

Re: **Borough-Based Jails Neighborhood Action Committee
(NAC) Brooklyn – Third Meeting**

Date: December 21, 2018, 3:00 pm

Location: Brooklyn Law School, 11th Floor Brooklyn, NY

Prepared by: Noah Levine, Joshua Eisenstat, and Arnold Bloch

Attendees:

<u>Name</u>	<u>Affiliation</u>	
Elizabeth Adams	Councilman Levin's Office	Perkins Eastman Architects DPC
Sandy Balboza	Atlantic Avenue Betterment Association	
Richard Bearak	Brooklyn Borough President's Office	
Glomani Bravo-Lopez	Councilman Levin's Office	PERKINSEASTMAN.COM
Peter Bray	Brooklyn Heights Association	
Amy Breedlove	Cobble Hill Association	
Belinda Cape	Downtown Brooklyn Partnership	Boston
Brian Crow	New York City Council Legislative Division	Charlotte
Mark Gelbs	84 th Precinct Council	Chicago
Brandon Holmes	JLUSA	Dallas
Brian Kavanagh	State Senator	Dubai
Sharad Kohli	265 State Street	Guayaquil
Howard Kollins	Boerum Hill Association	Los Angeles
Steven Levin	Councilman	Mumbai
Claudia Massa	Downtown Brooklyn Concerned Neighbors	New York
Tiffany McKelvy	G.M.A.C.C. Inc.	Pittsburgh
Tyler Nims	Lippman Commission	San Francisco
Sara Nordman	Atlantic Avenue BID	Shanghai
Caroline Peri	Downtown Brooklyn Partnership	Stamford
Robert Perris	Community Board #2	Toronto
Justin Pollock	87 Smith Street	Washington DC
Alexis Sfikas	Assemblywoman Simon's Office	
Jocelyn Simonson	Brooklyn Law School	
Steven Smith	Downtown Brooklyn Neighborhood Alliance	
Hizam Wahib	Arab-American Family Support Center	
Dan Wiley	Congresswoman Nydia Velazquez's Office	
Danielle Zuchnerman	State Senator Kavanagh's Office	
Daniel Abramson	CAU	

Arnie Bloch	FHI
Joshua Eisenstadt	PE
Chatodd Floyd	MOCJ
Dana Kaplan	MOCJ
Noah Levine	PE
Jane Marshall	HR&A
Mathew Snethen	PE
Joseph Thomas	CAU
Nicole Torres	MOCJ

ACTION ITEMS:

- Next meeting in mid-late January.
- Some NAC members were open to the idea of taking a tour of Rikers, suggesting that the City coordinate transportation.
- The City committed to providing an update and next steps in early 2019 as to any City decisions regarding what the City is advancing with regard to the possible scenarios that could decrease the height and density of the Brooklyn site.
- NAC requested the underlying data and assumptions that support the City's projected reductions in jail population associated with Speedy Trial/Discovery Reform.
- NAC requested data on reductions in case processing.
- An NAC member requested a break-out of specific components of each legislative reform, including projected reductions and which require legislative action.
- NAC member stated that there is concern that City is planning to build new large jails that will house, by and large, non-violent felony offenders. This member asked for a breakdown of projected number of detained population in the new jail system, including non-violent felony offenders and others.

INTRODUCTION:

- Introductions from Dan Abramson (CAU).
- Dana Kaplan (MOCJ) provided several updates:
 - Update on additional height variables . These were scenarios that were requested by the NAC at the previous meeting. The City will prepare an update and next steps in early 2019 on status of City decisions regarding what the City is advancing with regard to the

possible scenarios that could decrease the height and density of the Brooklyn site.

- NAC member requested City to reissue height variables with background assumptions. The City agreed to do so.
 - City continuing to look into question regarding centralization of women’s facilities.
 - City is not considering a facility on Staten Island. In response to a question, Dana said the City has not done a cost analysis for a Staten Island facility, but has determined a new borough-based facility built for only a couple of hundred individuals on Staten Island would not be cost effective.
- Explanation of sentenced population variable. At a citywide jail population of 5,000, the sentenced population estimated at 400 beds system-wide, which is about 100 beds per facility. Removing 100 beds from the Brooklyn facility is a small-moderate impact.
 - NAC member commented that these small changes have potential to make a big difference cumulatively.
- NAC member asked if building bulk has been reduced from original plan. Mathew Snethen (PE) said that the overall bulk has been reduced to 1.25 million GSF. He also noted that there is the potential for more reduction as project gets more refined.
- NAC member asked if projected population be reduced below 5,000. Dana responded that 5,000 beds is an ambitious, but possible goal that would allow the City to close the jails at Rikers Island and move to borough-based jail system.
- NAC members discussed racial disparity in criminal justice system, noting that the Lippmann Commission reported that 90% of those detained are people of color. They felt that their needed to be a change at every system point in the criminal justice system. Dana noted that the administration acknowledges these historical and unacceptable levels of racial disparity and that the Mayor has a team in Albany trying to progress criminal justice legislative reform.

DISCUSSION OF BAIL REFORM AND OTHER POTENTIAL POLICY CHANGES (SEE PRESENTATION FOR COMPLETE LIST OF LEGISLATIVE REFORMS COVERED AT THIS MEETING):

- Chatodd Floyd (MOCJ) talked about the following:

- City supports Bail Reform and Diversion, including ending money bail. Projected to have an average daily population (ADP) reduction of about 1,500 beds.
- City supports Speedy Trial/Discovery reform. Reducing unnecessary case delay by engaging the courts, district attorneys, defenders and mayoral agencies has projected impact of reducing the APD by about 800 beds.
- City supports Parole Reform, including ending mandatory arrest of State technical parole violators. Projects that the ADP could be reduced by about 850 beds.
- NAC member asked if the City has statistics on Discovery and case delays?
 - City responded there is less data available on how Discovery practices impact length of stay. However the City has information on length-of-stay and reductions in case processing, which it can share with the NAC.
- NAC member asked if the City was looking for incremental or large reductions in the jail population from State legislative changes?
 - City responded that certain legislative mandates could speed up criminal justice reform and get us to 5,000 faster than through City efforts alone.
- NAC member said that Lippman Commission's recent report projects that legislative reform can reduce population by 2,000, vs. 1,500 projected by City.
 - City responded that the City does not believe our numbers are in conflict with what the Lippman Commission recently issued. We differ on what reforms will produce what impact. Our numbers start at a population of 8,300, so a 3,300 reduction gets us to 5,000. The Lippman Commission says 3,000 or more. When Albany passes a bail reform bill, we can readjust models to reflect chosen policy.
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FURTHER DISCUSSION OF JAIL POPULATION:

- The City noted that jails would continue to house a variety of those arrested for various crimes.
- NAC member asked how many of sentenced population in City jails are violent offenders? The City responded that typically

those sentenced because of violent crimes are sent to upstate prisons.

- NAC member stated that there is concern that City is planning to build new large jails that will house, by and large, non-violent felony offenders. This member asked for a breakdown of projected number of detained population in the new jail system, including non-violent felony offenders and others.
- NAC member asked how crime trends are being factored into the 10 year timeline to Close the jails on Rikers. The City responded that absent all interventions and holding court practices at arraignment steady, for every 10% decline in felony arrests we would anticipate a corresponding drop of 600 beds. But the more diversion options have increased (and continue to expand) through continued Supervised Release, bail reform, and diverting as many people as safely possible, the less effect overall crime decreases have on the projections/population. These projections are based on annual admissions and lengths of stay. Because populations can be impacted by multiple initiatives, saving more beds through one initiative may mean saving less through another.
- NAC member asked how it is determined whether those arrested are entered into the State or Federal justice system. The City replied that it would be a decision by the District Attorney.
- NAC member noted that the Federal prison system doesn't want to give up any property at the Navy Yard for a potential second Brooklyn jail site.

DISCUSSION OF OTHER COMMUNITY ISSUES AND OPPORTUNITIES FOR INVESTMENT:

- NAC member asked if potential investments would supplement or be part of jail. The City responded that it would look at community investments that can be done at the jail facility itself and other improvements/investments can be made outside of the facility in the neighborhood. The City noted that it is serious about both 1) identifying community needs and 2) prioritizing relevant investments.
- **Discussion about ground floor community space in the jail:**

- NAC members were concerned about existing neighborhood retail vacancies, such that little support was offered for ground floor retail space. A community/non-profit facility would be preferred.
- NAC member suggested some use that would be complimentary with surrounding activity on Atlantic Venue. Examples include incubator space, library, art center, performance space, etc.
- NAC member noted that the site is two blocks from BAM cultural corridor. It was suggested that the City should conduct a cultural assessment in the area to see if there is a need for low-cost space by artists, non-profits, etc.
- NAC member noted that consideration should be given to manufacturing linked with the jail facility (such as a solar panel factory), staffed by detainees and which would offer job training.
- NAC member suggested affordable office space, while acknowledging that this may not be the best use for ground floor.
- NAC member was opposed to a mall-like interior retail space.
- NAC member noted that whatever use is decided upon, the City should consider paying for fit-out of space to help with capital costs of tenant.
- **Discussion about traffic, circulation, and parking:**
 - NAC members suggested the need for congestion pricing and residential parking permits.
 - More specifically, NAC members discussed the following:
 - Schermerhorn Street on-street parking by Police is unsafe.
 - Street lighting is inadequate in downtown Brooklyn, specifically along Schermerhorn Street.
 - Need to begin enforcement of parking placards immediately.
 - Concerned about truck loading:
 - Can all jail related truck deliveries be done underground?
 - Truck loading at Trader Joes has caused a traffic bottleneck. Suggested that the City consider solutions.

- Jail staff driving should be discouraged and mass transit encouraged.
 - Suggest vehicle entrance to jail on Smith Street with exit on Boerum Place.
 - More Traffic Enforcement Agents in the neighborhood.
- **Discussion about streetscape, open space, and community facilities:**
 - NAC members suggested the following:
 - Downtown Brooklyn Partnership currently looking at street furniture in the area.
 - Consider school needs and hospital needs in community.
 - Need a children's park.
 - More landmarking in downtown Brooklyn and Boerum Hill.
 - Improve Atlantic Avenue entry into Brooklyn Bridge Park.
 - Do not build the BQX street car line in the area; it will cause more congestion.

PRESENTATION FROM NAC MEMBER JUSTIN POLLACK:

- Called for a jail facility on Staten Island and "fifth" site.
- Concern about height of proposed Brooklyn facility.
- Height and density of facility are the main concerns, not its use as a jail.