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As Republicans Resist Closing Prisons, Cuomo Is Said to Scale Back Plan

By **DANNY HAKIM** and **THOMAS KAPLAN**

ALBANY — Nearly a month ago, Gov. [Andrew M. Cuomo](#) made a call to close some prisons an emotional capstone of his first annual address to the Legislature, vowing, to sustained applause from fellow Democrats, that underused prisons would no longer be “an employment program” for upstate New York.

The issue has long prompted resentment, particularly for families of New York City residents who are shipped hours north of the city to be incarcerated, to places like the Clinton Correctional Facility in Dannemora, which is perched in the northern Adirondacks.

But now Mr. Cuomo appears to be, at least partly, in retreat.

The governor and his staff had considered closing or consolidating potentially 10 or more adult and youth prisons and other facilities controlled by the corrections department, but they have faced stiff resistance from Senate Republicans, who are trying to fend off the loss of hundreds of state jobs in some of their upstate districts.

Now the governor appears to be scaling back his ambitions, those with knowledge of his plans said. They spoke on the condition of anonymity because they were not allowed to talk on the record about the governor’s budget deliberations ahead of the budget’s completion.

Any plan to shutter specific prisons is unlikely to be included in the budget Mr. Cuomo releases on Tuesday and will be left to negotiations with the Legislature as it hammers out a final budget over the next two months.

The governor’s office has already signaled a willingness to accommodate Republicans; a plan floated on Friday in *The New York Post* suggests as few as six prisons would be closed, three of them in New York City, including two that house work-release programs.

If the new strategy holds, it would sharply curtail Mr. Cuomo’s ambition and could

ultimately even increase the proportion of prisoners sent upstate.

In his Jan. 5 address to the Legislature, Mr. Cuomo said that “an incarceration program is not an employment program.”

“If people need jobs, let’s get people jobs,” he added. “Don’t put other people in prison to give some people jobs. Don’t put other people in juvenile justice facilities to give some people jobs. That’s not what this state is all about, and that has to end this session.”

On Friday, his administration had little to say publicly on the matter.

“While any speculation about the budget is premature,” Mr. Cuomo’s deputy communications director, Josh Vlasto, said, “prisons with very significant vacancy rates should be evaluated and potentially considered for closure given the state’s fiscal condition.”

Mr. Vlasto also said there was never a plan to close only upstate facilities.

Republicans have certainly made their feelings clear about any potential closings.

“We recognize that this is going to be a tough budget with real cuts, and we just hope that these cuts are equally distributed around the state,” said Senator Thomas W. Libous, a Binghamton Republican and the deputy majority leader.

“I do think the governor understands the prison issue,” he added. “I know he understands the prison issue is always a sensitive one to upstate.”

Leaders of the legislative committees that oversee prisons said Friday that they had not been briefed by Mr. Cuomo or his aides on what closings might be part of his budget.

The chairman of the Assembly’s Committee on Correction, Jeffrion L. Aubry, Democrat of Queens, expressed concerns about possible closings of prisons in New York City that have work-release programs. “We believe in work release,” he said. “We would not want to see a diminution of work release in the city of New York, where a large majority of the prisoners come from.”

“If you close them in the city of New York, where are you going to have those inmates functioning out of?” he added. “Is it going to be some place that’s close to employment?”

Mr. Aubry also rejected the idea of balancing prison closings based on geography. “That’s not good policy,” he said. “That’s just politics.”

Robert Gangi, executive director of the Correctional Association of New York, a nonprofit prison-monitoring and advocacy group, said he would be disappointed if only six facilities were closed and half were in New York City.

“The totally legitimate corrections wisdom is it’s important to locate prisons in communities that are close to where the people come from that are locked up,” Mr. Gangi said. “The evidence and the research show that when prisoners are able to maintain ties with their family, they cope better with their prison experience and they have a lower recidivism rate.”

But Senator Betty Little, a Republican whose district includes much of the Adirondacks, said the economic effects had to be considered. “The area I represent is northern New York, it’s very rural, and we built an economy around these facilities, first of all because no one else wanted them in their neighborhoods and because the land was cheap,” she said. “Hopefully when they look at closure, they look at economic impact. I’m not trying to create inmates to keep these places open, but we need to look at the whole picture.”

Senator Ruth Hassell-Thompson, a Democrat who represents parts of the Bronx and Westchester County and is chairwoman of the Legislature’s Black, Puerto Rican, Hispanic and Asian Legislative Caucus, said: “So many of our inmates are already separated by vast distances from their families. And this decision must be carefully thought through with a focus not only on the financial savings, but also, on the impact on our local communities.”

Nicholas Confessore contributed reporting.