

Re: **Borough-Based Jails Neighborhood Advisory Committee
(NAC) Manhattan – Second Meeting**

Date: January 30, 2019 6:30 pm

Location: 96 Baxter Street, 13th Floor, New York, NY

Prepared by: Kathryn Kramer and Ryan Walsh

Attendees:

Perkins Eastman
Architects DPC

Name	Affiliation	
Kenny Chan	Fujian American Council	
Ian Chan	Council Member Margaret Chin's Office	PERKINSEASTMAN.COM
Andrew Chang	Manhattan Borough President's Office	
Wellington Chen	Chinatown Partnership	Boston
Margaret Chin	Council Member	Charlotte
Isabel Ching	Hamilton-Madison House	Chicago
Tony Chuy	American Legion Chinatown Post	Dallas
Alex Chu	East Bank, N.A.	Dubai
Eric Dillenberger	Walker Street Neighborhood Association	Guayaquil
Venus Galarza-Mullins	State Senator Brian Kavanagh's Office	Los Angeles
Vidal Guzman	JustLeadership USA	Mumbai
Jacqueline Hsia	Congresswoman Nydia Velazquez's Office	New York
Fiona Jung	State Senator Brian Kavanagh's Office	Pittsburgh
Nancy Kong	Chatham Towers	San Francisco
Yin Kong	CREATE in Chinatown	Shanghai
Charles Lai	Chung Pak	Stamford
Hong Lee	Chinatown Manpower Project	Toronto
Jan Lee	Chinatown Core Block Association	Washington DC
Alysha Lewis-Coleman	Manhattan Community Board 3	
Gigi Li Office	Council Member Margaret Chin's Office	

Monica Martinez	State Assembly Member Yuh-Line Niou's Office
Jessica Mates	Manhattan Borough President's Office
Anthony Notaro Jr.	Manhattan Community Board 1
Iesha Sekou	Street Corner Resources
Susan Stetzer	Manhattan Community Board 3
Jennifer Sun	Asian Americans for Equality
Jacky Wong	Community Member
Alice Wong	Chinese-American Planning Council
Jeff Yuen	New York City Council Land Use Division

Gabrielle Dann-Allel	CAU
Eric Fang	PE
Dana Kaplan	MOCJ
Kathryn Kramer	PE
Jane Marshall	HR&A
Tahirah Moore	Mayor's Office of Intergovernmental Affairs ("IGA")
Hilary Semel	Mayor's Office of Environmental Coordination ("MOEC")
Lisa Tsang	Ricci Greene Associates
Ryan Walsh	FHI

ACTIONS ITEMS:

- Next NAC meeting tentatively scheduled for the week of February 11th. The City suggested the NAC discuss potential uses for the community facility space inside the proposed jail space at the next meeting. NAC members expressed agreement that the format could be breakout discussion groups.
- NAC requested a representative from the New York City Department of Design and Construction ("DDC") attend a future NAC meeting to discuss the Design Build process.

NAC REQUESTED THE FOLLOWING INFORMATION:

- NAC members requested details on the Design Build process, including which elements can change during design, construction timelines, and mitigation measures.
- NAC members requested information on DOC’s current emergency evacuation plans for the Manhattan Detention Center (“MDC”) and how those plans might change with a larger jail.
- NAC members requested general information about the percent of detainees who may have pending criminal court cases in multiple boroughs necessitating transport between facilities.
- With respect to zoning, NAC members requested clearer illustrations of the current buildings in comparison to the proposed facility. NAC members also asked for clarification on the exemptions or special permits that would be pursued.

NAC DISCUSSION:

Introduction and Responses to Information Requested by NAC

- Dana Kaplan (MOCJ) and Hilary Semel (MOEC) provided several updates and responses to information requested during the first NAC meeting.
- NAC members had requested the City provide examples of any changes to study area boundaries for projects in Manhattan due to public comment during CEQR Scoping review or CEQR DEIS review.
 - The City explained that it is difficult to conduct a comprehensive examination of all City environmental reviews because many different lead agencies have conducted environmental reviews. That said, the City did an initial scan and shared with the NAC that it could not identify any examples at this time.
 - The City further explained that this is likely because the study areas are developed in accordance with the CEQR technical manual and the study areas are particular to the method of analysis. For this reason, they are generally not adjusted as a response to public comments because the technical agencies develop the study areas to support the most rigorous analysis of potential impacts.

- Moreover, the City discussed how the CEQR technical manual provides guidance to develop conservative study areas for each of the technical analyses to ensure that impacts are accurately accounted for. In some cases, the City explained that making the study area larger would actually dilute the impacts and would not have the effect desired by the commenter. The City stated that all submitted comments are reviewed and responded to as part of the environmental review process. And, if applicable, these responses would include a justification for why a study area change was warranted or not.
- Finally, the City explained that within specific study areas for technical analyses, the City would expand analysis based on public comments. For example, within the Open Space analysis, there may be a property, such as a community garden, which is not officially a park but is used as such, and in those cases, the City would consider expanding the Open Space analysis to include the cited property as a park if flagged by public comment.
 - NAC members noted that Community Board comments for proposed projects generally always include stating the EIS study area is too small.
 - NAC members asked whether it is more effective to be specific about the size of a study area relative to a particular technical analysis and asked why a different study area would provide a more robust analysis. The City confirmed that an argument framed that way is more useful to the environmental reviewers.
- NAC members requested information on the zoning requirements of the existing site, including the current allowable FAR and height. Kathryn Kramer (PE) presented the regulations regarding the existing zoning designation of 124/125 White Street, which is C6-4.

Discussion of NAC Process

- NAC members asked how the Manhattan NAC’s Guidelines and Principles could address community concerns about the future design of the building, including height.

- The City responded that those comments are welcome and could be part of the Manhattan NAC's recommendations for how the borough-based jail would be integrated into the surrounding neighborhood.
- NAC members asked which components of the Master Plan must be adhered to once the Design Build contract is awarded.
 - The City responded that there will be some fundamental parameters in the future Design Build contract. The City explained that entrances and the general configuration of the building will all be part of the Master Plan. The City discussed what is currently being studied in the environmental analyses conducted for all four proposed sites are the proposed maximum envelopes for each site, which means all four facilities could be shorter or have fewer impacts.
- Council Member Chin suggested the Manhattan NAC's Guidelines and Principles be incorporated into the future Design Build contract to ensure these community-driven recommendations are followed.
- NAC members suggested that discussions at future NAC meetings differentiate the community concerns about the proposed Manhattan borough-based jail from potential neighborhood investments.

Discussion of Zoning at Proposed Site

- NAC members asked whether the existing senior housing building is on the same lot as the future lot of the proposed facility. The City responded that the existing senior housing building is not on the lot of the proposed jail.
- NAC members asked whether the City would be de-mapping White Street and, if so, would the area of White Street get factored into the proposed facility's FAR. The City responded that volumes above and below White Street would be de-mapped and its area will not be factored into the proposed facility's FAR.
- The City suggested that zoning details could be a topic for a breakout group discussion at a future NAC meeting.

Discussion of Proposed Facility: Entrances, Transportation, and Traffic

- NAC members asked whether loading activity would occur on Baxter Street. The City responded that the proposal pushes the loading of DOC buses, which transport people in detention who are housed in other boroughs for operational reasons, to the south side of White Street, closer to the Courthouse. The City's plan currently contemplates that these DOC buses would be traveling up Centre Street and into the sally port.
- NAC members asked where the entrance for visitors would be located. The City responded that the City's plan currently contemplates visitors entering the proposed facility on Centre Street.
- Understanding that the City's plan contemplates that some people in detention will need to be transported to the Manhattan facility from other boroughs, NAC members asked where the proposed entrance for DOC buses would be located. NAC member noted a concern about Baxter and Bayard Streets being narrow streets for DOC buses once they exit the sally port. The City responded that the plan currently contemplates using the sally port as the entrance for DOC buses, which would be located at the south end of the site. This is the same entrance area for DOC buses that currently exists at MDC. The City responded that the transportation study is looking at real traffic counts of what is happening now and a comparison of what will occur with the proposed facility. The City noted that the future transportation activity at the proposed facility will be different from what currently happens at MDC. That is, the City explained that detainees from Rikers Island currently arrive at MDC for court appointments at 4 AM and are then transported back to Rikers Island after their appearances, unless the court grants their release. The City discussed how the proposed facility's direct connection to the courthouse should reduce DOC's early morning transportation of detainees to the Manhattan facility since many of these detainees will be housed at the Manhattan facility.
- NAC members noted that the senior building is right next to the proposed staff garage entrance and that noise and safety issues are a concern.
- NAC members asked whether the City has any plan to close or de-map Baxter Street. The City responded that de-mapping or closure of Baxter Street is not under consideration.

- NAC members asked whether the transportation study will look at traffic on Baxter Street and the split between staff and support services. The City responded that the transportation study would look at trip generation of staff and support services on Baxter Street.

Discussion of the Design-Build Process

- NAC members expressed a lack of familiarity with the Design Build process and asked about the degree of changes that can happen to the design, up to and during construction. NAC members expressed concern that any input provided by the Manhattan NAC or the larger community could be dismissed at future stages of the project. The City responded that at a future NAC meeting, a representative from DDC could provide insight on the Design Build, generally.
- NAC members asked for information on how the City would demolish the existing MDC facility and build a new facility with the senior housing facility in such close proximity. NAC members asked for specific mitigation measures. The City responded that mitigation measures will be proposed in the DEIS and a representative of DDC will attend a future Manhattan NAC meeting.

Discussion of the Proposed Facility: Community Space

- NAC members asked what could be included in the 20,000 square feet of community space within the proposed facility, and whether it could include retail. The City explained that “Community Space” is used as a technical term and could include a community center, retail, or other kinds of uses that would be accessible to or provide value to the community. The City further indicated that the NAC should provide input on what they would like to occupy the community space and where it should be oriented in the proposed Manhattan facility.
- NAC members asked whether possible underutilization of the proposed facility in the future could provide an opportunity to repurpose facility space as additional “Community Space.” The City responded that they would be willing to look into those possibilities, but have not done so yet.

Discussion of the Proposed Facility: Borough Jail Population Projections, Operations, and Programs

- NAC members asked what would happen if the City's jail population exceeds the capacity of the proposed building. The City responded that New York City is leading a national trend of jurisdictions safely reducing jails populations. This is due in large part to the deliberate and real investments in programs like pretrial diversion, which safely reduce rates of incarceration. The borough-based jails program is part of a national movement to right-size municipal jail facilities.
- NAC members suggested that discrepancies between the Lippman Commission's report and the City's borough-based jail plan suggest that additional jail sites are needed to right-size the proposed facilities. The City explained that a representative from the Lippman Commission could be invited to speak to the Manhattan NAC to best represent the Commission's views. The City noted that the key discrepancies between the Commission's report and the City's Master Plan is that the Commission recommends a total jail system capacity of 5,500 beds and the City's plan currently contemplates a total jail system capacity of 6,000 beds. Both total capacities are based on the projection of a population of 5,000, however they allow for different percentages for swing space. Additionally, the Commission's report recommends creating a Staten Island jail, which the City is not pursuing. The Lippman Commission is in support of the location of facilities near the courthouses and close to public transportation.
- NAC members asked whether there would be a transgender housing unit in the proposed facility. The City responded that while DOC currently provides transgender housing units, no operational decisions have been made yet regarding future transgender housing units in the proposed borough-based jail system. The City stated the administration is certainly interested in continuing that conversation and remains committed to recently enacted reforms in this regard.
- NAC members noted that there are many civilian workers currently on Rikers Island and asked where those workers and services would go under the City's proposed plan. The City responded that vital services such as laundry, food services, and educational programming would be provided for in the proposed building. All essential DOC functions would be housed within the proposed borough-based jails. Some non-essential uses such as warehouses, would not be part of these

proposed facilities and would either remain on Rikers Island or be moved elsewhere. NAC members suggested that the City should consider what opportunities for employment or training may be lost by not having access to those civilian facilities within the borough jails.

- NAC members asked whether there are still medical facilities at Bellevue Hospital and if so, why additional medical space would be needed in the jail. The City clarified that Bellevue’s forensic ward is not for judicial commitments. If someone is found unfit to stand trial, they are sent for restoration at a State (OMH) hospital. The Bellevue forensic ward is an inpatient hospital unit. It is specifically for people who need a very extreme level of acute care while they are incarcerated. It is secured by DOC and is technically a “locked ward” but it is an H+H inpatient clinic. After individuals are stabilized, they return to DOC custody in a jail and will often end up in a therapeutic unit. The therapeutic units in the proposed borough-based jails would include spaces for medical, mental health, and substance use services. They would have special programming, increased health staff presence, and officers often receive specialized training to be assigned there. The therapeutic units do not provide inpatient hospital level care like Bellevue does.
- NAC members asked how housing State technical parole violators off-site would advance criminal justice reforms. The City responded that there are about 700 people who are in Rikers Island right now because they have violated a technical condition of their parole and are not accused of committing a new crime. If there were other ways to handle those technical violations of State parole, another facility at Rikers Island could close today.
- NAC members suggested that in the current model, if a detainee is going back and forth to court, they cannot utilize any of the programs at Rikers Island. NAC members asked whether detainees in the proposed facility would be able to participate in educational programs while also making court appearances. The City responded that they would look into that.

Discussion of Community Needs

- NAC members explained the numbers of people who utilize the local subway stations are at capacity and people are forced on to the edge of the subway station platforms. NAC members asked whether a new subway is a possibility.
- NAC members noted that people walk through White Street because it is too crowded on Canal Street. NAC members expressed concern that with construction, the whole area will be more difficult to navigate on foot.
- NAC members asked how long the construction period will last. The City responded that the construction timeline will be detailed in the CEQR review and a representative from DDC will be made available to discuss this information at a future meeting.
- NAC members indicated that there is placard abuse on Baxter Street and throughout the neighborhood. The City responded that DOT and other City agencies are interested in greater enforcement of that abuse.