

DISTRICT ATTORNEY COUNTY OF NEW YORK ONE HOGAN PLACE New York, N.Y. 10013 (212) 335-9000

March 13, 2015

Governor Andrew M. Cuomo Executive Chamber Albany, New York 11224

Dear Governor Cuomo:

I write with regard to the Greenburger Center for Social and Criminal Justice's application for a license from the New York State Office of Mental Health to develop a secure, mental health treatment facility for certain individuals suffering from a serious mental illness who have been convicted of felony offenses. I understand that the Center's proposal is to provide an alternative to incarceration for those individuals whose illnesses prevent them from diversion to a non-secure community treatment facility.

The establishment of Mental Health Courts has added to our understanding of how some individuals who have committed crimes but also suffer from a serious mental illness can be better moved through the justice system. A significant problem, however, is the lack of diversion facilities for the population that requires a secure environment, both for the safety of those diverted and for the safety of the community in general. The Center's proposal aims to provide a facility that will address this challenging problem.

I appreciate the Office of Mental Health's examination of the Center's application and hope that it will be found to merit a license for operation of an innovative and appropriate facility. I also thank you for your continued leadership in addressing issues of fairness and effectiveness of the criminal justice system, and for recognizing that new initiatives must be considered to address the serious problems that confront us.

Cyrus R. Vance, Jr.

cc: Commissioner Ann Marie T. Sullivan, OMH



DISTRICT ATTORNEY **OUEENS COUNTY** 125-01 QUEENS BOULEVARD KEW GARDENS, NEW YORK 11415-1568

Richard A. Brown District Attorney

March 9, 2015

(718) 286-6000 www.queensda.org

Honorable Andrew Cuomo Governor **Executive Chamber** Albany, New York 11224

Dear Governor Cuomo:

It is my understanding that the Greenburger Center for Social and Criminal Justice is seeking a license from the New York State Office of Mental Health for development of a secure, mental health treatment facility for justice-involved individuals with serious mental illness who have committed felony level crimes and pose a risk to themselves or society. This facility is being contemplated by the Greenburger Center as a secure alternative to incarceration.

The population described above poses significant challenges for the criminal justice system and the administration of justice. During the decades that I have served as a prosecutor and a judge, I have seen a substantial and tragic increase in the number of justice-involved mentally ill defendants entering the criminal justice system. As you may know, my office has operated a Mental Health Court for some time and does its best to divert appropriate cases for treatment and services. Unfortunately, however, for those with serious mental illness who are unable to be diverted to a community based non-secure treatment facility, there are no good options currently available.

I believe development of a secure alternative to incarceration, with appropriate safeguards, which provides the treatment and services proposed by the Greenburger Center, could provide effective therapeutic interventions and alternatives to incarceration. Treatment versus incarceration for this population would seem to provide the most humane and best chance for lasting rehabilitation.

I encourage you and the Office of Mental Health to pursue this promising proposal and consider all options for licensing secure facilities that would provide justice-involved, seriously mentally ill New Yorkers with treatment options instead of incarceration in appropriate cases. I believe justice and public safety would be better served.

Warm regards.

bcc: Jay Kriegel, Esq. Lois Raff, Esq.

Richard A. District Attorney

Sincerely,



DISTRICT ATTORNEY
KINGS COUNTY

350 JAY STREET BROOKLYN, NY 11201-2908 (718) 250-2000 WWW.BROOKLYNDA.ORG

April 7, 2015

Honorable Andrew Cuomo Governor Executive Chamber Albany, New York 11224

Dear Governor Cuomo,

I am writing this letter in support of the Greenburger Center for Social Justice's application to obtain a license from the New York State Office of Mental Health for the development of a secure facility that will provide treatment for felony offenders who have serious mental illness.

The Brooklyn District Attorney's Office is a staunch supporter of the development of alternatives to incarceration for offenders who suffer from serious and persistent mental illness as well as co-occurring disorders. This commitment is evidenced in our unwavering support of the Brooklyn Mental Health Court and of the Educational Assistance Corporation, each of whom provide felony and misdemeanor non-violent offenders community-based mental health services in lieu of incarceration. Our work with these stakeholders has not only provided criminal offenders with needed treatment and the opportunity to be better citizens but has positively informed the criminal justice community that treatment reduces the incidence of future hospitalizations and rearrests.

The Greenburger Center seeks to further enhance this treatment commitment by developing a facility that will provide mental health treatment for between 30-60 offenders who do not qualify for community-based treatment in a non-secure setting. Their proposal will provide the criminal justice system with a resource which has the potential of greatly reducing the incarceration of the mentally ill.

I would urge you to look favorably upon their license application.

Sincerely,

Kenneth P. Thompson

A. GAIL PRUDENTI CHIEF ADMINISTRATIVE JUDGE LAWRENCE K. MARKS
FIRST DEPUTY CHIEF ADMINISTRATIVE JUDGE

March 11, 2015

Ann Marie T. Sullivan Commissioner NYS Office of Mental Health 44 Holland Avenue Albany, New York 12229

Dear Commissioner Sullivan:

I am writing in regard to a proposal by the Greenburger Center for Social and Criminal Justice concerning development of a secure, mental health treatment facility for felony-level criminal defendants with serious mental illness. This facility is being contemplated by the Greenburger Center as a secure alternative to incarceration.

This population poses significant challenges to the administration of justice in our courts. The adjudication and disposition of these cases present considerable time-consuming, costly and difficult issues. Having seen countless numbers of defendants cycle through the criminal justice system over the years, we believe the public would be better served if appropriate members of this population received treatment outside of DOCCS. Unfortunately, secure facilities providing effective therapeutic interventions and alternatives to incarceration do not exist in the City or State. If such facilities existed, they would provide a valuable option to judges and produce more successful outcomes in many of these cases.

We encourage your office to pursue all options for licensing secure facilities that would provide seriously mentally ill criminal defendants with treatment options in lieu of incarceration. By doing so, we believe justice and public safety would be better served.

Thank you for your consideration of this matter.

MINI

Lawrence K Marks

Supreme Court of the State of New Hork



CRIMINAL TERM QUEENS COUNTY

CHAMBERS 125-01 QUEENS BOULEVARD KEW GARDENS, NY 11415

February 23, 2015

The Honorable Andrew M. Cuomo Governor of New York State NYS State Capitol Building Albany, NY 12224

Dear Governor Cuomo,

We are writing this letter to encourage you to support the efforts of the Greenburger Center for Social and Criminal Justice as it seeks to secure licensing from the Office of Mental Health for the development of a mental health facility that will treat individuals with serious mental illnesses who have committed felony level crimes. This facility, the very first of its kind in New York State, would not only provide judges with a secure alternative to incarceration, it is evident that it is designed to address the acute therapeutic needs of a population that is in desperate need of rigorous mental health treatment.

As you are well aware, individuals with serious mental illness pose significant challenges to the administration of justice in our courts. The disposition of these cases are both time-consuming and costly. Moreover, cases involving the seriously mentally ill present complicated issues that our jails and prisons are ill equipped to handle.

That said, our work in the Queens Mental Health Courts at both the felony and misdemeanor levels have shown us that treatment and monitoring produce good outcomes. Despite these findings, too many of our treatment court participants wait too long for residential placements. Furthermore, a recent study of the city jails by the Council of State Governments Justice Center found that mentally ill inmates stay in jail an average of 112 days, instead of 61 days for those without mental health issues. This is over twice as long, and their incarceration

costs three times as much as other inmates. Accordingly, the secure facility contemplated by the Greenburger Center would fill a desperate need for these individuals.

For these reasons, we urge you and the Office of Mental Health to consider all options pertaining to the licensing of the proposed secure facility so that seriously mentally ill New Yorkers can get the medical treatment they so desperately need. In the end, we believe that justice and public safety would better be served.

Very truly yours,

JOSEPH A. ZAYAS Administrative Judge

Criminal Term Queens County MARCIA P. HIRSCH

Presiding Judge Queens Felony Mental Queens Misdemeanor Health Court

TOKO SERITA

Presiding Judge Mental Health Court

Ann M. Sullivan, M.D., cc:

Commissioner,

New York State Office of Mental Health

Cheryl Roberts, Executive Director,

Greenburger Center for Social and Criminal Justice

Supreme Court of the State of New Hork



CHAMBERS 100 CENTRE STREET NEW YORK, NY 10013

February 20, 2015

The Honorable Andrew M. Cuomo Governor of New York State New York State Capitol Building Albany, NY 12224

Dear Governor Cuomo,

I have read a concept paper from the Greenburger Center for Social and Criminal Justice for development of a secure mental health treatment facility for criminal defendants with serious mental illness who have committed felony level crimes and pose a risk to themselves or society. This facility is being contemplated by the Greenburger Center as a secure alternative to incarceration.

The population described above poses significant challenges to the administration of justice in our courts. The disposition of these cases is time consuming, costly and challenging for the court, its officers and the public. Having seen hundreds of defendants cycle through the criminal justice system for many years, I respectfully suggest that they and the public would be better served if certain members of this population could receive treatment outside of the Department of Corrections. Unfortunately, secure facilities providing effective therapeutic interventions and alternatives to incarceration do not exist in the City or State.

I encourage you and the Office of Mental Health to pursue all options for licensing secure facilities that would provide seriously mentally ill defendants with treatment options to incarceration that would better serve justice and public safety.

Thank you for your consideration.

Very truly yours,

Honorable Michael J. Obus

cc: Cheryl Roberts Executive Director Greenburger Center Supreme Court of the State of New York



MATTHEW J. D'EMIC
JUDGE OF THE COURT OF CLAIMS
ADMINISTRATIVE JUDGE FOR CRIMINAL MATTERS
SECOND JUDICIAL DISTRICT



CHAMBERS 320 JAY STREET BROOKLYN, N.Y. 11201 (347) 296-1000

April 13, 2015

Honorable Andrew M. Cuomo Governor of the State of New York Executive Chamber Albany, NY 11224

Dear Governor Cuomo:

I am writing in support of the application of the Greenburger Center for Social and Criminal Justice for a license to open a secure mental health facility as an alternative to incarceration program for criminal defendants.

Such a facility would be the first of its kind in New York State and would fill a void in treatment alternatives. For although residential treatment facilities exist, they are not secure. and defendants sent there may leave. For this reason judges and prosecutors are reluctant to take a chance on defendants deemed too dangerous to release to such programs. As a judge presiding in a mental health court, I have experienced this first hand.

Only recently I received a letter from the father of a defendant suffering from a mental illness, asking for an alternative to incarceration program for his son, while acknowledging that his son is too dangerous without treatment for release to the community but acknowledging "I know that if we don't get him the help he needs, he will lash out again. I'm not asking to release him or lessen his time, but to make his time work for him and for society because that's who's at risk."

Honorable Andrew M. Cuomo April 13, 2015 Page 2

It seems that a secure alternative to incarceration mental health facility would allow prosecutors and judges an option for defendants like this man's son.

I believe the Greenburger Center's proposal is worthwhile and worth a try.

Thank you for your courtesy.

Very truly yours,

Matthew J. D'Emic Administrative Judge for Criminal Matters

cc: Commissioner Ann Marie Sullivan NYS Office of Mental Health 44 Holland Avenue Albany, NY 12229

Cheryl Roberts
Executive Director
Greenburger Center for Social and Criminal Justice
55 Fifth Avenue, 15th Floor
New York, NY 10003



Ana M. Bermúdez Commissioner

33 Beaver Street, 23rd Floor New York, New York 10004 +1 212 361 8976 tel +1 212 361 8985 fax March 13, 2015

Ann Sullivan, MD Commissioner New York State Office of Mental Health 44 Holland Albany, NY 12229

LOS: Greenburger Treatment Center, a project of the Greenburger Center for Social and Criminal Justice

Dear Commissioner Sullivan,

It is my understanding that you may be considering licensing options for a secure mental health treatment facility proposed by the Greenburger Center. This facility is intended to serve justice-involved individuals who have committed felony level crimes, have serious mental illness and may pose a risk to themselves and the public.

Addressing the needs of this particular population poses unique, complex and costly challenges within the criminal justice system. We believe that there are opportunities to do this better, including more effective treatment for this population we currently serve. It will be an asset to our clients and their communities.

I am encouraged by your careful consideration of this proposal, as a broad spectrum of care is needed for those justice-involved individuals afflicted with mental illness.

Sincerely,

Ana M. Bermúdez

Ana M. Bermid



Mayor's Office of Criminal Justice

Elizabeth Glazer Director

One Centre Street, 10th Floor New York, NY 10007

646 576 3530 tel 212 788 6845 fax

Ann Sullivan, MD Commissioner New York State Office of Mental Health 44 Holland Albany, NY 12229

December 5, 2014

Dear Commissioner Sullivan,

Thank you again for your participation on the Mayor's Task Force on Behavioral Health and Criminal Justice. We're looking forward to working closely with you to implement these changes, ones that are truly transformational for people with behavioral health issues in New York City.

I write today as it is my understanding that you may be considering licensing options for the secure, mental health treatment facility proposed by the Greenburger Center. This facility is intended to serve justice-involved individuals with serious mental illness who pose a risk to themselves or society, and who have committed felony level crimes.

Addressing the needs of the population described above poses unique, complex and costly challenges within the criminal justice system. We believe that there opportunities to do this better, including treating this specific population outside of the Department of Correction system. However, secure facilities providing effective therapeutic interventions do not exist in the City or State.

I am encouraged by your careful consideration of this proposal, as a broad spectrum of care is needed and look forward to any thoughts you may have and further opportunities for us to work together.

Sincerely,

Elizabeth Glazer

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THE COUNCIL OF THE CITY OF NEW YORK 250 BROADWAY NEW YORK, N.Y. 10007



Friday, January 29, 2016

Speaker Melissa Mark-Viverito New York City Council 250 Broadway, New York, NY 10007

Dear Madame Speaker,

The Bronx Delegation has reviewed the attached proposal by the Greenburger Center for Social and Criminal Justice ("Greenburger Center" or "Center"), for a secure Alternative To Incarceration ("ATI") for those suffering with Serious Mental Illness ("SMI") who have committed felony level crimes and are not otherwise eligible for existing community-based ATIs.

A secure ATI does not exist in New York City or the state and we have been advised such a facility would be the first of its kind in the country. Unfortunately, this option was not included in the Mayor's Task Force recommendations, but we believe the public and New Yorkers with SMI need this ATI option.

As the attached letters attest, many other City officials also support development of the Greenburger ATI concept, including DAs Vance, Brown, Thompson, First Deputy Chief Administrative Judge Marks, Administrative Judges Zayas, Obus, D'Emic, Mental Health Treatment Judges Serita and Hirsch, NYC Department of Corrections Commissioner Bermudez, and Director of the Mayor's Office of Criminal Justice, Elizabeth Glazer.

The Greenburger Center has already invested over \$400,000 to develop this model and is seeking \$240,000 from the Council (\$20,000 on behalf of the Center and \$220,000 through the Fortune Society, acting as a fiscal sponsor of the Center), to help complete development of the pilot program. We believe money spent to develop this pilot will not only keep the public safer, it will change the lives of people with SMI and their families, and save taxpayer money. Simply put, effective treatment is more humane and cheaper than the constant and life long cycle of arrest and re-arrest tragically typical of this population.

We support the many measures taken thus far by the Mayor's office to reform the criminal justice system, including the Task Force recommendations and his new "Justice Reboot" initiative. However, reform initiatives can no longer leave out New Yorkers with serious mental illness with no other diversion options. We urge you to take a leading role in ensuring that criminal justice reform is comprehensive by funding the Greenburger Center's request for pilot funding through a Speaker's Initiative.

Sincerely,

Council Member Andy Cohen, District 11

Council Member Andy King, District 12

Council Member James Vacca, District 13

Council Member Fernando Cabrera, District 14

Council Member Ritchie Torres, District 15

Council Member Vanessa Gibson, District 16

Council Member Maria Del Carmen Arroyo, District 17

Council Member Annabel Palma, District 18



THE ASSEMBLY STATE OF NEW YORK ALBANY

COMMITTES
Banks
Correction
Election Law
Governmental Operations
Housing
Veterans' Affairs
SUB-COMMITTES
Chair Mitchell-Lama

TASK FORCE Puerto Rican/Hispanic

Black, Puerto Rican, Hispanic and Asian Legislative Caucus Co-Chair, Criminal Justice Task Force

WORKING GROUPS Member, Majority Working Group on Rules, Operations, Government Transparency & Public Participation

February 11, 2016

The Honorable Carl Heastie Speaker New York State Assembly LOB 932

Re:

Greenburger Center for Social and Criminal Justice Funding Request

Dear Speaker Heastie,

I am writing on behalf of the Greenburger Center for Social and Criminal Justice (GCSCJ). Available and effective treatment alternatives to incarceration simply do not exist for justice-involved adults with Serious Mental Illness (SMI) who are facing multi-year sentences of incarceration and who do not quality for any of the current community-based alternatives. The GCSCJ has purchased two adjacent properties in my district of the Bronx to develop a first of its kind in the nation, 6 -year pilot project for this target population.

The GCSCJ's pilot project, to be called Hope House on Crotona Park (HHCP) will serve up to 10 men and 6 women at a time from all five NYC boroughs. HHCP has agreed to reserve 30% of the beds for people from the Bronx and will give preference to veterans whenever possible. As you well know, the Bronx has the highest rate of incarceration of the 5 boroughs and many of our veterans unfortunately suffer from SMI when the come home from service abroad. I believe people suffering from SMI should not be criminalized but should receive treatment to reduce recidivism, make communities safer, and save taxpayer funds.

I respectfully request an allocation of \$250,000 in FY-16 for discretionary funds and \$500,000 for capital funds. These funds will be used to develop and build a secure residential treatment program. Letters I have seen from Judge Lawrence Marks, District Attorneys Vance, Brown and Thompson, Commissioners Bermudez and Glazer, the entire Bronx delegation from the NYC Council, the Down State Victims Coalition, among others support this concept. In addition, the Center's founder has agreed to give or get \$2.5 million for this project. Attached for your review is a short summary of the Center's project.

Thank you for your consideration of this request. I hope you will consider meeting with the Center in the near future to discus the concept and other steps necessary to successfully pilot this project. If you need further assistance, please do not hesitate to contact me.



MICHAEL A. BLAKE Assemblymember 79th District – The Bronx

THE ASSEMBLY STATE OF NEW YORK ALBANY

COMMITTEES
Banks
Correction
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Governmental Operations
Housing
Veterans' Affairs

SUB-COMMITTEES Chair, Mitchell-Lama

TASK FORCE Puerto Rican/Hispanic

Black, Puerto Rican, Hispanic and Asian Legislative Caucus Co-Chair, Criminal Justice Task Force

WORKING GROUPS Member, Majority Working Group on Rules, Operations, Government Transparency & Public Participation

Respectfully Submitted by,

Michael Blake

Member of the Assembly

Dame O'Domell

& Nelle

Daniel O'Donnell Member of the Assembly

Couper R. Lentol

Joseph Lentol Member of the Assembly

Marcos Crespo

Member of the Assembly

Felix Ortiz

Member of the Assembly

DOWNSTATE COALITION FOR CRIME VICTIMS LEGISLATIVE COMMITTEE

October 14, 2015

Hon. Andrew M. Cuomo Governor of New York State Executive Chamber Albany, New York 11224

Dear Governor Cuomo,

On behalf of the Downstate Coalition for Crime Victims and its Legislative Committee, we compose this letter in support of the Greenburger Center for Social and Criminal Justice as they seek state funding and support from the State Office of Mental Health and the Department of Criminal Justice Services. The Center's first of its kind alternative to incarceration model aims to create a secure and therepeutic facility to provide an alternative to incarceration for felonly offenders who suffer from the effects of serious mental illness.

Individuals suffering from the effects of mental illness require constant, rigorous and often complicated treatment, and are much better served by a secure facility that specializes in this kind of work. The Greenburger Center seeks to provide a better equipped alternative to incarceration with the expectation that it will be more cost effective in the long term and will have the most positive impact on an offending indivdual and consequently his community if and when the sentence is complete. The Downstate Coalition for Crime Victims is a collective of service providers, victims advocates, survivors, community based programs, government agencies and elected officials, that speaks as a united voice for victims of crime in New York State. It is our strong belief that the Greenburger Center will help to end cycles of violence in our community by providing the mental health services that are so desperately needed by these individuals.

We urge you, the Office of Mental Health and the Department of Criminal Justice Services to strongly support the Greenburger Center facility so that offenders suffering from serious mental illness can get the services they need and deserve. We believe that doing so will serve both justice and the safety of our communities.

Respectfully,

Christopher E. Bromson

Co-Chair, Legislative Committee

Downstate Coalition ebromson@evtenyc.org

Kimberly-Sanchez, LMSW

Co-Chair, Legislative Committee

Downstate Coalition ksanchez@cvtcnyc.org

cc:

Anne M. Sullivan, MD Commissioner NYS Office of Mental Health Mike Green Commissioner NYS Division of Criminal Justice Services



February 20, 2015

Governor Andrew Cuomo The Capitol Albany NY 12224

Dear Governor Cuomo,

The Treatment Advocacy Center is a national 501(c)3 nonprofit that works to eliminate legal and other barriers to the timely and effective treatment of the most severe mental illness; New York's "Kendra's Law" is the outgrowth of our work. When treatment is not timely or effective, arrest and incarceration often result. Being mentally ill is not a crime, yet an estimated 2 million adults are arrested each year for criminal behavior that results from their untreated mental illness symptoms, and approximately 800,000 are incarcerated.

It is on behalf of this population and the communities where they live that I am writing to urge your support for efforts of the Greenburger Center for Social and Criminal Justice to develop a secure, mental health treatment facility for justice-involved individuals with serious mental illness who pose a risk to themselves or society and who have committed felony crimes. This facility is being proposed by the Greenburger Center as an alternative to incarceration for individuals who would not qualify for mental health court diversion, which typically is reserved for those charged with less serious crimes.

The population described above poses a proven, significant challenge to the NYS Department of Correction, Department of Probation, and the judicial system, as well as to agencies and organizations providing homeless services. There appears to be widespread agreement that this population would be better treated outside of the criminal justice system. However, because secure facilities providing effective therapeutic interventions do not exist in the state, individuals in this population continue to be remanded to jails and prisons, where their suffering is exacerbated, and their illness worsens. As inmates, they often pose a danger to themselves or others and are at high risk for recidivism. Their non-treatment has costly consequences that include:

 Suicide risk. The rate of prison suicide in New York was twice the national average in 2010, and inmates with mental illness are disproportionately the victims. The direct and indirect cost of these deaths is incalculable.

> 200 North Glebe Road, Suite 801 Arlington, Virginia 22203 Phone: 703-294-6001 Fax: 703-294-6010 TreatmentAdvocacyCenter.org

 Longer incarcerations. Mentally ill inmates in New York spend, on average, 15 months longer behind bars than other prisoners – with all the costs and risks longer incarcerations entail.

I am enclosing the executive summary and New York information from our 2014 study, co-authored with the National Sheriffs' Association, "The Treatment of Persons with Mental Illness in Prisons and Jails: A State Survey." The complete study is available online. You will see one of our recommendations is "Provide appropriate mental illness treatment for inmates with serious psychiatric illness."

The Greenburger Center's proposal is a step in that direction that has no equivalent.

I encourage you and the Office of Mental Health to pursue all options for licensing secure facilities that would provide these justice-involved, seriously ill New Yorkers with treatment options instead of incarceration. They, taxpayers, justice and public safety will be better served.

Sincerely,

Doris A. Fuller

Executive Director

Doris Duller.

cc: Margaret Egan, New York State Assistant Secretary for Public Safety

Encl.