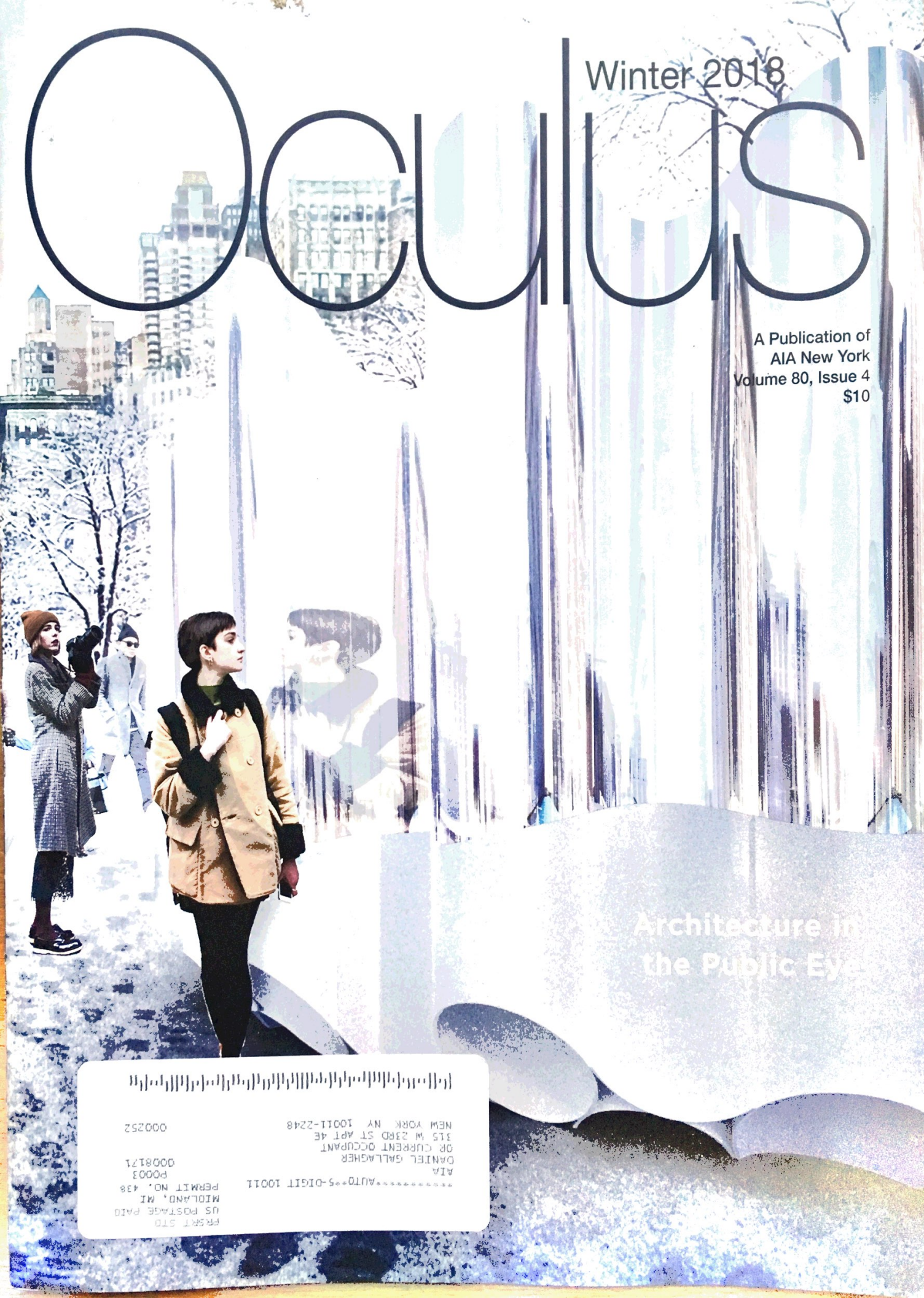
# Oculus

Winter 2018

A Publication of
AIA New York
Volume 80, Issue 4
$10



## Architecture in the Public Eye

# JUSTICE FOR ALL, RECONSTITUTING JUST POTENTIALS

Photo credit: Center for Architecture

The Civic Leadership Program of the Emerging New York Architects Committee held a panel discussion titled "…And Justice for All, Reconstituting Just Potentials" on November 17, 2017. Participants included Dr. Harold Appel, former NYC Correctional System physician; Lex Steppling, lead national organizer, Just Leadership USA; Dan Gallagher, principal, NADAAA, Justice in Design; and Fernando Martinez, Fulton project director, Osborne Association. Dr. Susan Opotow, professor of sociology at the John Jay College of Criminal Justice, served as moderator. This is an edited transcript of their presentations.

**Fernando Martinez:**

"…And Justice for All, Reconstituting Just Potentials" is inspired by the Civic Leadership Program's mission to foster civic engagement and responsibility, with the goal of cultivating and enduring a culture of advocacy that sows lasting benefits for our profession, communities, and nation.

"Justice" is a term that has risen high in the ranks of our public discourse. Unfortunately, the context of that rise is the lack of it in many of our public institutions. When we speak about the subject of justice, we are reminded of how justice is intertwined with injustice. The words of Martin Luther King, Jr. bring perspective to this complex duality. He once said, "Injustice anywhere is a threat to justice everywhere." Our physical surroundings are an integral and formative component of how justice is deployed. With Mayor De Blasio's recent proposal outlining the closure of Rikers Island, New York City is taking momentous steps in redefining justice today.

The proposed policy transformations will have a significant impact on our physical space. Collectively, we have an opportunity to define the process for the future physical manifestation of justice, who it is for, what it will look like, and how it works. This will ensure that the outcome represents the greatest good for all, especially the communities and populations most affected.

**Dr. Harold Appel**

I'm here to provide a context for the situation in the jail system of the city. Of course, I was there for a long time. I've spent a lot of time "behind bars," you could say.

The first thing I want to mention is there's a really big misconception about the difference between a prison and a jail. Our system is mostly a jail, and that means it's made up of at least 80% to 85% of people who are detainees. They've been arrested, and the main thing that makes them different from us is they're supposed to be presumed innocent until proven guilty. Something wrong is that they can't make bail: they don't have enough money, and everybody knows if your bail is $10 and your pocket is empty, it could be a million dollars.

If there's one message I give you tonight it's that locking people up because they don't have enough money is just a horrendous thing, and it's been going on for so long in our city, and it needs to end.

Back in January of 1974, I was six months out of my residency program and drifting around for something meaningful to do. A classmate in medical school was moonlighting at the old Tombs [the Manhattan Detention Complex], and asked me if I was interested. "Yeah," I said. "I'll try that." I started working there and realized I could really accomplish something. The inmates, if they wanted to see a specialist, would wait for months to get sent to the city hospital, and they often would never get there, either. It would get better or worse and worse, and then they had to be taken to the emergency room.

I started going to the Bronx House of Detention. You could see Yankee Stadium from the screened-in roof, where people got to exercise. There was a Brooklyn House of Detention, a Queens House of Detention, and this other place, a branch in Queens. Someone had noticed there were about 20 suicides a year in the system, and they said, "Let's put all the suicidal people in one spot and give them extra treatment." When I was there, there were nets stretched between those walls so people couldn't jump off and kill themselves. I don't think that's what cut down their suicides, though; I think it was that people there cared. I remember the warden was a really good person, and he set the tone for that facility and they reduced the number of suicides, amazingly.

You see a pattern of things coming back to the way they were. There were the borough houses, people started going centralized, and Rikers Island, where they won't escape so

easily. One idea now is to return to boroughs, to the neighborhoods where their families are, where their jobs are, where they live, where their friends are – stuff they're going to lose when they're locked up.

The main thing I want to convey is that all the people I got to meet – about 25,000 to 30,000 people – opened their hearts to me a lot of the time because I realized if I treated them halfway human, it came back. It was a rewarding thing that happened. I felt like I was accomplishing something in that work.

**Lex Steppling**

Just Leadership USA is both a leadership development and an advocacy organization. We have our roots here in New York City, but are in the process of building out nationally. Our Founder and President Glenn E. Martin, who himself was formerly incarcerated, realized that many of us who have in one form or another dealt with the justice system – via incarceration or having been family members – when we arrived in advocacy spaces, there's often an exceptionalizing of the experience.

To arrive in any space where one is okay means that one had opportunities and came in contact with channels of access that aren't usually granted to folks who dealt with these experiences. Our leadership development program exists for that very reason: to create that channel where there was none, and to make sure that the ton of brilliant, dynamic, compassionate, skilled people who would otherwise be denied opportunity because of the endemic impacts of the justice system are going to have that access.

Many of you know Just Leadership USA because of our work on the Close Rikers Campaign. Rikers Island is one of many facilities across the country that probably for generations was seen as a normal part of civic life, almost like the post office or county jail. The truth is, these are places where sanctioned torture has happened for longer than any of us in this room have been alive. It is torture; there's no gray area.

To have an abolitionist lens is often seen as something vacuous that we just say, "Oh, we don't want it to exist," but it's instead trying to transform the whole dialogue around this issue. The fact that it has existed for so long and we've been forced for so long to be reformist or incrementalist around it has validated something that shouldn't have been validated.

The shift away from that I think is fundamental – not to be seen as the ones who hold the radical line, but to hold the line because we want to normalize the fact that a place like Rikers Island should not exist, nor should Men's Central Jail in LA County, the Workhouse in Saint Louis, or Cook County Jail in Chicago. I could spend the rest of the evening naming one facility after another in this country where thousands of people are being tortured.

A lot of the excitement about the Close Rikers Campaign is that for the first time ever, a mayor said, "Yeah, we're going to close the jail," and then he said we'll do it in 10 years, which is frankly absurd. We don't know what's going to happen in 10 years. That said, it is a huge step forward because we've reimagined something. What was once seen as a radical left idea is now almost seen as a normal call for change. The idea that a local municipal or county jail shouldn't exist in a pretty short time went from something that felt very far-reaching and very radical to something we now expect and demand to have happen sooner.

The other thing I think is important is, we talk about how the impact of the jail spills back out in the communities because whenever we have this conversation there's always the idea that, well, what about all those people who commit those crimes? What about the dangerous ones and the kind of dangerous/non-dangerous binary, which is not a static thing? Don't forget that not too long ago, Rikers Island had 25,000 people. Now it has between 8,000 and 9,000 people. It's already been massive decarceration, and crime has not gone up. What happened was, people got to go back home and be members of their communities.

It's about people going home, and then when we think about the victim/offender binary, the victim/offender binary exists in the same person, the same neighborhood, and the same community. The most people who've been affected by violent crime have also been affected by state violence.

I was excited to learn that the AIA has a code of ethics. That code now feels more relevant than ever, because the veneer of how we imagine the system was supposed to work has really, I think, been stripped recently. I think everybody's going through a cathartic moment where they're looking at the system as it was actually designed, and feeling the acute ugliness of it.

**Dan Gallagher**

We were involved in a project called Justice for Design. We're a partner design firm that has done work on a multiplicity of building types, programs, and locations all over the world at all different types, except jails and places of detention.

As you've heard, there is a very clear difference between a jail and a prison. A jail is most often a place where people are held for short sentences of less than a year. For example, Rikers Island has 8,000 or 9,000 people, and about 80% of them or more have never been convicted of a crime.

Having never worked in this type of building or project, we came to it with an extraordinarily kind of humility, and I think we were asked to join with open ears, open eyes, and open minds to consider what could be next.

Jails and detentions are one part of the criminal industrial complex or system that also includes the court system, the police departments, and us as citizens. All these pieces need to work more effectively to understand how this part of society, this part of the civic experience, can be better not just for those who are there, but for all of us.

We were working for the Independent Commission for the New York City Criminal Justice and Incarceration Reform. As we started our design work, there was also a lot of other work

going on about what you do with the island and the people. How does this thing work? Why is it so bad? Our piece was a small component of a much broader study. Rikers is nine jails and what historically has been 25,000 people, to now what is 8,000 to 9,000 people. It is a city in and of itself, with a culture and a condition that is abhorrent.

Our mandate was to produce a set of programs and design principles for future jails and detention centers in the City of New York. We were not asked to design a building, but to understand how design could be an active and integral part of any discussions as this process moves forward.

We went through a series of conversations about the pros and cons of various pieces of the puzzle. How do you define your community? How do you define your context? What are the good things? What are the bad things? What are your perceptions and expectations of jails and the incarceration systems in New York? And maybe most important, what happens afterwards? Not only what is the next jail supposed to look like, but what happens after someone experiences this part of life? What happens with them next? How do we engage them back into a broader civic life?

What we've found in our three workshops, Queens, Bronx, and Brooklyn – we also toured one of the facilities at Rikers, Rosie, the newest and maybe the most "pretty" of the various jails – is that every borough has people coming to Rikers. You are detained or arrested in any one of the boroughs, you don't make bail or for some other reason, most of the people end up at Rikers.

For us, it became a three-pronged approach. One was, how do we describe interior design principles that could potentially affect current conditions in the short run, and what comes next in the long run? One was the detainee, the life of the detainee himself or herself, and, in a way, making a space. Again, these are incredibly basic ideas of light, air, acoustic attenuation, program adjacencies, access to outdoors. This doesn't mean you have to wait on an elevator with 14 other people for 45 minutes to get to an outdoor space, but how can you make normalcy a reality for those folks living there for however long they'll be.

In this case, we also know we live in a sectional world, in a city, so these things need to happen not just in this Virgilian landscape of the horizontality, but vertically as well. At the same time, we know full well that the place involves a culture of corrections, and that is actually is a major problem with the day-to-day operations of Rikers and other jails and detainee centers. How can we make spaces to improve conditions for the correction officers and the staff? Again, simple ideas: light, air, space, acoustic attenuation, access to outdoors.

The third of the three prongs is visitor experience. Again, if you think of who actually brings the experience of detention home on a daily basis, it's the visitors and folks who work there. How can we make that visitor experience much better than it is right now? It is just horrific that the system is not digital, so you may not know where your loved one is at that particular moment. You can spend an entire day trying to get both to and on Rikers Island. You go through multiple tests and metal detectors for a 30- to 45-minute visit with your loved one or client. You've spent an entire day trying to get to that point of interaction in a place which is crap where there is no sense of normalcy in the way people interact.

What happens after we close Rikers? We're looking at places that are not necessarily about a jail or detention, but about a civic building. How do we make civic buildings, knowing that a civic building is not just about the people who work inside, but about everyone around it who has to understand it as a part of their neighborhood and community? It's not the big buildings that have no windows and look like they're just covered in barbed wire – how do you make a place that has a community understanding that is actually positive?

We looked at various narratives of people, not just the folks who work there but the people who live, work, and walk their dog in the neighborhood. How can we describe programs we found through the workshops that actually engage not only the folks within the detention facility, but those around it or those affected by it on a daily basis? Some of this is based on what we learn in terms of nursing homes, new businesses, release services, community spaces, tutoring services, bus stops, officer training, jury duty – if you think about the city and how we overlap and how these individuals work in the city, there are points where we all do the same thing. We may do it differently and at different times a day, but there may be places we can do that within a building that has a primary component that's actually a point of detention.

We went through a day in the life of a detainee, community members, corrections officers: how they work, the location relative to courts. Why can't there be a gym near where they work? Why can't there be a restaurant? Again, it becomes part of a daily routine. Business owners, families, daycare: simple things that again may not necessarily have to exist within the building, but within the context by which we make these buildings.

For the released detainee, the first day someone is detained should really be about what happens after they are released. How can release be understood as a part of the process that one begins with, whether it's finding housing, helping one establish where they go, and the next step? Where is the probation officer? Where is job training? Legal services? Can they exist within these communities? How do they all work together in terms of making this place we call a city or a civic life?

This is just understanding the porosity of the building itself. It's not just that edifice over there with the barbed wire around it, but a place that can actually be made more engaging for the rest of us, whether it's the DMV or a community room. All of this has the potential of making an integral part of who we are as a city.

Again, the imperative for change and the negative effects of our current system are extremely broad. They are generational and affect people of color and those with economic challenges in horribly disproportionate ways. We can do better.

### Fernando Martinez

The Osborne Association was founded over 85 years ago by Thomas Mott Osborne, an industrialist and former mayor of Auburn, New York. He was also a warden at one of the state correctional facilities, but before he became a warden he wanted to get a firsthand experience of what it was like to be incarcerated within the prison. He went in under an alias. It was groundbreaking experience, and ever since then, he and his family have been dedicated to criminal justice reform. The Osborne Association today is located within over 20 upstate correctional faculties. We have main offices in the Bronx, and offices in Brooklyn, Newburgh, and Harlem. We're also within Rikers.

This is a rendering of the Fulton Community Reentry Center. The facility wasn't always a correctional facility; it was actually constructed in 1906 as the Bronx House of Worship by the Episcopalian diocese. It remained a house of worship for a number of years, but as the neighborhood changed so did the use of the facility.

After it was a synagogue, it became a YMHA and then a nursing home in the '50s. Somewhere in the '50s and '60s it changed ownership from a private owner to the State of New York. As the drug epidemic became intense in the city, the state took over this facility and made it a drug treatment facility. From that, it evolved in the '70s to a work release facility, which housed 400 to 500 men before it was closed in 2011. It was first constructed as a five-story building, but when the state took it over they infilled some of the very tall floors and created a seven-story building. That post a bunch of challenges for us when we took it over because it's overbuilt, but we got past all that.

We also spent time doing community engagement. The people within the Bronx community, in Community Board 3, were very familiar with the facility as a correctional facility, and they wanted to see what would happen to it. We did a yearlong community engagement process and asset mapping with the community. About half of those people who attended were formerly incarcerated, either on parole or probation, or had some type of contact with the criminal justice system. We also had policymakers, community-based organizations, and elected officials represented.

Let me touch on some statistics. I look at these numbers, and it still blows me away in terms of what we face with people reentering the community. In 2012 there were over 22,000 people released within New York State. Of that, 10,000 people a year were released to New York City. There are cities in this country that are smaller than that. Ten thousand people released every year come to New York City, and so what happens to them?

How does someone succeed upon being released, coming back into the community if they don't have the resources to make them succeed? One thing we want to do at Fulton is provide services so those released can come back and have the tools necessary to have success in gaining employment, some education, and a place to live, as opposed to going back to a correctional facility, which happens more than we'd like.

We're going to provide residential housing at Fulton transitional housing. We're working with the New York City Department of Homeless Services to provide funding so we can cover the cost to operate this facility. What we found is of those 10,000 people released every year, 10% to 20% are homeless. They go to the shelter system without any resources or benefits, and they're just lost.

We want to provide a diversion so they will not go to the shelter but come to Fulton to be part of the discharge plan before they're released. We want to identify those who are going to be homeless, and then send them straight to Fulton so they receive the necessary services and work collaboratively with neighborhood organizations or institutions where there's a healthcare facility and a mental institution to provide the resources people need. It will be residential floors: four floors, 135 beds, dormitory-style.

It's very important to have natural light in the rooms because that improves the psychological and social well-being of the person. It was very important that we have the sleeping accommodations on the perimeter of the building, and that every room has access to a window without bars.

### Susan Opotow

I'm a researcher on social justice and injustice from a social psychological perspective.

Procedural justice and distributive justice are interrelated in the circular fashion, where procedures lead to outcomes, and then outcomes return back to procedures. My work is in a third aspect of justice, which is a justice of inclusion and exclusion. My work as opposed to procedural and distributive justice, which attends to how and what, attends to the question of who – particularly, who counts. In the criminal justice, we see a system. We see exclusion writ large. If you have institutions that are detaining people who are innocent, if you have institutions that are so racially skewed, there's a problem in society.

I deeply believe our society is best judged by how we treat those who are least advantaged. My work on inclusion and exclusion is relevant in the context of stakeholder involvement.

Then there's the issue of the precarious communities, the communities that may in the future become jail-involved if we're not attentive to larger issues about social justice in general. These are important issues about the distribution of resources in society. We have decades of disinvestment in minority communities of discrimination throughout society. There's a legacy of housing segregation throughout the country that goes back to the 1930s.

I think we're at a very important juncture right now. In this room I see faces I am sure are going to be part of any solution. I urge you to become active in this, because it reflects so much on the society in which we live.