



September 6th, 2022

Hon. Anthony Cannataro
Acting Chief Judge of the Court of Appeals
20 Eagle Street
Albany, New York 12207

Hon. Lawrence K. Marks
Chief Administrative Judge
Office of Court Administration
25 Beaver Street
New York, NY 10004

Dear Judge Cannataro and Judge Marks:

We write to request a concrete plan to re-open Midtown Community Court to pre-pandemic full capacity. Midtown Community Court, New York City's first community court and one of the country's first problem-solving courts, was designed to serve Hell's Kitchen, Times Square, Chelsea, and the Garment District, where traditional public safety approaches were not successful.

Twenty-five years ago, the Midtown Community Court helped the community respond effectively and humanely to those arrested within its catchment area in a way that helped transform the reputation of Times Square. Given the neighborhood's unique status as the crossroads of the world, restoring Midtown Community Court's pre-pandemic arraignment part and its co-located services will provide critical access to a proven tool that can have positive impact on public safety.

Midtown Community Court was closed during the height of the pandemic in response to COVID-19 to keep residents safe and is currently open for court operations only one day a week. The continued closure of the Community Court and limited facility operating hours have hamstrung individuals' ability to access support and services as they move through the criminal justice system. Midtown Community Court's unique services include the voluntary social services clinic, UpNext (a fatherhood program), Community First (a street outreach initiative), Project Reset (a pre-arraignment diversion program), youth gun diversion programming, community service projects, naloxone and fentanyl test strip trainings and others.

Currently, all community members arrested in Manhattan, even if they might normally be arraigned at Midtown Community Court, are arraigned downtown at the New York County Criminal Court at 100 Centre Street. Defendants who cause harm in Manhattan Community Court's six precincts (10, 13, 17, 20, MTN, and MTS) begin their court process downtown before receiving referrals back to Midtown Community Court. Rather than being arraigned and receiving social services at the start and within one building, defendants are currently expected to take the half-hour subway ride uptown from 100 Centre Street to participate in any programming they may have been mandated to participate in as part of efforts to deter future justice involvement. Removing obstacles to accessing services such as mental health, substance use, homelessness, unemployment, parenting challenges increases compliance and justice system involvement.

In the first half of this year, more than a thousand cases that could have been arraigned and served with co-located services the same day at Midtown Community Court were instead arraigned downtown. More than 600 of those cases received ATI mandates that were referred to Midtown Community Court for completion.

Returning Midtown to its full operations may seem difficult due to limited resources - most notably the staffing shortages of court officers and clerks. Combining court parts downtown to allow the necessary resources to be reallocated back to Midtown Community Court could make reopening feasible. When operating five days a week at full capacity, Midtown Community Court is staffed with two clerks and roughly ten court officers. It is possible to combine court calendars, leading to Midtown's assigned staff to return.

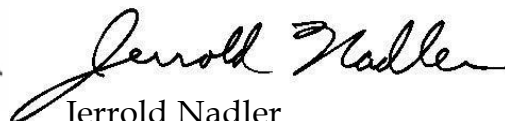
The return to full operations would be optimal. If this is not possible, a progressive reopening, beginning with the extension of the court's current operational hours of 9AM - 4PM and additional court days would be invaluable for young people involved in diversion programming and court participants who are often occupied during the court's limited hours.

We look forward to hearing from you. Please do not hesitate to reach out should you have any questions.

Sincerely,



Brad Hoylman
State Senator, District 27



Jerrold Nadler
Congressmember, District 10



Mark Levine
Manhattan Borough President



Dick Gottfried
Assembly Member, District 75



Linda Rosenthal
Assembly Member, District 67



Erik Bottcher
Council Member, District 3



Gale Brewer
Council Member, District 6