

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 STATEMENT MADE BY COMMISSIONER BENJAMIN
WARD, COMMISSIONER, DEPARTMENT OF CORRECTIONS, RELATIVE TO
CALENDAR NUMBER 3, HELD AT THE MEETING OF THE BOARD OF
ESTIMATE ON NOVEMBER 18, 1982.

THEODORE H. MEEKINS
SECRETARY

COMMISSIONER BENJAMIN WARD: Madam Mayor, Members of the Board of Estimate; I would like to address today the Correction Department's need to replace outdated space on Rikers Island, the need to build that space in Manhattan and the advantages to the city and the criminal justice system that will accrue from the White Street location now proposed.

First, our need to replace outdated space. Detainees who comprise 3/4 of the correction inmate population are entitled to certain minimum standard conditions of confinement as defined by Federal Court orders binding on the City of New York.

Currently 1200 detainees are housed at the Rikers Island House of Detention For Men, called "H D M ", an institution built in 1933 to house sentenced inmates. The City is the defendant in a class action suit alleging unconstitutional conditions of confinement for detainees at H.D.M. and has conceded to the Federal Court that at the time of trial, 1976, the jail's inaccessibility and its physical layout did, in fact, violate the constitutional rights of detainees.

In late 1980, the City submitted a plan to the Federal Court promising to discontinue the use of H.D.M. as detainee housing by 1985. Construction of replacement beds at White Street is a keystone of that plan for the following reasons;

Another motion is now pending in Federal Court asking that the Court bar the City from housing any detainee on Rikers Island because of problems of accessibility to the Courts, to lawyers and to inmates' families.

There are today over 2,000 inmates on Rikers Island with

cases pending in Manhattan Courts. The Tombs will house only 380 of them when it reopens next year. It is imperative that the bulk of replacement beds for H.D.M. be off Rikers Island and close to the Courts.

Any effort to build the bulk of replacement spaces on Rikers Island would meet a significant Court challenge. Some have suggested that the high cost of building in Manhattan should force reconsideration of renovating the House of Detention For Men instead.

A study done for us in April this year places the cost of such renovation at \$51.4 million. On the face of it, this seems more attractive than the \$71 million project proposed in Manhattan. But there are several problems with it.

One, at the conclusion of construction, the space will still be located on Rikers Island, far from the Courts. While it will remedy the physical layout issue under litigation, it will offer no remedy to the question of accessibility.

Two, the City will be compelled to continue the bulk of its transportation system to Manhattan. We estimate the annual cost of this system with the Tombs open to be \$1.9 million in today's dollars.

Three, the City will forego approximately \$1.7 million per year in savings from shared services with the Tombs which can be effected at the White Street site.

Four, and most importantly, the renovation cannot be done without relocating 600 inmates now housed in the House of Detention For Men. The Tombs may provide 380 beds, but there is absolutely no space anywhere in our system to provide for the

remaining inmates. Our projections show no relief in sight for our present population which is already 110% of capacity. I submit it would be foolhardy to prepare or accept a plan that requires taking off line 10% of our entire detainee beds while we are in a crisis situation with respect to housing these inmates.

This is especially true in light of the fact that the annual operating savings in Manhattan would provide relief to our burdened expense budget beginning three years from now while the House of Detention For Men renovation would compel us to continue to spend this money on transportation and duplicated services.

Why must the facility be at White Street? There are three major reasons. First, White Street is the only available location where a bridge into the Criminal Court Building can be built, allowing us to transport 87% of all Manhattan inmates to Court virtually without leaving the building.

This, in turn, means a savings to the City of at least \$1.9 million each year, money that is now being spent on buses from Rikers Island.

Second, a facility at White Street will enable us to share some services with the adjacent Tombs, reducing the cost of uniformed and civilian staff and generating annual savings to the City of another \$1.7 million.

With the two centers adjacent to each other and connected physically by a bridge, we can build one kitchen instead of two, operate one receiving room, staff only one storehouse, and utilize a shared perimeter patrol. This cannot be done at any

other Manhattan site.

Finally, we believe that White Street is actually less expensive over time than alternate Manhattan sites. In calculating the total cost to the city it is necessary to look at many factors and their cumulative effect. These include the initial cost of acquiring the land, the opportunity cost in terms of foregone real estate taxes and other potential revenue and the debt service required to carry the cost of acquisition and construction. Benefits can also be quantified and in this case would include transportation savings and potential for reduced operating expenses.

Weighing all these factors, a detailed cost/benefit analysis reveals that White Street is significantly less costly to the city than, for example, the 300 Broadway site that has been mentioned in recent weeks and because of the savings that can be generated is actually not significantly more costly than building this space on Rikers Island.

Further, because of the need to repeat the public approval process for another site if this one is not chosen, the cost of up to a year's delay would be built into the cost of any other Manhattan site.

Let me conclude by saying two things; first, the city does not have the option to do nothing in this case. A jail will be built at this or another location because the Federal Court will see to it.

If we do not move forward with our plans, we will find ourselves carrying out the Federal Court's plans and we are better off in terms of cost and impact in controlling these

decisions ourselves.

Second, we are not insensitive to the community's perceptions and fears. New facilities elsewhere have proven that state of the art design and good planning can successfully mitigate the negative perception of a detention facility. We are pledged to pursue this course in designing this center and I urge your support for this project.

Thank you for allowing me this opportunity to address you on this very important matter.