



NEW YORK CITY DEPARTMENT OF CORRECTION

Martin F. Horn, Commissioner

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Honorable Edolphus Towns
United States House of Representatives
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Dear Friends:

I am writing in response to the letter dated February 22, 2008 from the elected representatives of the Brooklyn community to Mayor Bloomberg regarding the City's plan to reopen the Brooklyn House of Detention and increase its capacity from 759 to 1,479 detainees.

Since 2005, you and I have been meeting and discussing the City's need for jail space in Brooklyn and how best to accommodate the concerns of downtown Brooklyn stakeholders and the local community. I have found our discussions to be reasonable, thoughtful and respectful. I have endeavored to reciprocate in kind and to make every effort to accommodate the concerns and requests of the community representatives. I appreciate the time you have given to listen to me, and the advice you have given me.

As you may recall, until 1999 there were more than 2100 jail beds in Brooklyn. The Brooklyn House of Detention, which opened in 1957, held 759 and the "brig" on the grounds of the Navy Yard held an additional 1330. As crime came down in the City, so has our jail population. As a result, in 1999 we closed the "brig" and in 2003 relinquished the site, which has been designated for housing. In 2005, in response to the need to cut operating costs in the Department of Correction and to facilitate the long delayed renovations to the House of Detention, we temporarily closed that facility.

We have always been clear that the jail on Atlantic Avenue would reopen, and that it is part of the City's long-term criminal justice infrastructure. The City already owns the site; it is zoned for jail use and does not use the entirety of its "zoning envelope." Furthermore it is too valuable and irreplaceable a building to relinquish. It is perhaps the most secure of the City's jails, and its 800 cells could not be replaced today at reasonable cost to the City's taxpayers. Moreover, it is physically connected to the Brooklyn Criminal Court building through which all people arrested in Brooklyn and arraigned and bound over to the custody of the Department must flow, as well as all such people going to Criminal Court. To abandon it would force the transfer of those in DOC custody between court and jail to occur on the street, something we all want to avoid.

We nevertheless explored the possibility of other sites elsewhere in Brooklyn and found none. With the help of the Economic Development Corporation we also published a Request for Expressions of Interest (RFEI) to solicit proposals for development of the site as housing and commercial space in addition to expansion of the jail and to "shroud" it from view. As you know, we received no acceptable responses to the RFEI. We subsequently considered a plan to surround the jail with court space to replace the Brooklyn Criminal Court, "shroud" the jail, consolidate the justice function and free the courthouse for alternative development. Unfortunately that plan simply won't work; there is not enough space on the jail site to accommodate the Court.

While we understand and appreciate the concerns that have been raised, the time has come for the Department of Correction to move forward. As you know, we have a critical need to replace more than 4000 temporary jail beds that were built on Rikers Island in the 1980's but have outlived their useful lives. This plan will reduce the size of the system by more than 3,000 beds and includes building replacement beds on Rikers Island. But, as I have stated repeatedly and believe deeply, the City can no longer rely on Rikers Island as the primary jail for the entire City. That is unfair to the families of the people confined there, unfair to the taxpayers, unfair to the justice system and unfair to the people of Queens who now bear almost the entire jail burden for the City.

Each year more than a quarter of the admissions to our system (more than 26,000 in 2007) originate in Brooklyn. Of our average daily population of 14,000, about 2900 are from Brooklyn, including 2300 who are detainees awaiting trial or sentencing. An expanded Brooklyn House of Detention will allow us to house about 65% of Brooklyn's detainees near the courts where they are being tried or sentenced.

Expanding the jail in place is the right thing to do. It will be better for public safety, better for justice and better for families. It will reduce bus miles traveled between Rikers Island and Brooklyn's courts by 50% and reduce congestion and pollution. It will improve the efficiency of the courts and make access to attorneys and service providers easier for those confined there. It will reduce travel time for visitors from the most remote parts of Brooklyn by an hour or more each way. And expanding the jail will increase its operating efficiency by 22 percent.

Working with the Department of Design and Construction we will engage an architect to design the expansion of the building. We are committed to making the site more aesthetically appealing, making Atlantic Avenue between Smith Street and Boerum Place pedestrian friendly and adding to the vibrant Atlantic Avenue retail community. Our design requirements will be to reorient the front of the jail to face the court on State St. and create retail space along Atlantic Avenue, Boerum Place and most of Smith Street. We will make every attempt to accommodate the design considerations you have provided to us, to provide a secure, off-street entrance for police prisoners into the court, and to address parking and traffic concerns to the extent possible. Immediately upon engaging the architect I will reach out to the stakeholders and invite you to meet with us and organize an advisory committee, which we will consult as the project progresses.

We will continue our efforts to be good neighbors and ensure that the jail is operated and maintained consistent with that goal. This will include continuing to enforce parking regulations with respect to our DOC employees. I know some of you will find this an unacceptable outcome. But I believe we have acted in good faith and made every reasonable attempt to consider the concerns of the surrounding community while pursuing what is best for our justice system. Those efforts will continue as we move forward together. I look forward to working with you in the months to come.

Very truly yours,

A handwritten signature in black ink, appearing to read "Martin F. Horn". The signature is written in a cursive, slightly slanted style.

Martin F. Horn, Commissioner

Cc: Haeda Mihaltses, Director, Mayor's Office of Intergovernmental Affairs
Honorable William Thompson, NYC Comptroller
Honorable Charles Hynes, Kings County District Attorney
Joanne Simon, District Leader
John Dew, Chair, Brooklyn Community Board 2
Brooklyn House of Detention Community Stakeholders
Judy Stanton, Executive Director, Brooklyn Heights Association
Joseph Chan, President, Downtown Brooklyn Partnership
Bette Stoltz, Executive Director, South Brooklyn Local Development Corporation