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Gale A. Brewer, Borough President

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Recommendation on ULURP Application Nos. C 190340 ZSM, N 190334 ZRY, C190252MMM, C190341PQM, and C 190333 PSY– Borough Based Jail System

By NYC Department of Correction, Mayor’s Office of Criminal Justice

Summary of Recommendations

This recommendation is in response to the City's land use applications to replace Rikers Island with a system of Borough Based Jails. Specifically, for Manhattan, this application calls for the construction of a 1,145,000 square foot jail facility at 125 White Street, currently the site of the Manhattan Detention Center North and South Towers. There is substantial and understandable opposition to this project from the surrounding Chinatown community which has spent the greater part of two decades attempting to recover from the effects of security measures in the wake of the September 11, 2001 terrorist attacks. However, because leaving a jail on Rikers Island is not an option, a solution must be found for a Manhattan jail in proximity to the courts while taking strong measures to mitigate adverse impacts on the neighboring community.

Former New York State Chief Judge Jonathan Lippman, the head of the Independent Commission on New York City Criminal Justice and Incarceration Reform, stated in the Commission's report that "Rikers Island is a stain on our great City" which cannot be fixed but rather must be eliminated and replaced. This recommendation is premised on the closure of Rikers Island as a moral and governmental imperative which is best achieved through a borough-based jail system.

The responsibility for eliminating harmful impacts on the Chinatown community must include strong cooperation with local stakeholders not only during construction of the proposed facility but especially during the planning and design stages when community input is critical. The City bears a strong moral obligation to mitigate any further cultural and economic harm to the Chinatown community because of the permanent damage suffered by residents and businesses after 9/11: a 9% loss of population, while security measures reduced tourism by half, harming local businesses.¹

A thriving Chinatown community is essential to the well-being of the residents as well as the downtown economy. Fortunately, the implementation of criminal justice reforms that we support and recommend as part of the closure of Rikers, such as bail reform and enhanced support services, will significantly reduce the number of persons to be housed at the proposed facility.

¹ <https://www.nydailynews.com/new-york/chinatown-garment-biz-shrivels-tourist-traffic-dwindles-lasting-blow-9-11-article-1.954982>

This smaller population will in turn make possible a reduction in the scale and bulk of a new detention center, and help minimize adverse community impacts.

Reaching these goals will require a process of on-going project review by city agencies, local elected officials, criminal justice experts, and community stakeholders. Among its responsibilities will be to provide transparency and accountability from concept to construction; mitigate local impacts; and ensure that the design of the new facility reflects the goals of criminal justice reform.

We recommend that the closure and replacement of Rikers be viewed not simply as a project to construct new jails or even reduce our jail population. The design of borough-based jails is an unprecedented opportunity to address the injustices of mass incarceration, and re-imagine a system designed for punishment with another system focused on humane practices and rehabilitation. To this end;

This recommendation outlines an extensive list of conditions that are necessary to the closure of Rikers Island, and the replacement of our current system of incarceration with one that is humane and rehabilitative. This can be accomplished while protecting the surrounding neighborhood from deleterious impacts. We have to achieve this as a package in order to bring about the substantive change that we seek. These conditions are grouped into the following categories:

- I. Building a new facility which will both reflect a new vision of incarceration and protect the surrounding community from negative impacts;
- II. Ensuring a transparent process through continuing community input to make certain these goals are met;
- III. Making additional commitments to reforming our system of incarceration to ensure that the replacement of Rikers Island goes way beyond physical change;
- IV. Closing Rikers Island.

In addition, we make the following specific recommendations:

Building a new facility which will both reflect a new vision of incarceration and protect the surrounding community from negative impacts

1. Every effort must be made to reduce the proposed height and bulk of the building. Revisions to the application to further reduce height and bulk through additional criminal justice reform legislation are expected, reducing the need for the allowable 450 foot maximum height and the 1,145,000 square foot bulk. Before the proposed height and bulk are approved, there must be an accurate estimate of the future number of detainees at the facility. Further review is critical to ensuring that the facility reflects a reformed vision for incarceration and to protect the surrounding community. Other cities that have taken on the redesign of their jails have managed to create facilities that meet the same

goals using half the square footage planned for borough based jails. The City needs to consider this and propose more realistic and contextual facilities.

2. The design of the proposed development should be adaptable and facilitate the decommissioning of currently planned detainee housing units as further reductions in the population are achieved. Planning for this adaptive reuse should be part of the Request for Proposals for the design of the facility.
3. The entrance to the parking lot for the proposed facility should be moved from Baxter Street to Centre Street.
4. More information is needed to understand why the four loading berth requirement under the current zoning would encumber the site before a special permit is considered. We understand more berths may result in more curb cuts, but fewer berths may result in trucks idling in the street waiting to unload. We would like to see corroborating information that supports the request for two berths.
5. White Street must become an open-air plaza accessible 24/7 for pedestrian use, and designed with community input and approval with funds allocated for the maintenance of the space in perpetuity.
6. Chung Pak LDC, the leaseholder of the site adjacent to the proposed development, 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.
7. 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.
8. The City should provide assistance in wayfinding and advertising for small businesses surrounding the proposed development site. Grant funding should also be made available to assist these businesses as they manage adverse impacts during construction.
9. 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
10. Park Row should be reopened to vehicular traffic. Prior to construction, city agencies, including but not limited to the New York City Department of Transportation, should study the impacts of the new facility on surrounding streets – including pedestrian safety - during construction.

11. On site community facility space should be increased from 20,000 to 40,000 square feet. Ground floor retail space should be excluded from this calculation.
12. Retail space within the proposed development should be rented below market rate to local small businesses and should be rent stabilized in perpetuity.
13. Off-site community facility space should be provided. Suggested sites include but are not limited to: 2 Howard Street, which the city would need to acquire from the federal government, and 137 Centre Street. The City should also provide funding for the redevelopment of these sites into community facilities.

Ensuring a transparent process through continuing community input to make certain these goals are met

1. The City must be transparent about its decision making throughout the pre-construction, demolition, and construction process.
2. All communication to the community must be made available in the languages spoken by those in the community including but not limited to: English, Mandarin, Cantonese, and Spanish.
3. A community advisory group should be created and meet regularly to address all phases of development from design to post-construction operation of the new facilities. The Manhattan Borough President's Office created a Rikers Task Force in 2018. The Office recently merged the Task Force with the Neighborhood Advisory Committee convened by the City. This proposed community advisory group should be comprised of similar stakeholders.
4. The applicants, alongside New York City Department of Design and Construction and all other relevant agencies, should also hold standing monthly presentations with both CB1 and CB3 to provide regular updates on all phases of development and allow opportunity for Q&A.
5. The community must be notified in real-time of any pre-construction environmental testing and remediation.
6. At least 30% of the design must be completed before any construction commences under design-build
7. A demolition and construction plan, including timelines and target dates, must be created and shared with the community.
8. The community must be notified at least one week in advance of any street closures or major events related to demolition and construction.

9. A construction hotline must be created and operated 24/7 during demolition and construction in order for community members to report unsafe conditions or activities or other concerns. The hotline should be staffed by a live person during all hours of construction. The number for this hotline should be posted prominently on the construction site.
10. The Design Advisory Group, which the applicants have convened and consists largely of city agencies and elected officials, must include community representation (ideally from the suggested community advisory group, CB1, and CB3) as well as designers and architects with experience in designing facilities in urban environments. The group should also include members who have been incarcerated in order to provide perspective on how the interior of the facility should be designed.

Making additional commitments to reforming our system of incarceration to ensure that the replacement of Rikers Island goes way beyond physical change

1. Changes must be made within the New York City Department of Correction (DOC) to ensure that the existing culture of violence and abuse does not recur in the new jail system.
2. DOC staff must be required to have training in dealing with persons with mental health and/or substance abuse issues as well persons with disabilities. Staff must also be trained on gender preferences in order to respect the dignity of the detainees they are tasked with supervising.
3. DOC must commit to providing social workers or to incentivize staff to pursue higher education and/or training in social work in order to become more effective at managing and supporting detainees.
4. The City must continue to fund social service programs that seek to divert people from the criminal justice system and continue to pass legislation and implement reforms that seek further reductions in the jail population. Policy recommendations released by the Independent Commission on New York City Criminal Justice and Incarceration Reform, the Close Rikers Coalition, and other criminal justice reform advocates, should be considered and implemented, specifically the recommendations that focus on investment in communities that have been impacted by mass incarceration.

Closing Rikers Island

1. The new women's facility, currently planned for Queens, should be sited in Manhattan. It has been announced recently that the Lincoln Correctional Facility located in Manhattan Community Board 10 will be decommissioned. This offers a potential opportunity to have a women's facility in a more centralized location and may allow the women's facility on Rikers Island to close sooner.

2. Buildings which are no longer in use on Rikers Island, such as the George Motchan Detention Center, should be demolished immediately. As more buildings are decommissioned, they should be demolished.
3. There should be binding commitments to guarantee the full closure of Rikers Island. Allocation of capital funds should be made before the end of this current administration for the redevelopment of Rikers as a city asset which generates broad public benefit for all New Yorkers.
4. There must be a deed restriction placed on Rikers Island to permanently ban its use for any residential or correctional purpose.

Proposed Actions

The New York City Mayor's Office of Criminal Justice (MoCJ) and Department of Correction (DOC) (collectively the "Applicant") propose to close the detention facilities currently located in Rikers Island and implement a "borough based jail system" that will include the construction of four new jails in Manhattan, Queens, Brooklyn, and the Bronx. One of the tenets of the borough-based system is that the jails would be situated in closer proximity to each borough's courthouses, so as to minimize travel and wait times for detainees. In this system detainees will also be closer to their home communities, families, and support systems. The proposal requires zoning approvals, public facility siting approvals, changes to the City Map, among other actions.

The land use actions required to facilitate the proposed Manhattan facility are outlined in the table below

N190334ZRY	Amendment to ZR § 74-00 to establish a Borough-Based Jail System Special Permit which would allow for use, bulk, floor area ratio (FAR) related to courthouse and prison use and also allow accessory public parking and loading
C190340ZSM?	Special Permit pursuant to the new above-referenced mechanism, which would: <ul style="list-style-type: none"> • Increase the overall FAR from 10.0 to 13.12 (ZR § 33-10) • Increase building base height from 85 feet to 449 – 453 feet (ZR § 33-40) • Allow two loading berths with entrance on Centre Street and exit on Baxter Street
C190333PSY	Site selection for a public facility which will enable the current Manhattan Detention Facility to be replaced with a new borough based jail and will expand the capacity on the site <ul style="list-style-type: none"> • This action requires a Fair Share Analysis
C190252MMM	Change to the City Map to allow the elimination, discontinuation, and closing of volume above the portion of White Street that is between Centre Street and Baxter Street. The City Map change will reestablish White Street with upper and lower limiting planes. The width of this portion of White Street will decrease from 50 feet to 35 feet.

C190341PQM	Acquisition for the leasehold interest for a 6,333 retail space in MDC North that is currently held by Walker Street-Chung Pak Local Development Corporation

Project and Site Description

The Applicant proposes to build a 1,437 bed jail at 124 and 125 White Street (Block 198, Lot 1 and Block 167 Lot 1) “(the “Proposed Development”). The proposed development will have a floor area ratio (FAR) of 13.2 and a total of 1,145,000 zoning square feet. Approximately 1,125,000 zoning square feet will serve to house and provide support services to detainees. The remaining 20,000 zoning square feet will be dedicated to a community facility and/or retail space. The Applicant proposes to include 125 parking spaces in a below-grade facility on the site.

The proposed development would have a base that is approximately 125 feet in height with three wings that extend to the east. There will also be a pedestrian corridor between Center Street and Baxter Street that will complement the community facility and/or retail space. An above-ground pedestrian bridge will connect the proposed development to the Manhattan Criminal Court Building at 100 Centre Street. Because the Applicant has chosen to do a design-build development, there are limited details on the design of the proposed development.

The proposed development will be constructed on the current site of both the Manhattan Detention Center South and Manhattan Detention Center North facilities. The site itself comprises 157,184 square feet (as outlined below) and is located at the intersection of the Civic Center, Chinatown, and TriBeCa.

Table 1: Proposed Development Square Footage at Grade

Manhattan Criminal Court	76,543 SF
Proposed Development - Manhattan Detention Center South	42,238 SF
Proposed Development - Manhattan Detention Center North	30,646 SF
Re-established White Street Volume	7,757 SF
TOTAL	157,184 SF

Background

In her 2016 State of the City address, New York City Council Speaker Melissa Mark-Viverito called for fundamental criminal justice reform. She then announced the creation of an independent commission to explore the reduction of the Rikers Island population. The Speaker appointed former New York State Chief Judge Jonathan Lippman to chair what became known as the Independent Commission on New York City Criminal Justice and Incarceration Reform (“The Commission”). Twenty seven commissioners were selected from the business community,

academia, law, and social services. The Commission also contained individuals with personal experience being held on Rikers Island. Throughout the process non-profit and private sector organizations were engaged to provide research and strategic support. In order to ensure its independence, the Commission took no money from government or political entities.

The Commission spent more than one year studying the City's criminal justice system and Rikers Island. The process involved interviews and public forums with relevant actors and stakeholders, including formerly incarcerated, and members of the general public.

In April 2017, the Commission issued its report entitled, *A More Just New York City*. It contained a set of recommendations for improving New York City's criminal justice system as well as the data supporting the conclusion. In detailing research conducted on the futility of the current jail system and changes in the criminal justice system leading to historic reductions in jail population, the Commission made a compelling social, ethical, and economic case for the closure of Rikers Island's jail complex and the creation of a borough based jail system. The Commission recommended a phasing out of the Rikers complex over ten years. Borough based jails would replace the Rikers Island complex. They would be designed to provide 5,745 beds to accommodate a daily population of 5,000, down from the 15,000 person capacity of Rikers Island. This borough based system would strengthen connections to families, attorneys, courts, medical and mental health care, and faith and community-based organizations. Being closer to home and transit would enhance the network of support systems for people who are detained, and help prevent future returns to jail.

To ensure that criminal justice reform takes place in both form and substance, the Commission recommended changes in building design that facilitates healthier and safer interactions between inmates and jail employees, reforms in Department of Correction practices, and immediate delivery of medical, mental health, and educational services. The design of the new jail facilities would be designed in a "cluster housing" model which provides free movement and improved sightlines. This model is intended to strengthen interactions between staff and inmates by improving communication and identifying problems before they escalate. The Commission also called for a state-of-the-art training facility and doubling of the training for all DOC staff, but it also acknowledges that lasting change requires a "renewed sense of mission".

The report also contained recommendations for community engagement and building design. The Commission called for a fair, transparent process that is responsive to community concerns. They recommended early conversations with communities concerning potential location as well as community integration in both building design and ground floor uses. As an added community benefit, the Commission recommended that there be commercial and community facility space for local businesses and service providers included in the new buildings. According to the applicants, the guiding design principle for the proposed development is neighborhood integration.

The proposed development will be designed with the needs of the community in mind to encourage positive community engagement. In order to engage the communities in which the facilities are proposed to be sited, this administration convened a Neighborhood Advisory Committee (NAC) in each borough. These committees, comprised of community stakeholders,

were created to receive updated information about the borough based jail plan, express community concerns around the development, build consensus on neighborhood investments, and develop a list of Design Principles and Guidelines to be incorporated in the design of the proposed developments. These committees met between October 2018 and March 2018 to produce these lists which will be incorporated into the Request for Proposals for the design and construction for the proposed facilities if these applications are approved.

Area Context

The study area is characterized by public institution uses, which are located on the lots immediately surrounding the project site, commercial office buildings to the north and south, and mixed-use residential and commercial buildings in the northwestern and northeastern portions of the study area. Primary commercial arterial roads include Canal Street, the southern boundary of the SoHo neighborhood, Broadway, the western boundary of the Tribeca neighborhood, the Bowery, which is the eastern boundary of the Chinatown neighborhood, and the Brooklyn Bridge ramp to the south, which forms a boundary with the neighborhoods that constitute Downtown Manhattan. The study area has a wide range of unique uses, from industrial and residential to institutional.

The block immediately to the north of the project site contains a 13-story residential building with senior housing units, known as Everlasting Pine (or Chung Pak, its Cantonese equivalent) with ground-floor retail spaces. Canal Street contains a mix of old and new office buildings containing ground-floor retail uses, which forms the northern edge of the Chinatown neighborhood. North of Canal Street, larger parcels with commercial uses predominate along the northern edge of the study area. Four- to five-story cast-iron buildings (some with light industrial uses) make up the southern boundary of the SoHo District. To the northeast, along the border with the Little Italy neighborhood, mixed-use residential buildings with commercial ground floors (primarily restaurants) predominate.

The blocks immediately to the west of the project site contains an 11-story building which houses the New York City Civil Court (south of White Street), as well as several mixed-use commercial retail and office buildings (north of White Street). South of the MDC South Tower is 100 Centre Street, a 24-story building which houses the Manhattan Criminal Court. The block south of 100 Centre contains the nine-story, approximately 640,000-gsf Louis J. Lefkowitz State Office Building at 80 Centre Street. the Manhattan District Attorney, Office of the City Clerk, Manhattan Marriage Bureau, the New York County Family Court, the Federal Bureau of Investigation (FBI), the Internal Revenue Service (IRS), the New York City Police Department (NYPD), the Department of Buildings (DOB), and the Department of Records (DOR), commercial office buildings and retail.

Farther south, along the study area boundary, City Hall Park contains the Tweed Courthouse and City Hall. To the southeast of the project site, there is a complex of institutional and civic uses bounded by Park Row (which is closed to public traffic), Worth Street to the north, Centre Street to the west, and the approach to the Brooklyn Bridge. This complex contains State court

facilities, such as the New York County Supreme Court and Thurgood Marshall Court House, the Metropolitan Correctional Center at 150 Park Row, a federal detention facility with approximately 800 people in detention, the New York City Police Department headquarters, the David Dinkins Municipal Building, and the U.S. District Court for the Southern District of New York (the Daniel Patrick Moynihan US Courthouse). Residential apartment buildings are also located in the vicinity, such as the 25-story Chatham Towers, located between Worth Street and Park Row.

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 that form the core of the Chinatown neighborhood. Columbus Park, which includes multiple sports fields and a pavilion, is located east of the project site and south of Bayard Street. Multi-family buildings with commercial retail ground floors are concentrated between Baxter Street and the Bowery. Heavier commercial office uses are located further north along Canal Street. Further east, along the eastern boundary of the study area, 1 Bowery contains apartments funded through the state's Mitchell-Lama program.

Notable uses found throughout the study area include the multiple court and government office uses discussed above, various parks, schools, and the former AT&T Long Lines Building, located at the intersection of Thomas and Church Streets, which still contains critical wiring uses. Parks include Collect Pond Park, directly to the west of the project site; Columbus Park to the east; Thomas Paine Park and Foley Square, southwest of the project site; and City Hall Park near the southern edge of the study area. Schools are also located near the southwestern edge of the study area, including Transfiguration School—a Catholic school between Mulberry and Mott Streets, and Quad Manhattan, a preparatory school located at the intersection of Broadway and Reade Street.

The study area is very well-served by public transit, including four subway stations and nine subway lines. These include the Canal Street station at Broadway that is served by the N, Q, R, and W lines; the Canal Street station at Lafayette Street that is served by the Nos. 6 and 4 lines (late-night only); the Canal Street station served by the J and Z lines; the Brooklyn Bridge-City Hall station that is served by the Nos. 4, 5, 6, and J and Z lines.

Approximately 16 local public parking facilities, with an approximate capacity for 2,200 vehicles, are located throughout the study area. These include Chun Pak Parking Corp; 62 Mulberry Parking Corp; SP Plus Corporation; Edison NY Parking, LLC; Quik park MIA Garage LLC; 170 Park Row Parking Corp; 95 Worth, LLC; 44 Elizabeth Street Parking; 106 Mott Street Parking Corp; Leonard Street Parking, LLC; Champion Parking 700, LLC; Champion Confucius, LLC; MPG Kings Parking; MTP 10 St. Parking Corp.; MTP Henry Operating Corp.; and MTP Madison St. Parking Corp.

According to the current use condition of White Street between Centre and Baxter, it is a parking lot occupied by DOC. This above- and below-ground portion of White Street is proposed to be demapped to facilitate the construction of the new prison facility, converting the street into an arcade. Yet, in the 1980s, this portion of White Street was intended to be a community give-back in the form of a public plaza when the City expanded the existing jail. Correction officers have

since taken over the public space that was once promised to the community through a concession for it to have been a pedestrian car-free zone. The public space was part of the 1% For Art project, which included paving, mesh wire columns, tree designations. However, DOC painted lines over the pavement to create parking lot spaces, losing artwork in the process.

Community Boards Recommendations

Manhattan Community Board 1(CB1) held a public hearing on April 8, 2019 at Southbridge Towers Community Room (90 Beekman Street). Over 150 people attended this hearing and many members of the public spoke in favor and against the applications being proposed. On May 13, 2019, additional consideration through the board's Land Use, Zoning, and Economic Development Committee took place. The committee reviewed the applications and discussed their concerns. The committee voted to adopt the recommendations outlined in their resolutions and the full board voted to adopt these recommendations at their public meeting held May 28, 2019.

The board believes the process has not been transparent enough and believes that the applications should be withdrawn and resubmitted with significant reductions and modifications in FAR, height, base and setback requirements, and sky exposure plane regulations. While the current C6-4 zoning allows for the proposed height, the board believes it should be reduced to be more contextual with the buildings surrounding the site. CB1 also believes the City should consider an alternate proposal which would only require the replacement of the MDC North tower, allowing the South Tower to remain intact with major interior renovations to meet the design principles of a facility that aims to address needs under a more equitable and restorative community based jail system. The board expressed concerns about the decreased number of loading berths and whether or not it would be suitable for the planned capacity for the site.

The board also expressed concern about the city map action that would de-map and narrow White Street and their concerns about the impact of this action on the Chinatown community, as this would impede this street as a current view corridor and would not be the open air walkway as described but create a tunnel-like passage due to the planned bulk of the building and overhead walkway. CB1 also calls for any compensating amenities be discussed, determined, memorialized in writing and made into a guarantee via a legally binding document. The board also calls for a community advisory group truly reflecting the composition of the community and its stakeholders, to represent the community and should be consulted with in regards to design, construction, post-construction operations and community space programming at the proposed development site.

While the proposed development is sited in CB1, Manhattan Community Board 3 (CB3) is adjacent to the development site and many of its members will be impacted by this project. On April 24, 2019, CB3 voted and passed a resolution that was sent to Manhattan Community Board 1 outlining their concerns over the current proposal. CB3 echoes Manhattan Community Board

1's concerns about the height and bulk of the proposed development and believe it is grossly out of scale with the surrounding area. They believe off-site treatment for mental health and substance abuse would assist in reducing the size of the facility.

CB3 also expressed concern for this development on the low-income senior housing residence located directly adjacent to the proposed development, currently leased from the city by Chung Pak Local Development Corporation (Chung Pak LDC). They call for mitigation measures, including air equality and dust monitoring to protect residents and staff. They also call for safety measures for sidewalks around the proposed development site during construction as they are vital paths to local amenities such as Columbus Park, local businesses, and greater Chinatown. The loss of the commercial space at 124 White Street, which Chung Pak LDC is a leaseholder, will also financially impact the organization as revenues generated from this space assists in the operation of the senior building.

CB3 has also expressed concerns of this development on small businesses. In addition to the businesses at 124 White Street that would be displaced, they identify 15 other businesses along Baxter street that they believe will face adverse impacts as a result of street closures, scaffolding, and the current facility staff temporarily leaving the area due to construction. They have proposed measures they believe will help in stabilizing these businesses during these impacts such as additional wayfinding and advertising and grant funding to assist businesses experiencing hardship during construction.

I would like to thank Manhattan Community Board 1 for their thoughtful consideration of the applications, as well as their willingness to serve as a proxy for Manhattan Community Board 3 to allow their concerns to be heard in this process.

As this is application impacts three other boroughs, it is important to note what the other Community Boards have voted with regard to this project. Queens Community Board 9 disapproved the application in a resolution dated March 12, 2019. They cited lack of transparency and community involvement in the process of site selection as well as fair share issues and the sizing of the facilities in proportion to the borough's detained population as reasons to disapprove. They also state that the proximity of the proposed Queens facility, which is a site that previously had a detention facility and is in very close proximity to the courts in that borough, is also in close proximity to the residential communities of Kew Gardens and Briarwood. They believe its proximity to a residential community goes against the principles of the Commission report which states that jails should be situated near courthouses in civic centers rather than residential neighborhoods.

On June 12, 2019, Brooklyn Community Board 2, by a vote of 32 in favor, two opposed, and four abstaining, voted to recommend disapproval of the proposed Brooklyn facility, with conditions. The Brooklyn proposal calls for a jail with a maximum zoning height of 395 feet that would replace the current Brooklyn Detention Complex at 275 Atlantic Avenue, which currently has 815 beds. The Board requested that the FAR of the jail be limited to a maximum of 10.0, and that the number of beds correspondingly be reduced from 1,437 to 875. The significant reduction, the Board stated, provides an opportunity to reallocate funding to affordable housing, educational programs, and public health initiatives. In its resolution, the Board also

recommended more community courts, ongoing support and social services for individuals detained at Rikers and at the current Brooklyn Detention Complex, as well as training for correction officers to ensure the safety of detainees.

The Bronx proposal calls for a 1,437 bed facility located at 745 East 141st Street, a city-owned property that is operated as a tow pound. This proposal is the only one to include an affordable housing commitment: 235 units would be built—all of which the Applicant has assumed would be affordable. The proposed facility would have a maximum zoning height of 145 feet. On May 23, 2019, Bronx Community Board 1 voted to recommend disapproval of the proposal. One of the major points raised in public hearings is the fact that the proposed jail would not be near the borough's courthouses, but rather approximately two miles away. Local elected officials and residents have called for a siting at East 161st Street.

Borough President Hearing

The Manhattan Borough President's public hearing to discuss the Borough Based Jail ULURP occurred on June 11, 2019 at Pace University from 6 to 10PM. There were approximately 230 public attendees. The public hearing began with the Mayor's Office of Criminal Justice (MoCJ)'s presentation of the proposed ULURP actions. The presentation was followed by public testimony with approximately 65 people who testified. The Manhattan Borough President's public comment period remained open after the public hearing and concluded on June 27, 2019.

Borough President Comments

Despite the opposition to the applications as presently proposed, there is an overwhelming sentiment that we must remember: Rikers Island must close. From its inception as a jail facility in the 1930s, it has been a site that is not only unfit for habitation of any kind due to its past as a dumping ground for urban fill, but a site that has disproportionately punished generations of people in poverty. In 2014, the Department of Justice released a report to the de Blasio administration and DOC detailing excessive use of force on minors incarcerated on Rikers Island; children subjected not only to violence from other detainees, but from DOC officers and their supervisors. This report came as a shock to some but to criminal justice advocates, members of the community who have had family members detained at Rikers, or who were themselves incarcerated there, this report reasserted what they have been saying for decades: our current system is broken. Our criminal justice system is punitive and violent rather than restorative and transformative.

City Council Speaker Melissa Mark-Viverito, created an independent commission in 2016 chaired by Judge Jonathan Lippman, to develop a plan for how to reduce the city's jail population in order to facilitate the full closure of Rikers Island. *A More Just New York City*, the report released by this commission in March 2017, outlines recommendations on reforms to the criminal justice process to reduce the overall daily population, the establishment of new jail facilities, and the transformation of Rikers Island to an infrastructure site that could support the City's sustainable future.

The Commission report revealed the inefficiencies of our criminal justice system overall, and specifically analyzes the Rikers Island jail complex. What we learned is that pre-trial detainees, people who have not been convicted of a crime and are being held because they don't have enough money to post bail, make up the majority population currently on Rikers Island. They will be detained until their cases are resolved which in some cases can take several years. A gross majority of them are indigent, Black and Latino men. They are sitting in jail cells awaiting their right to a fair trial while their lives are being upended; they have lost their jobs, they have lost their housing, and they are disconnected from their families and community.

We also learned that the location of Rikers Island creates many logistical challenges that contribute to court backlogs, and limits access to necessary services. Due to the island's distance from all of the criminal courts in our City, it is not uncommon for detainees to be woken up at 3 or 4 o'clock in the morning in order to be transported to the courthouse in time for their court appearances. Unfortunately, it is also not uncommon for detainees to arrive late to courthouses, which contributes to case delays.

Transporting detainees to mental health services that cannot be offered on the island is also a frequent challenge. According to the Commission report, over the course of just a few months in 2016, an average of nearly 10,000 appointments for mental health services were missed. Missing treatment has a cascading effect that often results in recidivism.

The conditions of the facilities on Rikers are abysmal, putting the health and safety of detainees and DOC employees at grave risk. According to the Commission report, the average age of the buildings in use on Rikers Island is over 40 years old, including one building that is over 80 years old. Detainees lack proper ventilation in the spaces in which they are housed and often suffer through malfunctioning heating and cooling systems, mold, leaks and floods as well as sewage backups. The Commission found a direct link between the insufferable environment and the culture of violence and abuse that exists there. The age and design of these facilities makes upgrading them extremely difficult and the landfill-like nature of the island itself is not conducive to a healthy environment for detainees and DOC employees.

We have made great strides in reducing our jail population. We have moved from a system that detained over 20,000 New Yorkers daily in the 1990s² to a system that now has **7,346** detainees³ based off the most recent count. Advocates and community groups have worked to shift the focus from punishment to one that addresses the issues associated with poverty, mental health and substance abuse. There have been many changes at the city and state level. Bail reform and other proposed measures have resulted in lowered incarceration rates. We now have the lowest incarceration rate of any large city in the country.

² <http://www.archives.nyc/blog/2019/4/19/riots-rebellion-and-the-citys-second-attempt-to-sink-rikers-island>

³ <https://data.cityofnewyork.us/Public-Safety/Daily-Inmates-In-Custody/7479-ugqb>

The borough based jail system is the linchpin of the Commission report recommendation and the only way we can successfully close Rikers Island and transform the criminal justice system as it stands today. We need new community-based facilities that are located closer to courts to expedite proceedings and readily provide services to detainees and their families. The facilities must be designed with a focus on rehabilitation and reentry into the community, not punishment and confinement. The facilities must be incorporated into the surrounding community with a façade that is welcoming and is contextual with the surrounding neighborhood. These facilities cannot be barriers. They must be a resource, providing space for services to benefit the community at large.

These applications have been carefully reviewed and we have obtained input from all stakeholders within the community from residents to criminal justice advocates. We have pored through various testimony and reports and consulted with the community. It is important that we outline these concerns in order to propose adequate solutions. The following is my analysis of the current application, a discussion of the concerns that are related to it, and steps that the City can take to ensure that the Manhattan jail facility serves as a benefit to neighboring communities.

Process & Transparency

This administration did not do a good job initiating this process. A prominent issue raised by community members was the lack of transparency and community input in developing these proposals. My office convened a Rikers Task Force in early 2018 with the intent to convene community members, criminal justice advocates and this administration to work together on a plan for borough based jails that is cooperative and as transparent as possible. When the borough based jails plan was released in August of 2018, it was largely a surprise. The original site selection of 80 Centre Street came as a shock as it had not been a site discussed with the community. It appears other boroughs had a similar experience as well. While it was good that this site was reconsidered and it was determined that the existing facilities at 124 and 125 White Street were more feasible, the seeds of mistrust had already been sown. The lack of transparency in this process did not do a service to those in the administration and the criminal justice advocates who have worked for so long on this effort and moving forward, there must be greater transparency and community involvement with every step and aspect of this process.

My office continues to support conversations around the closure of Rikers and criminal justice reform. We have reconvened our Task Force and merged this group with the Neighborhood Advisory Committee. The new advisory group is called *Jails, Justice, and Community*. It will meet regularly to discuss and update community members, criminal justice advocates, and city agencies on criminal justice reform measures and work on ways in which we can help shape future conversations and outreach efforts around borough based jails and criminal justice reform as a whole.

As a means for community input and oversight, a Community Advisory Group consisting of a cross section of the community should be created and meet regularly to address design, demolition and construction, and post-construction and ongoing operation of the new facilities. The applicants should also hold standing monthly presentation dates with both CB1 and CB3 to

update the community on the proposed development's progress and allow opportunity for Q&A and feedback.

Proposed Development

I have yet to meet anyone who does not believe the proposed facility is too tall, bulky, and grossly out of scale with the surrounding buildings and community. This application is seeking 30% more floor area ratio than what is allowed under current zoning with little to no explanation of why such height and bulk is needed. While I understand these facilities will be designed in a manner that requires more space than our existing facilities, it is unfair to ask the community and my office to essentially write a blank check to the applicants which allows them a massive building envelope without having any preliminary designs or understanding of why such bulk and height is needed. Recent reforms passed at the state level that will further reduce the jail population indicates further reductions in height and bulk but this information has not yet been released nor has the application been amended to reflect these reductions. We need more information than what has been presented in this application to justify the requested modifications in order for adequate review and negotiation of more accurate height and bulk.

Other cities that have taken on the redesign of their facilities can be models for New York City. Las Colinas, located in San Diego, is a facility that houses 1,200 detainees, close to the 1,437 planned for here. The San Diego facility has 512,537 square feet of jail space. The proposed Manhattan facility is calling for double the square footage, which is large by even the most progressive standards in modern jail construction. Although Las Colinas is on a larger, horizontal footprint of land, the proposed square footage for the Manhattan facility is still a cause for concern.

125 White Street is a landmark-eligible site and the community would like a scenario to be considered which does not demolish this building and complete interior renovations are made to design a modern facility that can achieve the goals of a re-engineered justice system. If this is feasible, the impacts to the community would be reduced and would result in a facility that is more in scale with its surroundings.

The reduction of required loading berths from four to two as requested in this application also raises concern. The proposed size of the facility would indicate to me that there is a need for more loading berths, not less. The intent in reducing this number may be to reduce traffic to and from the proposed development but we believe it may have the opposite effect; creating a logjam in vehicles accessing the site for loading and unloading. We need more information than what has been presented in this application to demonstrate why four berths, as presently required, would encumber the site.

We understand there is a need for parking for staff, who often work shifts that do not allow for them to take public transportation. There is a history of rampant placard abuse and illegal parking that pervades the current site and we support this underground parking lot if will eliminate this problem in its entirety. Due to concerns of Barrow Street being a narrow street that is a widely used street by local residents to access Columbus Park and other parts of the neighborhood, the entrance to this lot should be moved to Centre Street.

In 1982, as part of the Manhattan Detention Center expansion, the dedication of White Street as a car-free public plaza was one of many points of negotiation between that administration and the community. We failed the community by allowing DOC to co-opt the site and use it as a parking lot. The proposed development is an opportunity to ensure that this site is returned to the community as promised nearly 40 years ago. However, there are concerns that the de-mapping and narrowing of the street to accommodate pedestrian walkways above may create a tunnel effect rather than a welcoming open air plaza. Proper design of this space is critical and must include community input and approval. I echo the NAC's recommendation that White Street must remain open to the public 24/7 for pedestrians with funding for ongoing maintenance of the space in perpetuity.

Chung Pak LDC and Greater Chinatown Community

Chung Pak Local Development Corporation (Chung Pak LDC) is the leaseholder of 96 Baxter Street, which is adjacent 124 White Street. They are also the leaseholder of the ground-floor retail space at 124 White Street, which will be acquired as part of the proposed development. This site was also part of the community negotiations in the Manhattan Detention Center expansion in the 1980s and how Chung Pak LDC came into creation. A 49 year lease for the sites was given to Chung Pak to plan and develop the land into something to serve and benefit the community. There were no accompanying funds to assist in facilitating this development and the Chinatown community raised the funds themselves to create Chung Pak Complex.

The complex consists of Everlasting Pine, a HUD Section 202 housing development for low-income seniors, which abuts 124 White Street. There are 88 units of housing with 105 residents. According to Charlie Lai, Executive Director of Chung Pak LDC, the majority of the residents are in their mid-80s and 90s and becoming frailer and less mobile. This building also has the highest concentration of seniors over 100 years of age in any HUD Section 202 in the entire country. While this building is a valued resource, it doesn't begin to meet the demand for affordable senior housing and their waiting list has nearly 4,600 people on it. The Chung Pak Complex also has a day care center as well as retail establishments which service local residents along Walker Street.

The proposed development threatens to undo many of the gains the Chinatown community worked for tirelessly. The development of this massive jail right next to a residential building comes at the risk of the well-being of the residents. They are an extremely vulnerable population and the potential hazards of dust, poor air quality, noise and vibration, as well as reduced access to sidewalks and safe walkways will impact them tremendously. Reducing the size of the proposed development and repurposing 125 White Street instead of demolishing it could be one way to mitigate some of these effects, as this would shorten construction time and reduce the amount of demolition needed. Robust air quality and dust monitoring must be implemented to ensure the safety of the residents and staff of the building. There must be full mitigation of noise and vibration impacts during construction. The complex must be protected from any compromise of its structural integrity during construction of the proposed development. Safe sidewalks and passageways must be created and maintained through construction to ensure safe, walkable streets for residents of the senior building and the community at large.

If the proposed development is approved, Chung Pak LDC will be losing 6,300 square feet of retail that they are currently leasing from the City which provides revenue for the operation of the senior housing. Given the current use of the Chung Pak complex as a source of housing, childcare, and economic development for the community, Chung Pak LDC should be given the option to purchase the land beneath the complex for well below market rates, with a deed restriction to guarantee current uses remain in perpetuity. Additionally, 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 and offered right of return in the new retail spaces of the proposed development.

There are concerns for the economic vitality and resident safety of the Greater Chinatown area surrounding the proposed development. The Chinatown community has experienced significant business closures and loss of jobs after 9/11. Much of this is attributed to the lack of federal aid and permanent street closures. Ten years after 9/11, data showed that the area still had not fully recovered, as permanent street closures have impacted access to the area for tourists and has impacted businesses, who find difficulty in receiving and making deliveries⁴. Throughout this process, we also heard from nearby residents of buildings such as Chatham Tower, who expressed concerns about current street conditions impacting emergency vehicles. Worth Street, approximately 1000 feet from the proposed development, is a two-way street running from Chatham Square to the east, to Hudson Street to the west. This street has been closed to two-way traffic since May 2016 due to extensive infrastructure work below ground. The street runs east bound from Tribeca, which is west of the proposed development, but only westbound traffic is allowed from Chatham Square. This, coupled with the permanent closure of Park Row to vehicles, has further restricted access to Chinatown. It is estimated this work may go on for at least another 6 months but will likely go past that.⁵ There are also pedestrian safety concerns along Canal Street, as its access to both the Holland Tunnel and the Manhattan Bridge make it a heavily used thoroughfare.

Construction of the proposed development will likely close additional streets and the Chinatown community cannot continue to bear these constraints. Park Row should reopen to assist in traffic flow to and from Chinatown and a traffic study along the intersections on Canal Street should commence to make the streets safer for pedestrians. There should also be a traffic study on the impact of the construction of the proposed development on local businesses. The City should make grant funding and emergency assistance available to small businesses around the proposed development site so that they may remain stable during disruptions due to construction. New York City's Small Business Services should also provide assistance in promoting these businesses and provide additional assistance in the way of new/more signage and wayfinding.

Community Facility and Retail Space

There is an overall concern that there is not enough community facility space planned for the proposed development. I do not believe the 20,000 square feet proposed, including the ground floor retail, is sufficient in order to ensure this proposed development also serves a function to the community at large as a resource. The community facility space within the building should

⁴ <https://www.nydailynews.com/new-york/chinatown-garment-biz-shrivels-tourist-traffic-dwindles-lasting-blow-9-11-article-1.954982>

⁵ <https://tribecacitizen.com/2019/02/11/construction-update-part-two-worth-street/comment-page-1/>

be increased to 40,000 SF, not including the ground floor retail space. Additionally, the design of the interior of the facility should be adaptable and facilitate decommissioning of detainee housing units and conversion of these spaces to additional community space as additional criminal justice reforms and community investments throughout the city to reduce the jail population are achieved.

As the proposed development will be owned by the City, there are opportunities to ensure the retail space can contribute to the local economic vitality of the area. The businesses displaced from their current storefronts at 124 White Street should be offered right of first return to the new retail space. Any of the new retail spaces not occupied by the displaced businesses should only be rented to small businesses. All rents in the retail space should be rented below market and they should also have limited rent increases. This was done recently in the Inwood Rezoning for new developments receiving substantial funding from the City. As this proposed development is to serve an overall public benefit, it must also provide maximum benefit wherever possible, including economic development in the surrounding community.

When the proposed development was originally sited for 80 Centre Street, it was believed that the 124 and 125 White Street would be made available to the community for use as a community facility. As the proposed development is now 124 and 125 White Street, the opportunity for an off-site community facility at these locations has been lost. We should provide substantial off-site community facility space to be planned for with community input. Manhattan Borough President Office staff has identified the following sites nearby the proposed development that should be considered as community facility space. The city must also make funding available for the redevelopment of these sites.

Table 2: Possible Sites for Off-Site Community Facility⁶

Address	Owner	Current Use	Lot Area	Zoning
2 Howard Street	United States General Services Administration	Parking Lot (7 Story)	12,716 SF	M1-5B
137 Centre Street	City of New York	Office Building	5,100 SF	C6-4

Construction Process and Design-Build

The proposed development will be built using a design-build method. It is a departure from the traditional construction project design where architects and their consultants work in a different silo from the contractor. The drawings for construction are generated, a contractor bids on the work, and any unforeseen conditions or necessary changes often result in cost overruns and delays. Design-build aims to eliminate this inefficiency by having the architect and contractor and their consultants and subcontractors working together as a single contracted team from the start of the project to work on building plans and construction. The City was just recently granted the authority by the State to use this method and the borough based jail system is one of the projects that will use design-build if approved. Although this is a method that has been used

⁶ <https://zola.planning.nyc.gov/>

across the country and in other parts of New York State for some time, some are concerned because this method has not yet been used by City agencies for construction.

Through my involvement in the NAC and from what we have heard at both CB1 and CB3 meetings, there are many unanswered questions regarding design-build. The New York City Department of Design and Construction (DDC) and all relevant agencies must work on an outreach plan for the surrounding community prior to construction. This plan must be shared with all community stakeholders, made available in several languages including Mandarin, Cantonese, and Spanish. DDC and all related agencies should also meet with CB1 and CB3 regularly with updates to the process and answers to their questions. The Community Advisory Group that I have suggested be created as well as the 24/7 hotline for construction issues should also be incorporated into this outreach plan.

A Design Advisory Group, of which the Manhattan Borough President's Office is a member, has been convened to seek feedback and advice on the design guidelines that will inform this design-build process. It is comprised of many City agencies and local elected officials. However, the group lacks community representation as well as experienced architects and designers who can provide practical knowledge in designing facilities in urban environments. These stakeholders and experts should be included in this group. Former detainees should also be a part of this group, to inform decisions regarding the structure and programming inside the new facility.

Women's Facility

There is a planned separate women's facility that is currently sited in Queens. While a single facility will be most ideal in addressing the much smaller women's population in detention than dispersing them throughout the boroughs, there is still a concern that the location of the site may not be the most accessible. Women's advocacy groups have called for the facility to be sited in Manhattan as it is more central. The Commission report notes that many women who are detained are the sole heads of their households and ensuring proximity to their children and other family members is vital to rehabilitation, reentry, and reducing the chances of recidivism. Land constraints do not allow for this facility to be sited at the proposed development site. However, it was recently announced by New York State that the Lincoln Correctional Facility, located in upper Manhattan (Manhattan Community Board 10), would be decommissioned. This is an opportunity to further reduce the impact of the proposed facility in Queens as well as allow the women's facility at Rikers, the Rose M. Singer Center, to potentially close sooner than expected if the Lincoln Correctional facility is deemed a feasible site for the new women's facility. I ask that this be thoroughly investigated.

Future of Rikers Island

There is great mistrust in what the future holds for Rikers Island once the jails are closed. It is believed by many that the site will be made available to real estate developers for luxury housing development. The environmental conditions on the site are not fit for any habitation, including the current detention of people in jails on the island. The Commission as well as the Regional Planning Association has called for Rikers Island to be repurposed into a site for infrastructure, where green measures can be implemented and infrastructure that exists within the boroughs can

be relocated, freeing up land for greater uses. There is also concern that there are no concrete plans for the future of the site nor are there any binding agreements in place to legally mandate the closure of all the jails on the site. While some facilities on Rikers Island, such as George Motchan Detention Center, have been closed, their structures remain, which further casts doubt on whether the jails on Rikers Island will permanently close.

It is imperative that the buildings that have been closed be demolished immediately and as other buildings are decommissioned, they too are demolished soon afterward. There must be legally binding commitments made to permanently close all jails and ancillary buildings on Rikers Island if the proposed development is to proceed. There must also be planning and allocation of capital funding to plan for the future of Rikers as an infrastructure site. In doing this, we will also be planning for the future of a more sustainable New York City.

Additionally, there must be restrictions placed on the land in perpetuity to prevent future redevelopment for any residential or correctional facility use.

Department of Correction and Continued Criminal Justice Reform

New facilities that are conducive to a more restorative criminal justice system are only a piece of the puzzle; there is still great concern about the culture within DOC. There have been documented incidents of abuse, violence and neglect of detainees by DOC staff. While new facilities may reduce such incidents, reforms within this department must happen now. Additional training in dealing with mental health, substance abuse, disabilities, and gender preferences must be implemented throughout the department for all staff. DOC should seek to hire more trained social workers as correction officers, parole officers, and other DOC staff and incentivize and accommodate staff who wish to pursue education and training.

Borough-based facilities, while key in criminal justice reform, cannot be the end of the road. We must continue to fund diversion programs and advocator for legislation that will continue to reduce the jail population. The Commission, Close Rikers Coalition, and other criminal justice reform advocates have worked extensively to create policy recommendations to further this goal. These recommendations, especially those that invest in communities impacted by mass incarceration, should be implemented.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application Nos. C 190340 ZSM N 190334 ZRY C190252MMM and C 190333 PSY, unless the following conditions are met:

Building a new facility which will both reflect a new vision of incarceration and protect the surrounding community from negative impacts

1. Every effort must be made to reduce the proposed height and bulk of the building. Revisions to the application to further reduce height and bulk through additional criminal justice reform legislation are expected, reducing the need for the allowable 450 foot maximum height and the 1,145,000 square foot bulk. Before the proposed height and bulk are approved, there must be an accurate estimate of the future number of detainees at the facility. Further review is critical to ensuring that the facility reflects a reformed vision for incarceration and to protect the surrounding community. Other cities that have taken on the redesign of their jails have managed to create facilities that meet the same goals using half the square footage planned for borough based jails. The City needs to consider this and propose more realistic and contextual facilities.
2. The design of the proposed development should be adaptable and facilitate the decommissioning of currently planned detainee housing units as further reductions in the population are achieved. Planning for this adaptive reuse should be part of the Request for Proposals for the design of the facility.
3. The entrance to the parking lot for the proposed facility should be moved from Baxter Street to Centre Street.
4. More information is needed to understand why the four loading berth requirement under the current zoning would encumber the site before a special permit is considered. We understand more berths may result in more curb cuts, but fewer berths may result in trucks idling in the street waiting to unload. We would like to see corroborating information that supports the request for two berths.
5. White Street must become an open-air plaza accessible 24/7 for pedestrian use, and designed with community input and approval with funds allocated for the maintenance of the space in perpetuity.
6. Chung Pak LDC, the leaseholder of the site adjacent to the proposed development, 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.
7. 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.
8. The City should provide assistance in wayfinding and advertising for small businesses surrounding the proposed development site. Grant funding should also be made available to assist these businesses as they manage adverse impacts during construction.
9. 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
10. Park Row should be reopened to vehicular traffic. Prior to construction, city agencies, including but not limited to the New York City Department of Transportation, should study the impacts of the new facility on surrounding streets – including pedestrian safety - during construction.
 11. On site community facility space should be increased from 20,000 to 40,000 square feet. Ground floor retail space should be excluded from this calculation.
 12. Retail space within the proposed development should be rented below market rate to local small businesses and should be rent stabilized in perpetuity.
 13. Off-site community facility space should be provided. Suggested sites include but are not limited to: 2 Howard Street, which the city would need to acquire from the federal government, and 137 Centre Street. The City should also provide funding for the redevelopment of these sites into community facilities.

Ensuring a transparent process through continuing community input to make certain these goals are met

1. The City must be transparent about its decision making throughout the pre-construction, demolition, and construction process.
2. All communication to the community must be made available in the languages spoken by those in the community including but not limited to: English, Mandarin, Cantonese, and Spanish.
3. A community advisory group should be created and meet regularly to address all phases of development from design to post-construction operation of the new facilities. The Manhattan Borough President's Office created a Rikers Task Force in 2018. The Office recently merged the Task Force with the Neighborhood Advisory Committee convened by the City. This proposed community advisory group should be comprised of similar stakeholders.
4. The applicants, alongside New York City Department of Design and Construction and all other relevant agencies, should also hold standing monthly presentations with both CB1 and CB3 to provide regular updates on all phases of development and allow opportunity for Q&A.
5. The community must be notified in real-time of any pre-construction environmental testing and remediation.

6. At least 30% of the design must be completed before any construction commences under design-build
7. A demolition and construction plan, including timelines and target dates, must be created and shared with the community.
8. The community must be notified at least one week in advance of any street closures or major events related to demolition and construction.
9. A construction hotline must be created and operated 24/7 during demolition and construction in order for community members to report unsafe conditions or activities or other concerns. The hotline should be staffed by a live person during all hours of construction. The number for this hotline should be posted prominently on the construction site.
10. The Design Advisory Group, which the applicants have convened and consists largely of city agencies and elected officials, must include community representation (ideally from the suggested community advisory group, CB1, and CB3) as well as designers and architects with experience in designing facilities in urban environments. The group should also include members who have been incarcerated in order to provide perspective on how the interior of the facility should be designed.

Making additional commitments to reforming our system of incarceration to ensure that the replacement of Rikers Island goes way beyond physical change

1. Changes must be made within the New York City Department of Correction (DOC) to ensure that the existing culture of violence and abuse does not recur in the new jail system.
2. DOC staff must be required to have training in dealing with persons with mental health and/or substance abuse issues as well persons with disabilities. Staff must also be trained on gender preferences in order to respect the dignity of the detainees they are tasked with supervising.
3. DOC must commit to providing social workers or to incentivize staff to pursue higher education and/or training in social work in order to become more effective at managing and supporting detainees.
4. The City must continue to fund social service programs that seek to divert people from the criminal justice system and continue to pass legislation and implement reforms that seek further reductions in the jail population. Policy recommendations released by the Independent Commission on New York City Criminal Justice and Incarceration Reform, the Close Rikers Coalition, and other criminal justice reform advocates, should be considered and implemented, specifically the recommendations that focus on investment in communities that have been impacted by mass incarceration.

Closing Rikers Island

1. The new women's facility, currently planned for Queens, should be sited in Manhattan. It has been announced recently that the Lincoln Correctional Facility located in Manhattan Community Board 10 will be decommissioned. This offers a potential opportunity to have a women's facility in a more centralized location and may allow the women's facility on Rikers Island to close sooner.
2. Buildings which are no longer in use on Rikers Island, such as the George Motchan Detention Center, should be demolished immediately. As more buildings are decommissioned, they should be demolished.
3. There should be binding commitments to guarantee the full closure of Rikers Island. Allocation of capital funds should be made before the end of this current administration for the redevelopment of Rikers as a city asset which generates broad public benefit for all New Yorkers.
4. There must be a deed restriction placed on Rikers
5. Island to permanently ban its use for any residential or correctional purpose.



Gale A. Brewer
Manhattan Borough President