

# Delay moving prisoners from courthouse likely moves construction's end into 2016 (update)

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**The Billerica House of Corrections, shown in a rendering, will host Middlesex Jail prisoners when they're taken out of East Cambridge. (Image: Middlesex Sheriff)**

There will be a several-month delay in the remaking of the former Edward J. Sullivan Courthouse in East Cambridge, officials confirmed Tuesday.

The remaining prisoners in the Middlesex Jail atop the 22-story tower were to be out this year. In accepting bids for the mostly vacant building, the state's Division of Capital Asset Management and Maintenance **told developers** that "the building will be vacant by July 1, 2013, with an outside relocation date of Dec. 31, 2013."

But on Tuesday a spokeswoman for the division, Alex Zaroulis, identified a closing date of March 31 for the jail.

It coincides roughly with what city councillor and state Rep. Tim Toomey mentioned at a Monday council meeting and confirmed the next day: "DCAMM recently bid a contract for a \$37 million expansion at the Billerica House of Corrections in order to accommodate prisoners that are currently held at the Cambridge Jail," Toomey said. "From what I understand, that work is expected to be completed in April, after which the prisoners will be transferred to the new expansion."

## Construction delay

East Cambridge Planning Team president Barbara Broussard, though, reported conversations with courthouse developer Leggat McCall that suggested an even more disappointing timeline: With construction in Billerica finishing in April, she expected the remaining prisoners to be transferred by the end of next summer – after which construction could begin at the 40 Thorndike St. courthouse.

The original timeline was for Leggat McCall to close its deal with the state in January and begin renovation within the first three months of the year, led off by extensive asbestos abatement, and be done in the final quarter of 2015. Broussard's timeline suggests construction starting with a six-month delay, pushing completion of the building to mid-2016.

Leggat McCall did not respond to a request for more information left Tuesday with a publicist.

Rachael Neff, deputy director of communications at the state's Executive Office for Administration and Finance, responded Thursday with an entirely different explanation for the delay: "We pushed the date at the request of Leggett McCall so they could have additional time to do due diligence."

Further details were asked of Neff from Leggat McCall. On Friday afternoon Neff retracted the comment about due diligence, blaming a "miscommunication" among state staff, and the state and developer released a joint statement: "The Commonwealth of Massachusetts and Leggat McCall have agreed to extend the closing date to give us more time to prepare for the closing."

"Both parties came to the realization we needed more time to prepare for the closing," Neff said, failing to clarify whether she meant closing the deal or closing the jail, and she declined to answer further questions.

## Tale of two jails

Although a special commission to find sites for a permanent Middlesex Jail was created in July – with **legislators promising** its work wouldn't delay the moving of prisoners – Billerica officials have been unhappy about becoming even a temporary stop in the prisoners' journey. The \$37 million addition of 496 beds to its jail was only **recently called inevitable** by town counsel and the Board of Selectmen.

While some have placed blame for the delays in Cambridge on the construction timetable in Billerica, Zaroulis denied it – without providing any further

detail.

Assistant Secretary at the Executive Office of Administration and Finance Scott Jordan was already signaling some softness to the deadline **as long ago as November**. “Our intention is to have ... the transfer of prisoners [complete] by Dec. 31, 2013, but exact dates are subject to the construction schedule,” Jordan said, referring to the building of two “pods” to hold the Middlesex prisoners until a permanent home can be found closer to Cambridge and Somerville.

The courthouse was built in the 1970s to host not just a 160-person jail but Middlesex Superior Court, which moved to Woburn in 2008, and Cambridge District Court, which moved to Medford the next year. Now only the prisoners remain in the asbestos-ridden building – at times reaching numbers of more than 400 crowded into the top four stories until **a judge ordered in June that the number be capped at 230** after an overcrowding complaint lawsuits filed by Prisoners’ Legal Services, the ACLU of Massachusetts and private attorneys.

East Cambridge residents say the prisoners often yell and call down at them, a situation they may continue to suffer until next summer.

*This post was updated Oct. 11, 2013, with Neff’s explanation, clarification and further comment.*

