

B O A R D O F E S T I M A T E
C I T Y O F N E W Y O R K

TRANSCRIPT OF THE STENOGRAPHIC RECORD (EXCERPT) OF THE
DISCUSSION ON CALENDAR NUMBER 2, HELD AT THE MEETING
OF THE BOARD OF ESTIMATE ON DECEMBER 2, 1982.

THEODORE H. MEEKINS

SECRETARY

THE CLERK: Calendar Number 2.

THE ASSISTANT TO THE MAYOR: Now, I would like to make a motion to close the hearing.

THE CLERK: On closing the hearing, Mayor?

THE ASSISTANT TO THE MAYOR: Aye.

THE CLERK: Comptroller?

THE ACTING COMPTROLLER: Aye.

THE CLERK: President of the Council?

THE ACTING PRESIDENT OF THE COUNCIL: Aye.

THE CLERK: Manhattan?

THE ACTING PRESIDENT, BOROUGH OF MANHATTAN: Aye.

THE CLERK: Brooklyn?

THE ACTING PRESIDENT, BOROUGH OF BROOKLYN: Aye.

THE CLERK: Bronx?

THE ACTING PRESIDENT, BOROUGH OF THE BRONX: Aye.

THE CLERK: Queens?

THE ACTING PRESIDENT, BOROUGH OF QUEENS: Aye.

THE CLERK: Staten Island?

THE ACTING PRESIDENT, BOROUGH OF STATEN ISLAND: Aye.

THE CLERK: Hearing closed.

THE ASSISTANT TO THE MAYOR: At this time, I would like to make a motion to amend the proposal that is before the Board today, to remove the juvenile facility from the ULURP application that's before us.

THE CLERK: On the Motion, Mayor?

THE ASSISTANT TO THE MAYOR: During the public hearing process regarding the proposed adult and juvenile detention facilities at White Street, we have heard strong opposition to building the juvenile center on the same site as the adult facility. I have given careful consideration to the concerns that have been expressed, but I still believe that the proposal deals with those concerns.

Over the past four years, the City has worked toward the goal of replacing the Spofford Juvenile Center, with humane, decentralized facilities for juveniles. The plan being considered by the Board of Estimate represents the first step in meeting that goal. It offers the opportunity to construct a state-of-the-art facility, with small living units considered important in providing a more normal environment for youths in custody. The location, much closer to Manhattan, Brooklyn and Staten Island courts, and to the families of more of the youths in custody, is decidedly better than the location of a single center in the Bronx.

However, the local community and juvenile justice organizations, for philosophical reasons, have opposed this facility. They feel that locating the juvenile and adult facilities on the same site will be detrimental to the youths being detained there. Despite the fact that the juvenile facility will be entirely in compliance with the spirit and the letter of regulations regarding sight and sound separation, they feel such separation will not be possible.

In addition, as we learned during the public hearing today and in earlier meetings with juvenile welfare and citizens' organizations, Spofford may be a better institution today than it was

in 1978 when I and others supported efforts to replace it. In fact, I have heard from people who believe that Spofford is better than the new facility will be.

I have decided to accommodate the varying points of view to this Board on this aspect. Wherever possible, it is better to have consensus. The City will step back and reassess its direction in providing secure housing to detained juveniles. It may well be possible to renovate Spofford to meet the City stated objective of providing a safe, humane and secure detention environment for juveniles who must be held in the custody of the City.

I vote aye on the amendment.

THE CLERK: Comptroller?

THE ACTING COMPTROLLER: Aye.

THE CLERK: President of the Council?

THE ACTING PRESIDENT OF THE COUNCIL: Aye.

THE CLERK: Manhattan?

THE ACTING PRESIDENT, BOROUGH OF MANHATTAN: I am sure as many of you know, it has been the consistent position of the Manhattan Borough President to oppose the proposed White Street detention facility, primarily for the proposed site.

Secondarily, however, the Manhattan Borough President did oppose the project for the proposed co-mingling of juveniles and adults. With the Mayor's amendment, this has ameliorated that problem, and we would then vote aye on the amendment.

We will continue to consistently oppose the detention center for White Street. We vote aye.

THE CLERK: Brooklyn?

THE ACTING PRESIDENT, BOROUGH OF BROOKLYN: Aye.

THE CLERK: Bronx?

THE ACTING PRESIDENT, BOROUGH OF THE BRONX: Aye.

THE CLERK: Queens?

THE ACTING PRESIDENT, BOROUGH OF QUEENS: Aye.

THE CLERK: Staten Island?

THE ACTING PRESIDENT, BOROUGH OF STATEN ISLAND: Aye.

THE CLERK: Motion carried.

THE ASSISTANT TO THE MAYOR: The proposal before us is therefore, amended to exclude the juvenile facility, and the motion that is now now before the Board, is to approve the adult facility on White Street. On that motion, please call the roll.

THE CLERK: On that motion, Mayor?

THE ASSISTANT TO THE MAYOR: To accommodate an inmate population that has increased over 25% in less than two years, and in response to judicial mandates for improvements in the City's correctional system, the City must construct additional detention space. Whenever the City undertakes a project such as building a jail, which is in the public interest, the complicated question of siting the new facility must be addressed. The proposal before us today, the construction of a new detention facility in Lower Manhattan to house 500 adult detainees has brought the countervailing issues involved in site selection and the municipal responsibility to build a jail into sharp focus.

I have carefully considered the community's concerns and suggestions regarding this proposal. However, I am convinced that the advantages of this site, in terms of the opportunity it affords

for increasing the efficiency of the criminal justice system, more rapid disposition of cases, and for realizing the operational savings from sharing services with the renovated Tombs, will result in benefits to the entire City, and cannot be ignored.

R.B.

The City has a critical need to build a new jail to replace the House of Detention for Men on Rikers Island. In response to a class action suit challenging conditions of confinement on behalf of all detainees who were or would be housed in HDM, the City agreed in federal district court to close that institution by 1985. The conditions violative of detainee rights included the inaccessibility of the Island as it related to access to counsel, transportation to court, and visiting, as well as the physical layout of the institution, including its overall size and the size and configuration of the cell-blocks, making it unsuitable for housing pre-trial detainees. The facility lacks adequate light, air and heat and suffers high noise levels, contributing to a pressured and tense environment.

Exacerbating the adverse conditions in HDM, the City's entire correctional system is severely overcrowded. The population today is 10,200--110% of capacity--representing an increase of over 25% in less than two years, and an increase of 45% since 1978. Through renovation and new construction, the City has added over 1,000 beds to existing institutions over the last four years. As a result, however, mandatory services, particularly transportation, have been overtaxed. New facilities are necessary.

Possibly of greatest importance, new jail construction to hold both detainees and those convicted is necessary to ensure the safety of the City's streets and to preserve the integrity of judicial

decision-making. Anyone seriously concerned about the problem of crime in our society must recognize the importance of providing adequate facilities which ensure a safe, secure, and humane environment for those in custody.

In attempting to site new correctional facilities, the Department of Correction developed a set of criteria intended to ensure minimal intrusion into the surrounding area and maximum cost effectiveness. Criteria included consideration of such site specific elements as: proximity to courts, public transportation and other correctional facilities, non-adjacency to residential uses, and minimal site preparation and demolition cost.

The White Street jail, before us today, meets all these criteria. It is accessible to the Tombs--presently under construction--and the Manhattan Criminal Courts building, across the street from the Supreme Court building and one block from the Family Court. It is in fact, in the criminal just corridor at the northern end of the civic center.

Siting jails for pre-trial detainees near courthouses is sensible because it promotes the efficiency of the criminal justice system, reduces tension in the institution, and is cost-effective. The entire system's efficiency is enhanced because attorney and probation officer access to detained clients is facilitated, thereby speeding court dispositions. Jails located in the boroughs promoted continued familial relationships, reducing the tension and frustration of incarceration--visitation rates at borough houses of detention are 50% higher than on Rikers Island--and expedite bail-making.

Borough facilities also make it easier to attract and retain vital voluntary services and civilian employees, both essential in reducing costs to the system. Costs involved in transporting detainees to court are significantly reduced. Currently, the Department of Correction must transport over 400 prisoners a day, or 2,000 a week, to Manhattan courthouses from Rikers Island. Construction of the White Street jail, along with the reconstruction of the Tombs, will reduce transportation costs by almost \$2 million a year.

Together, these two facilities will house 926 detainees, not enough to handle even 50% of the detainees with Manhattan cases--the rest will stay on Rikers Island--and only half the number of prisoners housed in the Tombs before it was closed in 1974. At its height, the Tombs held over 2,000 prisoners.

The White Street site affords the City savings offered by no other site in Lower Manhattan. It is adjacent to the Tombs as well as the Criminal Court, would provide additional operating savings of \$1.7 million as services would be consolidated or shared; these include food and medical services, the receiving room, commissary, laundry services, storehouse and perimeter patrol.

While I understand that some communities feel threatened by institutions such as a detention center, in fact these facilities bring large numbers of peace officers into the community. In addition, the building can be designed without bars and to blend into the community. A good example is the Metropolitan Correctional Center.

The proposed facility at White Street envisions a passageway connecting it to the Tombs and the courthouse so that inmates will

never be seen. Large, interior visitor waiting rooms will be planned so that there is minimal street activity. In order to further enhance the facility's acceptability, and to minimize any possible aesthetic intrusion, the City will build 25,000 square feet of commercial space on the ground floor. In fact, everything possible will be done to ease the burden which the communities located adjacent to the facility have expressed that they feel.

Approval of the White Street jail provides the best solution to outstanding problems in improving our correctional department. It will enable the City to construct a jail which is in compliance with all of the physical standards cited by the plaintiffs in pending litigation against the City. It remedies the issues of accessibility to court, attorneys and visitors, and it is cost-effective.

Given all these considerations, I vote approval of this site for the purpose of constructing a jail.

THE CLERK: Comptroller?

THE ACTING COMPTROLLER: The building of new correctional facilities is a priority for the City of the same magnitude as increasing the size of our police force. Both are integral components of an already too-thin line of defense against the fear of crime that grips our City.

Moreover, for a variety of legal, managerial and operational reasons, I believe that Lower Manhattan is an appropriate location for a new jail. I find the Department of Correction's arguments in favor of a new facility in this area cogent and convincing.

The arguments in favor of the specific White Street site, however are another matter. The jail we are asked to authorize there is in the wrong place. It is the wrong place, because there are preferable locations nearly across the street that offer the overwhelming majority of the benefits attributed to the White Street site without frustrating the private investment potential that is already going forward there.

One site that looks particularly promising, for example, is the City-owned property at 300 Broadway, now a parking lot for City vehicles. I find the Department of Corrections' arguments against this site specious and flawed. It minimizes, for instance, the revenue potential of White Street, a site already under private development, and attributes unrealistic benefits to 300 Broadway, an underutilized location without plausible plans.

The Department contends, that using 300 Broadway for a jail would mean foregoing the revenue that might be realized from its sale to a private developer or its use as a site for a new municipal office building. I know of no plans to sell this land, and I question its commercial value in what is now a difficult real estate market. And surely, none of us can seriously believe that this body, or any other government entity, would even consider building a second municipal building while we cannot adequately maintain bridges and highways and our transit system, all of which are far more important to our well-being.

Another possibility is the municipally owned building at 125 Worth Street, virtually a stone's throw from both the Criminal and Supreme Court Buildings. The Department, in my judgment, exaggerates the relocation, cost and delay problems which it cites in objection to

the conversion of this facility. And the Department itself concedes the building's suitability, as a jail.

The argument concerning the facility should not be between White Street and Rikers Island, or between White Street and no new jail. I do not question either the unsuitability of Rikers, or the need for a new facility. Indeed, the immediacy of the problem is great, and the pressures of the Federal courts are increasing. The argument should be between White Street and 300 Broadway or another site in Lower Manhattan.

I believe that the Department of Correction, in its understandable enthusiasm for the White Street site, has overestimated the delay in switching to another site in the area. I feel certain that the Department can be back before us in a few months with a suitable plan, and I look forward to approving that plan.

On White Street, I vote no.

THE CLERK: President of the Council?

THE ACTING PRESIDENT OF THE COUNCIL: Today, we address an issue of vital concern to our City--the need to enhance our capacity to house prisoners awaiting trial in a secure facility, which meets legal standards.

The siting of municipal facilities is often difficult. The community raised legitimate and responsible concerns in its opposition to this plan. And, I would urge that as future sitings of other City projects come up, community concerns be addressed as early as possible.

The proposal we are voting on today has been substantially modified to accommodate my major reservation with the initial White

Street proposal. Co-locating juveniles with adults was inappropriate and costly. It has long been recognized that young people should be housed in smaller facilities, more accessible to their families. We must bear this in mind as we develop alternate plans for juvenile detention.

After long negotiation, I have also received assurances from the Administration that some community concerns can be addressed. The new facility will be designed to reduce the movement of detainees on public streets by using underground passageways. Its facade will correspond with the neighborhood through the construction of commercial space on the street level.

In addition, the Administration has vowed to maintain the safety of residents, workers and visitors by enhancing police presence in the area. I will press to make sure that these pledges are honored.

In the end, the most feasible alternative to White Street presented was to upgrade Rikers Island. But, while no legal mandate exists requiring that a new facility be built in Manhattan, it is apparent that accessibility to counsel and the defendant's family would be very difficult if Rikers Island were chosen. A recent Department of Corrections' study revealed that Rikers' defendants see their attorneys 80% less frequently than those housed near the courts. And a half hour court appearance would still require hours of travel time. Court backlog seriously undermines swift and certain justice. Delays caused by cumbersome transportation or by infrequent contact with counsel, prosecutors and police, must be reduced.

If we are to meet the City's long-term need for jail space in conformance with legal requirements, we must begin today. No proposal is perfect, but if the Administration honors its commitment to the design and service of this facility as agreed, it will be the best available option and merits supports, and we vote aye.

THE CLERK: Manhattan?

THE ACTING PRESIDENT, BOROUGH OF MANHATTAN: I would first like to thank each and everyone of you for your time and your energy and your concern. It's only with efforts like yours that enables our office to reach the answers to these very difficult questions.

This issue has been a tough one for members of the Board. From the outset, the Manhattan Borough President has shared the concern and anger of the Chinatown, Little Italy and Tribeca communities.

This proposed center would be located directly across the street from storefronts and from residences, blocks away from a thriving manufacturing center and the busy cultural centers of Chinatown and Little Italy.

On the other side of the detention center faces the resurging neighborhoods of Tribeca and Soho. The tombs and the federal correctional facility are already located in Lower Manhattan. This center would add an additional 500 detainees to this overburdened area. This project is simply in the wrong place.

We need to build an additional detention facility, but not at the expense of dynamic and vital neighborhoods like Chinatown, Little Italy and Tribeca. We vote no.

THE CLERK: Brooklyn?

THE ACTING PRESIDENT, BOROUGH OF BROOKLYN: Aye.

THE CLERK: Bronx?

THE ACTING PRESIDENT, BOROUGH OF THE BRONX: Yes.

THE CLERK: Queens?

THE ACTING PRESIDENT, BOROUGH OF QUEENS: In my opinion, the City would be advised to consider seriously the Broadway site. Since it is City-owned, close to the courts and would require no condemnation, and therefore, enjoy a quicker construction schedule.

The proposal to house adults and children in the same building, is filled with dangers, both legal and programatic, and we are happy about the amendment.

To those who recommend Rikers Island as a reasonable alternative, I must say that you cannot be familiar with the current problems on Rikers Island, or the existing strain on the Astoria-Queens community. In balancing the disadvantages of the plan under review with the Broadway alternative, I believe the inconvenience of this modification is well worth the benefits to the City and to the Chinese community.

On the White Street proposal, the Borough President of Queens votes no.

THE CLERK: Staten Island?

THE ACTING PRESIDENT, BOROUGH OF STATEN ISLAND: Yes.

THE CLERK: Adopted 7 to 4, the Acting Comptroller, the Acting President of the Council and the Acting President, Borough of Queens voting in the negative.

MR. JOHN F. KEENAN: I am John F. Keenan, of the Criminal Justice Coordinating Council of the City of New York. Members of the Board, and those representing the members, I appreciate this opportunity to appear before you this evening.

Our Office has considered the overall need for an additional detention facility space in New York City, and the impact of the proposed White Street facility in lower Manhattan in particular. We wholeheartedly support the construction of the planned adult and juvenile White Street facility.

Addressing myself first, if I may, to the issue of the new 156-bed proposed juvenile facility. The City Council Public Safety Committee, and the Mayor's Task Force, has each independently recommended that the Spofford Juvenile Detention Center be closed because of its many inadequacies. A visit to Spofford will confirm those recommendations for you, as it recently did for me when I spent a morning in Spofford.

Spofford is inaccessible, and it's too big. The poor design of the deteriorating conditions there, are infamous. They can't be ignored, and particularly, they can't be ignored in the face of a reasonable alternative.

The proposed White Street facility, will provide solutions to many of the problems that exist at Spofford. The smaller size of the new facility's population can allow

for increased services and will reduce administrative and security problems.

The new youth facility will be better designed. Lessons from the unfortunate Spofford experience will be incorporated in the White Street arrangement of the interior and development of smaller housing units inside.

A negative effect of it also, is the inability of staff, and inability of attracting staff to stay, because of the poor location of Spofford.

The new facility location in Manhattan is important. Spofford is inaccessible to the parents, to the lawyers, and the detainees are inaccessible and have to be brought to the major courts in lower Manhattan and Brooklyn. The fact that the new juvenile facility will be located in an accessible central location will impact favorably on the youths and their families. The parents who live long distances from the South Bronx facility, are often unable to visit children in the facility.

In addition, and this is important, this is important for those in the community, this is important to the members of the City Council. Each year, many youths who present no serious risk to the community, are held in Spofford only because no parent is available at the time of the arrest to accept custody of the child. Those children are released as soon as

the parents appear at Spofford. Many times, and frequently, the children here are held because working parents are unable to get to Spofford to have them released.

The 500-bed lower Manhattan Detention Facility for adults, which will occupy the same site for the juveniles, is a replacement for the Rikers Island House of Detention. Although the proposal is that the two facilities will be housed in the same structure, they will and can be made architecturally in a real sense separate. Many buildings in New York City have common walls. They are separate buildings.

The Federal guidelines call for a total sight and sound separation of adult and juvenile detainees. They will be strictly and carefully adhered to. And to those who object, and not one speaker thus far this evening in this hearing, and I have heard every speaker, to those who object to the fact that the two facilities are planned to be in the same building, although completely separate and discontinuing, I ask them, have they ever gone to the new Criminal Court Building in the Bronx? Because the Bronx Criminal Court Building, the new building on East 161st Street, has the Criminal Court in one part of the building, and the Family Court in another part of the building. There are no complaints about that, and there is no co-mingling there. The entrances

are separate. One is on Sheraton Avenue on the West, and the other is on 161st Street on the South, and those areas are separate.

Addressing myself to the question of the adult jail facility. The adult jail facility population is at a crisis state. You're going to hear probably more about that from your fine Commissioner of Corrections, Ben Ward. We presently have over 10,200 inmates in the New York City Correctional system.

Now, a new 500 person adult facility will do a lot to help that situation. First of all, the new facility would be next to the court house. It's nice to hear about pies in the sky and court houses in Manhattan north, but if you're going to talk about cost, you got to consider how long that's going to take. It will be the year 2010, and this still will be debated.

The long trip back and forth to court facilities from Rikers Island will be obviated. Clients will be able to be interviewed by their attorneys. Lawyers do not make the trip to Rikers Island. Adult inmates will be walked across at 100 Centre Street via an enclosed passage through the Tombs.

The housing units in the new adult facility will be divided into smaller decentralized units avoiding large concentrations of prisoners and minimizes the possibility of disturbances.

Now, before recommending the White Street site, the Department of Correction and the Department of Juvenile Justice examined 12 other sites in lower Manhattan. Zoning regulations allowed this proposed site to be used as a detention facility, and it is adjacent to an already existing facility, the Tombs

And to those who object to the environmental situations, I would invite the Members of the Board to walk along Baxter Street any morning, and any evening now, and see how the traffic is congested by the Department of Correction buses, that daily transport prisoners from Rikers Island, by the Police Department vans, that daily transport prisoners from all over lower Manhattan to the Court at 100 Centre Street thereby blocking traffic every day for 10 to 12 hours a day.

To those who say that the cost of the new correctional building at this site is prohibitive, I would reply, that there is desperate need for a site and additional facility somewhere in lower Manhattan.

Contiguous location of the two adult jails will enable the Department of Correction to consolidate institutional services at estimated savings of \$1.3 million a year in that area. There will also be a savings of \$1.9 million annually in transportation cost if this facility is built.

I urge you members of the Board, and those representing members of the Board, that Government is the art of the possible, the attainable. The White Street plan is possible. It is realistic.

In the current and political and social climate, dispersal of juvenile or adult inmates throughout Manhattan is not.

The White Street facility will provide the City with additional jail space at the time of a crisis. Thank you.

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