mayor De Blasio's plan has nothing to do with closing Rikers. In reality, the mayor has himself stated that Rikers will remain open until 2027, by which time he will no longer be in office as mayor. Because there is no legal guarantee in the jail plan, the next mayor would be entirely free to keep Rikers open alongside four shiny new caging facilities. Meanwhile, the mayor is currently spending \$1 billion to renovate Rikers and other jails across New York City. This is a perverse jail expansion plan dressed up in the language of decarceration.</p> <p>Another of the mayor's dubious claims is that closing Rikers is only possible if we build new jails. This ignores the fact that 80% of the people in Rikers are there awaiting trial. By granting bail and remand review hearings, judges could release everyone currently detained pretrial in NYC. That leaves just 20% of the current Rikers population, which could be further reduced by ending Broken Windows policing and decriminalizing victimless crimes like sex work and substance use.</p> <p>Not only are De Blasio's jails wholly unnecessary, but there is also no historical precedent to suggest that they will be any less harmful than Rikers and every other jail created in</p> |

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|                    |                |                      |               |          |     | <p>the name of 'prison reform.' Look at MDC Brooklyn. Look at Brooklyn House of Detention. Look at the Tombs. All of these neighborhood jails have had inhumane conditions for years. This is because jails perpetuate the very harms they are supposed to address. Pamela, a woman serving a life sentence at Bedford Hills, says it best: "Our prisons are schools on crime, don't really rehabilitate people and often leave them feeling more angry, despondent, and hopeless than when they got here."</p> <p>Why invest another \$10 billion in jails when we could spend that money fostering safe and thriving communities? By investing in NYCHA, mental health services, education, and community accountability, we can go a long way toward actually addressing the root causes of crime, creating genuine safety to replace the false sense of security that comes from locking "undesirables" away in cages.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| September 10, 2019 | Theodore Hanna | tedhanna47@gmail.com | in opposition | Advocate | N/A | <p>September 5, 2019<br/>Theodore Hanna<br/>Third Year Law Student At CUNY School of Law<br/>Testimony before the NYC Council Committee on Land Use in opposition of the Borough-Based Jail System (Application No. N 190334, Application No. C 190336, Application No. N 190337, Application No. C 190338)</p> <p>Good morning, I want to start off by thanking the City Council for the opportunity to submit written testimony today. My name is Theodore Hanna I am a resident of Councilmember Cornegy's district.</p> <p>Committee Chair Adams and Councilmembers of the Land Use, Public Siting and Maritime Uses Subcommittee, you are being asked by the Mayor to vote on a land use application for the construction of 5,700 cages. A "land use application" asking you to commit to the ongoing violent harassment and incarceration of Black and Brown communities. A "land use application" that will strip away the freedom of generations of New Yorkers with almost no public input. A few facts to put the issue into perspective: Nearly 7 in 10 people in city jails are awaiting trial and either have a bail that can be paid or a remand that can be fought and easily won. With a lawyer or bail money they would be home with their families.</p> <p>Data shows that 85% of people that NYC jails have diagnosed mental illness or substance addictions. People need access to health services and housing, not incarceration, which only worsens their conditions.</p> <p>People should not be punished with months of jail time because they miss a meeting mandated under punitive parole programs.</p> <p>Resources wasted over-policing and incarcerating already vulnerable communities could instead be used to invest in public housing, education, and jobs to uplift those communities.</p> |

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|                    |                 |                             |          |          |     | <p>Rikers must be shut down immediately and permanently. Named after slave catcher Richard Riker, Rikers itself was originally built as a “humane” facility that would rehabilitate. It was heralded as the progressive reform of its day. All of the borough based detention centers in NYC have innumerable stories of brutality and violence. Because that’s the nature of jails. The stealing of freedom through force and through violence.</p> <p>We have alternatives available that are proven to reduce violent crime. Public opinion is in favor of decarceration but when opportunities for real change arrive, the same failed model is applied against logic and morality. Caging people does not reduce crime rates, it is violently racist, and drains the city of desperately needed funds. There is another way and you must take it. Vote no to this land use application.</p> <p>Thank you,<br/>Theodore Hanna</p> |
| September 10, 2019 | Margaret Jacobs | babbie.jacobs@gmail.com     | in favor | Advocate | N/A | <p>First and foremost - thank you for opening this crucial dialog on justice reform. Rikers must close for the in humane conditions to those incarcerated and the morale of those who work there. I fully support closing the decaying facility and opening community based jails for those who must be incarcerated but more importantly support prevention programs from pre natal, early childhood education and community based youth prevention and diversion programs. More emphasis on open dialog between enforcement officers and schools and community members, increased mental health programs all incorporated into the master plan. Please also address the issues in Rikers in the meantime to ensure there are support and medical programs and safety issues are addressed while the new facilities are being built. Thank you again. Sincerely, Margaret E Jacobs</p>                                               |
| September 10, 2019 | Daniele Gerard  | dgerard@childrensrights.org | in favor | Advocate | N/A | <p>September 10, 2019</p> <p>Adrienne E. Adams, Chair<br/>New York City Council<br/>Subcommittee on Landmarks, Public Siting and Maritime Uses<br/>Council Chambers- City Hall<br/>New York, NY 10007</p> <p>Re: Testimony Regarding Closing Rikers</p> <p>Dear Ms. Adams and Members of the New York City Council Subcommittee on Landmarks, Public Siting and Maritime Uses:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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|  |  |  |  |  | <p>Since 1995, Children’s Rights has been a national advocate for youth in state systems. We are also a member of the Department of Correction’s Adolescent and Young Adult Advisory Board and the New York Jails Action Coalition. Our experience with adolescents and young adults in foster care and juvenile justice systems often brings us in contact with young adult and youth corrections policy, as our clients are disproportionately represented in young adult and juvenile correction facilities. While we support the plan to close Rikers Island, we are concerned about the welfare of young adults.</p> <p>In creating four new borough-based jails, we urge you to think about keeping young adults, aged 18-21, housed together in one location. This is imperative in order to provide equal access to programming and educational opportunities. The current placement of young adults in various facilities on Rikers Island leaves those not housed in RNDC without the opportunity to access the programming offered in the Peace Center. As we have stated in numerous testimonies before the Board of Correction (BOC), research from biology, neuroscience, and social science clearly shows that youth development does not stop at age 18.(1) Young adults require support, and the child welfare field has recognized this in developing policies and best practices accordingly.(2) This need for support clearly extends to older youth in the criminal justice system. The practice of young adults not having equal access to programming and educational opportunities must be avoided, and can easily be addressed by giving careful thought to where young adults will be placed when Rikers Island is closed and replaced by the borough based system.</p> <p>In accordance with the above, we ask that you provide an update to the public before the City Council casts a final vote in October regarding where and how young adults, aged 18-21, will be placed in the borough-based system and how they will have equal access to programming and educational opportunities.</p> <p>Sincerely,</p> <p>Daniele Gerard Meghan Kacsmar<br/>Staff Attorney</p> <p>Paralegal</p> |
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|                    |                  |                      |          |       | <p>Elissa Hyne<br/>Senior Policy Analyst</p> <p>(1) See December 19, 2014 Public Comment submitted by Children’s Rights.<br/>(2) Id. See, e.g., October 7, 2018 testimony submitted by Children’s Rights; February 11, 2019 testimony submitted by Children’s Rights; July 9, 2019 testimony submitted by Children’s Rights.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| September 10, 2019 | William Mitchell | bmitch4102@gmail.com | in favor | Other | <p>Lafayette Avenue Presbyterian Church Social Justice Committee</p> <p>Dear Honorable Members of the New York City Council:<br/>I am a member of the Lafayette Avenue Presbyterian Church in Fort Greene and am recently semi retired after working 36 years with youth primarily of color at the Henry Street Settlement for 19 years and more recently for The Boys’ Club of New York for the past 16 years, where your fellow council member, Bill Perkins is an alumnus. I am testifying in favor of the Mayor’s Plan to Close Rikers and to open four borough based jails. As a first hand witness to the failed and racist War on Drugs and Stop and Frisk, I have direct experience with the disastrous impact of mass incarceration on families and communities. I have heard many stories like you have heard today of the brutal and inhumane conditions of Rikers. I know that only 18% of people incarcerated at Rikers serve time in upstate prisons and that 44 percent are affected by mental illness and would be much better served at a community based organization. I know that 89% of people in jail are people of color and 94 percent are men. No wonder why we have a crisis of so many children being raised in single parent families. I have also seen first hand the disruptive impact that incarceration at Rikers has on families that have experienced the hardship of traveling for visits on and lose a full day of school or work. For this reason and this reason only, I am in favor of borough based jails as a temporary step to reducing mass incarceration. Based on my first hand experience working directly with young people and their families and the overwhelming data, the 11 billion dollars to construct these jails would be far better spent on investing in community based organizations. A recent book, Uneasy Peace: The Great Crime Decline, the Renewal of City Life and the Next War on Violence by New York University Professor, Patrick Sharkey illuminates the positive impact of community based prevention programs. . In his book and papers, Professor Sharkey provides evidence based research over 20 years that for every community based organization per 100,000 residents there is a 9 percent drop in the murder rate and 6 percent in the violent crime rate and 4 per cent drop in the property crime rate. My long term hope and recommendation is that we make our investments in community based prevention programs and that will result in a drastic decline in the mass incarceration rate and the need for new jails. Thank you for holding this hearing and listening to the community.</p> <p>Sincerely,</p> |

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|                    |                  |                             |               |          |        | <p>Bill Mitchell<br/> 2022 East 55th Street<br/> Brooklyn, NY 11234<br/> Email: bmitch4102@gmail.com</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| September 11, 2019 | Rafael Jaeger    | harpo.jaeger@gmail.com      | in opposition | Other    | myself | <p>There is no such thing as a \"humane\" jail. We should close Rikers and use the money to invest in communities in constructive ways - schools, parks, social services - which will benefit New Yorkers and provide greater opportunities, instead of building more cages.</p> <p>The prison system destroys families and communities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| September 11, 2019 | Eric Donahue     | thisisericdonahue@gmail.com | in favor      | Advocate | N/A    | <p>Close Rikers and invest the money in the community. Are we really gonna spend decades more on a penal system that's ineffectual at reducing recidivism and smacks of the 18th century?</p> <p>There's no excuse anymore: Rikers should have been closed years ago and it's not like we need any new jails either. We can either lead the nation in this or else we will be following it.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| September 11, 2019 | Elizabeth Rainey | libbyfordrainey@gmail.com   | in opposition | Advocate | N/A    | <p>While I believe Rikers must be closed immediately and indefinitely, I am just as vehemently oppose the city's plan to spend up to \$11 billion on four new jails. Rikers is a symptom of a chronically broken system of injustice and the city should invest in communities, not more cages, to adequately tackle this crisis. Building more jails will do nothing to help the black and brown, low-income communities that have been devastated by mass incarceration. We need real courage and decarceral policies and goals to create meaningful change. Building more jails under the guise of reform is a sham. Please consider the voices of incarcerated people and their loved ones, the steadfast activists with No More Jails, and abolitionists with ideas that could actually make NYC a pioneer in ending mass incarceration. These are the voices that need to be lifted up in this process. If you listen, they're all saying NO to more jails.</p> |
| September 11, 2019 | Shadley Hobour   | shadleyhob@gmail.com        | in opposition | Advocate | N/A    | <p>As a poor Black woman who I know will be targeted for these borough based jails and is already targeted by the structurally oppressive criminal justice system under capitalism and white supremacy. I am oppose to these borough based jails. I also want Rikers to be closed down because prison do not solve problems they disappear poor people especially those Black and brown people. I instead want to see the money going into free housing for New York. I believe firmly in those because housing is so u affordable and it is a human right. Most people's paychecks go into housing and it's awful. I believe the money should go into really ending a human made issue of poverty, homelessness and structural racism. Close Rikers because prisons are punishment for being poor and no new jails because in a world where the money actually works to ending \"reasons\" people go to prison, prisons wouldn't have to exist.</p>                  |

## **BOROUGH-BASED JAILS (BBJ) FACT SHEET**

### **ASTRONOMICAL COST**

- BBJ Project cost estimate is **\$11 Billion**, with financing **\$30 Billion**, which will impact all NYC taxpayers for decades

### **DELAYS CLOSING RIKERS – FASTER, MORE HUMANE, LESS COSTLY OPTIONS NOT CONSIDERED**

- Construction of 4 massive jails will take 8+ years.
- NYC has 14 existing jails in the boroughs that can accommodate more than the projected number of beds needed that could be renovated in 1-2 years enabling a much earlier closing of Rikers at a fraction of the cost.

### **DETAINEES WILL NOT BENEFIT**

- Detainees will not benefit being enclosed in experimental towers with little access to outdoor recreation except for rooftops and small cubicles
- In case of fire, detainees will have to be brought down to street overwhelming the number of corrections officers available.

### **LIPPMAN COMMISSION'S RECOMMENDATIONS NOT FOLLOWED**

- Jails should not be sited in residential neighborhoods nor near schools
- Jails should be "smaller" accommodating no more than 500 detainees

### **OVERSIZED**

- The Kew Gardens Jail is certified for **29+ stories, 1.3 million square feet** (the same size as Yankee Stadium)
- Provides beds for 1,150+ detainees
- Massive structure will block the present expansive open sky view on the north side of Queens Boulevard and destroy visual landscape
- Will overshadow the entire neighborhood and cast a shadow four (4) times its height all the way to the Fedex store on Queens Blvd. and 78<sup>th</sup> Avenue.
- Will dwarf our historic 3-story Queens Borough Hall

### **INCREASES TRAFFIC AND MASS TRANSIT CONGESTION**

- Will bring 800+ additional vehicle trips 2X per day causing increased traffic congestion to already overburdened narrow streets and highways, and unavoidable adverse environmental impacts that DEIS admits cannot be mitigated at 78<sup>th</sup> and 77<sup>th</sup> Avenues at Queens Blvd. and 3 other locations
- Two new garages will be built for correction officers and visitors accommodating 608 cars creating scarcity of street parking for local residents
- Buses, trains and platforms cannot absorb additional numbers that BBJ would bring as they are now dangerously bursting with people due to the organic growth that has occurred over the years.

### **QUEENS GETTING MORE THAN ITS FAIR SHARE**

- Staten Island was excluded because it has the least number of detainees, while Queens, with the least number of detainees vs. other boroughs is getting the same number plus Women's Jail for all boroughs.
- Objectives to bring detainees closer to relatives and to the Court will not be met in Queens as 60% of jail population will come from other boroughs.
- Kew Gardens site is across the street from PS 99 and in close proximity to 7 other schools
- 82<sup>nd</sup> Avenue will be de-mapped, closing the street to vehicular and pedestrian traffic between 126<sup>th</sup> Street and 132<sup>nd</sup> Street, prohibiting hundreds of pedestrians from using the footbridge they currently use as a short-cut to subway on Queens Blvd.

**Email to the Speaker from Joseph Faraldo, sharing a Borough-Based Jail Fact Sheet, outlining the reasons why the plan should be opposed.**

Joe Faraldo <[faral@me.com](mailto:faral@me.com)>

My name is Dominick Pistone and I am the president of the Kew Gardens Civic Association (KGCA) and a member of the Community Preservation Coalition (CPC). I urge you to vote "NO" on the upcoming Borough Based Jails proposals (frequently misnamed "community jails"). I urge you to vote NO despite the fact that Karen Koslowitz, who represents Kew Gardens and part of Forest Hills affected by the proposed high-rise mega-jail to be built in Kew Gardens, may vote YES.

I am aware of the tradition of "member deference" - the notion that if a council member votes in favor of something in his/her district then the rest of the council should defer to that opinion since it is assumed that the member knows the wishes of his/her constituents. That is NOT the case here. I don't know why Council Member Koslowitz intends to vote YES on this proposal. She is certainly NOT reflecting the opinion of her constituents. The KGCA has voted against the proposal. Queens Community Board 9 representing not just Kew Gardens, but Richmond Hill, Ozone Park and Woodhaven voted unanimously against the proposal. Community Board 8 representing Briarwood, a community actually adjacent to the proposed site, voted against the proposal even though its council member Rory Lancman intends to vote yes. So how does he represent his constituents? The same holds true in the Bronx where Community Board 1 representing Mott Haven, the proposed location for the Bronx jail, voted unanimously against the jail. So how does Council Member Diana Ayala represent the interests of her constituents? I note that the Borough President of Queens, Melinda Katz, and the Borough President of the Bronx, Reuben Diaz, Jr. are against the proposal and voted no during the ULURP process.

The city has committed to nothing concerning the design of the jails because there is no design. Those of you who attended the City Planning Commission hearing on Tuesday September 3 and the hearing of the Subcommittee on Landmarks, Public Siting and Maritime Uses on September 5 heard a parade of city officials speaking at length about nothing but concepts. They have no design because there can't be a design until the ULURP is finished (a complete reversal of the normal ULURP where it is the design that is reviewed not a vague concept). They are unable to answer what the final size of the buildings will be, what facilities will be housed within, or the layout, size and location of such basic things as recreational facilities.

In response to questions raised by the City Planning Commission and council members the city officials have said that they can consider reducing the size of the building and can review the facilities to be included. But there is still no real proposal because nothing real can be done until ULURP is finished and then they will get serious.

This has been the city's position in every meeting with the community since the proposals were announced on August 15, 2018. Despite what the city officials say, there was never any community input prior to that date. We in Kew Gardens had five meetings with city representatives from November to March. They never considered our objections to the proposed site and size of the jail. Instead we were shown drawings of what the jail might look like. Over the course of five months we raised substantial objections to the design. Finally, in a fit of exasperation we were told by one mayoral representative that it didn't matter because the drawings were only concepts and the final design would not be determined until after ULURP.

Nothing has changed since then. As you heard, the city still maintains that it will all be settled after ULURP during the design-build procedure. You have heard the same lame excuses we have:

On size - we can look at reducing the size depending on the number of potential inmates. To be determined after ULURP.

On the facilities – haven't been designed yet.

On environmental impacts - the DEIS for all four sites is riddled with assumptions and hopes and in the case of Queens seem to assume the cooperation of non-city agencies like the MTA. The MTA has not commented, and such assumption is based on nothing.

On a host of other issues – my personal favorite among meaningless responses “We'll get back to you on that” but they never do.

From August 15, 2018 to the present the mayor and his people have testified before City Planning, Community Boards, Borough Presidents and a subcommittee of the City Council and the plans for these buildings are still vague not to say non-existent. The city says it is considering a lot of changes but the only thing you will be asked to vote on is the certification offered in March 2019 –a maximum envelope with respect to square footage and height which could accommodate, for example, two 40-story buildings, a 29 story and a 26 story building all built to the maximum, all out

of scale to the surrounding neighborhoods and all overbearing. If built to the maximum they will be the kind of urban brutal architecture not seen since the 1930s.

The city says it can change the plans but since what is certified is the maximum and the mayor and the city have never changed the plans, that calls for a faith in the mayor's good intentions that is not justified by anything that has transpired so far.

In addition to the vagueness of the design and the unseemly speed with which the city is ramming this proposal through there is one other overriding issue that is the most important one. The only thing vaguer than the design of the buildings is the financing for this project. We have never been able to get any cost estimates that seem real. Instead, what we get are figures that could have been drawn from a hat.

The mayor has proposed 8.7 billion dollars in the upcoming budget. Initially that figure was thrown around as the cost of the entire project. No one I know believes that and even the mayor didn't. That figure is now put forth as the cost just to close Rikers Island, nothing more. So if it will cost 8.7 billion dollars to close Rikers (again there are no details as to what that involves) what will it cost to build the four mega-jails? There is another figure of 11 billion dollars that has been out there since the Lippman Report first came out. This amount must pay for, initially, the demolition of three existing houses of detention which are located in densely populated, crowded areas. The demolition therefore will be slow and expensive and will involve a floor by floor procedure. The city will not be able to do it cheaply and quickly by imploding the buildings the way old Las Vegas casinos are demolished. Then this sum must pay for the construction of four huge buildings, three of which are in the same crowded, dense areas as the building that is to be demolished.

Even if 11 billion dollars is enough to do all that, and no one has said that it will be, where are these funds coming from? It is unlikely that any federal or state money will be forthcoming so the city must finance it. How? It can't be done out of normal income on a pay-as-you-go basis so it will involve debt. That means that the 11 billion dollars, assuming it is accurate, will cost a lot more when interest, carrying costs and underwriting fees are included. It could be as much as 20 billion dollars. Add that to 8.7 billion dollars and the mayor is proposing to spend almost 30 billion dollars on bricks and mortar. Where will the money come from for the programs for inmates that everyone thinks are worthwhile? How can the city fund mental

health improvement, job training and education for inmates as well as fund other pressing city needs like transportation, education and housing when almost 30 billion dollars is squandered on the kind of pharaonic projects that went out with Robert Moses. It would be much better to use the money for programs. Please note that in a story reported on August 13, 2019 the Board of Supervisors of Los Angeles decided not to spend almost 1.7 billion dollars on a new jail facility but instead will spend that money on mental health programs and other programs to discourage recidivism and bring inmates back onto society. This is a much better use for New York's 8.7 or 11 billion dollars.

Please do not fall into an unthinking lockstep that says if the member from the district is for it then it must be OK. It's not. In all these cases the members are not representing their districts. I don't know what or who they are representing, but it is not their constituents. These misbegotten, badly planned projects are too serious for you to vote based on collegiality. You must consider many other factors, among them, the long-term financial health of New York City. No one wants a return to the 1970s and the days of MAC. If you vote YES, these overbearing buildings (soon to become high-rise slums if the city's history of not maintaining NYCHA housing or even the existing Riker's island structures is any precedent) will be your legacy long after you are gone. 30 billion wasted dollars will be your legacy. The burden of increased taxation and curtailed services necessary to pay for these ill-planned and unnecessary structures will be your legacy. Nothing else will be remembered.

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