

# **The Denver Justice Center Denver, Colorado**

## **Review and Recommendation**

April 12-16, 2004  
An Advisory Services Program Report

ULI—the Urban Land Institute  
1025 Thomas Jefferson Street, N.W.  
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Washington, D.C. 20007-5201

# About ULI—the Urban Land Institute

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**U**LI—the Urban Land Institute is a non-profit research and education organization that promotes responsible leadership in the use of land in order to enhance the total environment.

The Institute maintains a membership representing a broad spectrum of interests and sponsors a wide variety of educational programs and forums to encourage an open exchange of ideas and sharing of experience. ULI initiates research that anticipates emerging land use trends and issues and proposes creative solutions based on that research; provides advisory services; and publishes a wide variety of materials to disseminate information on land use and development.

Established in 1936, the Institute today has more than 20,000 members and associates from 70 countries, representing the entire spectrum of the land use and development disciplines. Professionals represented include developers, builders, property owners, investors, architects, public officials, planners, real estate brokers, appraisers, attorneys,

engineers, financiers, academics, students, and librarians. ULI relies heavily on the experience of its members. It is through member involvement and information resources that ULI has been able to set standards of excellence in development practice. The Institute has long been recognized as one of America's most respected and widely quoted sources of objective information on urban planning, growth, and development.

This Advisory Services program report is intended to further the objectives of the Institute and to make authoritative information generally available to those seeking knowledge in the field of urban land use.

Richard M. Rosan  
*President*

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# About ULI Advisory Services

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The goal of ULI's Advisory Services Program is to bring the finest expertise in the real estate field to bear on complex land use planning and development projects, programs, and policies. Since 1947, this program has assembled well over 400 ULI-member teams to help sponsors find creative, practical solutions for issues such as downtown redevelopment, land management strategies, evaluation of development potential, growth management, community revitalization, brownfields redevelopment, military base reuse, provision of low-cost and affordable housing, and asset management strategies, among other matters. A wide variety of public, private, and nonprofit organizations have contracted for ULI's Advisory Services.

Each panel team is composed of highly qualified professionals who volunteer their time to ULI. They are chosen for their knowledge of the panel topic and screened to ensure their objectivity. ULI panel teams are interdisciplinary and are developed based on the specific scope of the assignment. ULI teams provide a holistic look at development problems. Each panel is chaired by a respected ULI member with previous panel experience.

The agenda for a panel assignment is intensive. It includes an in-depth briefing composed of a tour of the site and meetings with sponsor representatives; interviews of key people within the community; and a day of formulating recommendations. On the final day on site, the panel makes an oral presentation of its findings and conclusions to the sponsor. At the request of the sponsor, a written report is prepared and published.

Because the sponsoring entities are responsible for significant preparation before the panel's visit, including sending extensive briefing materials to each member and arranging for the panel to meet with key local community members and stakeholders in the project under consideration, participants in ULI's panel assignments are able to make accurate assessments of a sponsor's issues and to provide recommendations in a compressed amount of time.

A major strength of the program is ULI's unique ability to draw on the knowledge and expertise of its members, including land developers and owners, public officials, academicians, representatives of financial institutions, and others. In fulfillment of the mission of the Urban Land Institute, this Advisory Services program report is intended to provide objective advice that will promote the responsible use of land to enhance the environment.

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# Acknowledgments

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**T**he ULI panel would like to extend its special thanks to Mayor John Hickenlooper, who was generous with his time and provided valuable insight into the current atmosphere for development of the justice center project. The panel particularly appreciates the mayor's confidence in the ULI Advisory Services panel process. In addition, the panel would like to thank the Denver City Council members and Chief Justice Mary Mullarkey, who spent considerable time meeting with the group.

Judges Raymond Satter, the presiding judge of the Denver County Court, and Jeffrey Bayless, chief judge of the Denver District Court, together with Matt McConville, court administrator, guided the panel in its tour of the City and County Building and allowed the group to view all areas of the courthouse. Their counterparts for the jail facilities, Undersheriff Fred Oliva and Chief Bill Lovingier and members of their staffs, provided extensive guided tours of the jail facilities both within the courthouse and at the Stapleton facility. The panel gained significant insights from touring both the court and jail facilities. City staffers were particularly helpful, and the panel found benefit in meeting with Peter Park, the new manager of community planning and development.

The panel appreciated the briefing regarding previous development proposals that was provided by the Reilly Johnson architecture team and Adrian Brown with Citizens for a Better Denver (CBD). During its stay in Denver, the panel also had an opportunity to meet with many business and neighborhood groups, including representatives from the Golden Triangle Association, the Golden Triangle Arts District, and the Stapleton Development Corporation team.

The panel extends special thanks to Beth Conover, special assistant to the mayor, who handled arrangements for the ULI panel and assisted throughout the week. Kurt Schumacher was also instrumental in assembling the briefing materials and providing additional assistance. ULI staff appreciates the work that went into preparing for the panel and assisting the group while on site. The panel hopes its efforts will prove fruitful to the mayor and the city of Denver.

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# Introduction and Overview of Recommendations

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The ULI panel believes that immediate development of the justice center project is in Denver's public interest. After it toured the existing facilities, the panel concluded that conditions cannot remain "as is." The city has the ability to provide a safe place where people want to live, work, and play, and the panel believes it is the city's responsibility to ensure such an environment. Public facilities—especially the City and County Building, situated prominently along the central civic space across from the state capitol—should serve as symbols of public pride. Given the dire physical circumstances of the existing courthouse and associated jail, the panel believes that Denver's quality of life is at stake.

## The Assignment

Recognizing these conditions, the panel assessed the issues involved in the current debate about where and how to locate needed improvements. City leaders believe that an opportunity exists to improve both the courts and the jails through the development of a justice center that would combine both facilities in one complex. This idea has evolved over time. During the 2001 general election, Denver citizens rejected a \$325 million bond issue for an all-inclusive jail facility, four arraignment courtrooms, and parking development at what is commonly referred to as the Sears site at Sixth Avenue and I-25. While that 17-acre site would have allowed for a combination of new jail facilities and a few arraignment courtrooms, the need to address overcrowded district, juvenile, and county courtroom conditions at the City and County Building downtown has also emerged as a high-priority problem.

These combined needs have led to a proposal for a justice center that would combine a downtown jail and court complex. Thus, the criteria for a new facility have changed, and the city now seeks a new pretrial detention facility as well as 32 criminal

and 11 juvenile courtrooms. Alternatively, the city could renovate existing detention facilities in outlying areas and build a new stand-alone court facility downtown. It should be noted that in the last election, following defeat of the bond issue, a new mayor and 11 out of 13 new council members were elected.

In 2002, the city had an opportunity to purchase the Rocky Mountain News building on a five-acre site in close proximity to the existing City and County Building. This site, viewed as a prospective location for a justice center facility, has the advantage of being located within the downtown legal community and near the existing courts. The acquisition of this site led Mayor John Hickenlooper, who took office in July 2003, to seek an independent review that, in turn, led to this ULI panel. The panel was asked to help determine a cost-effective solution to the overcrowded jail and court facilities that have plagued Denver for over a decade.

The panel was presented with two proposed solutions: one prepared by the Reilly Johnson architectural team and the other advocated by Citizens for a Better Denver (CBD), represented by Adrian Brown, a local civil engineer. The panel was also told that an acceptable third conclusion would be that neither proposal was sufficient to address the city's needs (implying the need to identify a new site altogether). Specifically, the panel was asked which site concept would make the most sense in terms of cost/benefit, long-term growth potential, land use context, public and employee safety, and long-term operating costs. The three alternatives can be summarized as follows:

- build a new justice center complex incorporating prearrestment and the existing pretrial detention facilities (PADF) and a full courts complex at the Rocky Mountain News (RMN) site; retain modified posttrial detention facility at Smith Road (Reilly Johnson plan);

- renovate existing facilities at Smith Road county jail and downtown PADF/city jail and build a new courts complex downtown (CBD plan); or
- none of the above; seek an unidentified third site within ten miles of downtown.

## The Recommendation

The panel believes that the city should proceed immediately with plans for building a new justice center downtown and should use the RMN site to provide a portion of the necessary development area. A potential bond issue that would fund the recommended design solution should be presented to the voters as a ballot question in May 2005.

Toward this end, the panel strongly suggests that the mayor and city council establish a civic leadership team with the necessary technical staff resources. It is the mayor whom the panel strongly endorses to lead this effort and to champion the new justice center.

Regardless of cost, staffing needs, time, and potential impact on the initiation and completion of other projects, this project should be the city's top public works priority.

A number of components are incorporated in the panel's recommended solution. Development should include not only the RMN site. The city should also consider acquisition of additional land immediately west of RMN. More land will allow for an optimal development of two separate buildings: one for the criminal courts and one for short-term detention including juvenile detention, with a connection between the two via an underground tunnel. The panel also recommends that Gene Amole Way be closed to traffic and developed as an open green space. Not only would this provide new pedestrian open space, but it also would serve to extend the green space of the Civic Center further to the west.

The City and County Building should be converted for use by the civil courts, with sufficient space for the offices of the mayor and the city council together with any allied support space deemed appropriate. The parking structure recommended by

Reilly Johnson should be included in the development plan and located due south of the RMN site. The PADF should be converted to alternative (nondetention) city uses.

Equally important, the panel proposes that the Smith Road jail be converted for long-term detention only. Its renovation should be undertaken simultaneously with the implementation of modifications to the downtown site. Future demand for long-term detention could then be accommodated at Smith Road.

This course of action will lead to an attractive and safe justice center complex, and can also serve as an asset to the city's Civic Center. The new Denver Justice Center should be designed as an extension of the existing civic space. Further, the panel encourages the development as a potential economic benefit to the adjoining downtown and Golden Triangle neighborhood. With a revised circulation plan and improved streetscape, the justice center complex will serve many visitors and employees who in turn may choose to spend additional time in the area.

The justice center thus offers an opportunity to focus on the public interest and to ensure a prominent place of pride for the citizens of Denver. This project should foster additional private development that will help to physically unite the adjacent neighborhoods. The justice center, compatible with civic and public use, is ideally sited in the city's downtown and should spark additional economic development.

## Understanding the Problem

The panel toured the City and County Building and the detention facilities at the Smith Road facility near Stapleton and found the conditions to be appalling. The panel was disappointed that Denver's civic leaders and citizens have allowed their criminal justice system to deteriorate to its present level. The leadership and populace must work together responsibly to reverse the dismal conditions prevalent in the city's courts and jails. Continued neglect will place courthouse visitors and jurors in danger and threaten the constitutional rights of accused perpetrators, both adult and juvenile.

Denver's horribly overcrowded jail conditions currently serve to harden the attitudes of those incarcerated, thus negating the very concept of "correction." The PADF's cells are routinely double banded; this facility, designed for intake of 17,000 persons annually, now handles about 44,000 persons. The Denver County Jail operates at over 140 percent of capacity as well; rated for 1,350 inmates, it regularly houses over 1,900 inmates.

The situation is equally deficient for the district and county courts. The city has to lease space to overcome a shortage of courtrooms. The separation of potentially dangerous prisoners from the public, judicial staff, and victims is not possible owing to inadequate space. Holding cells are located directly across from the city council's chambers, and hallways are shared by prisoners and the public alike.

With significant population increases forecast for the region, the number of people who will require incarceration can be expected to rise, according to the Denver Region Council of Governments. The city needs to plan today to accommodate tomorrow's even larger incarcerated population.

Working together, Denver's leaders and citizens can create justice facilities that will promote and protect rather than endanger public safety. New facilities can maintain the vitality of the neighborhoods in which they are located and enhance the quality of life. These are the benefits generally experienced through revitalization that respects and enhances existing conditions. This is an opportunity to elevate the justice system so that it supports the community and promotes economic development.

New court and short-term detention facilities can enhance the Civic Center area and vastly improve the quality of life of both those entering the criminal justice system and those who work in that system. New court facilities located near the short-term detention facility would eliminate the need for those who visit the courthouse—for reasons that range from paying a parking ticket to serving in a jury pool—to spend time in overcrowded hallways that require the families of victims to share space with accused criminal in shackles.

New facilities would drastically reduce detainee transport. The proximity and design of the two facilities, as recommended by the panel, would eliminate the need for "blue buses" and other police and sheriff's department vehicles to be parked on public streets, for juvenile defendants to stand in long lines outside the courthouse, and for prisoners to walk through public areas both outside and inside the courthouse. Substandard conditions for those who work in the courthouse would also be alleviated with the addition of a new criminal courthouse. Currently, the average detainee makes up to eight trips to court between arraignment and sentencing, and an average of 250 detainees are transported downtown daily on the blue buses.

A new justice center in the downtown will encourage additional private development. The combined benefits of improved court and detention facilities can and should encourage economic growth and make the criminal justice system a good neighbor in a growing area that has a strong heritage of housing government functions. Across Colfax Avenue, the northern boundary of the proposed justice center, is the downtown commercial district. To the south of the courts and across 14th Avenue lies the Golden Triangle neighborhood. This mixed-use residential neighborhood, sensitive to the needs of the greater community, deserves an adjacency to facilities that are both safe and well designed.

### **The Need for Project Champions**

The panel arrived in Denver expecting to confront a location and design problem, but instead it found a historic leadership and political problem. Past bond election failures had resulted in an unhealthy stasis regarding the conditions in the jails and courts. The new civic leadership must vigorously embrace the justice center project if there is to be any hope for success in a future bond election.

The first step needed is the identification of a champion—a mobilizing individual who can lead efforts to address and solve this systemic problem. The panel recommends Mayor Hickenlooper to be this champion. He can easily appoint a small task force of high-profile, community representatives that can spearhead change.

The champions in recent years have been Undersheriff Oliva and his staff, who have done an extraordinary job in holding the city's criminal justice system together sufficiently to avoid what would otherwise have invited a lawsuit related to severe jail overcrowding. Despite their deep disappointment over the results of the last election, in which the citizens of Denver rejected the proposed development of new jail facilities at the Sears site, Undersheriff Oliva and his staff have committed themselves to maintaining the existing detention facilities in the best condition possible, given the size of the populations they house. However, continued excessive reliance on justice system employees is inappropriate. It is evident that the sheriff and his staff understand the depth of the problems and support a new development plan.

Judges Satter and Bayless and their staffs have also supported the current proposal for a downtown justice center, doing what they can to educate civic leaders about the potentially explosive conditions at the courthouse. To expose the public in this building not only to the spectacle of prisoners in shackles, but also to potentially dangerous situations, should be unacceptable to the public and to the city's employees. The panel admires the fortitude shown by the legal community and correction officers in working within this difficult environment. It is a situation that can only breed further support for change and demands for improvements. The panel believes that if the wider public is made more fully aware of these conditions, there will be broader support for the next bond issue requesting funds for a new justice center.

The sheriff's office and the judiciary should not and cannot champion this sorely needed project on their own. They should devote their time to performing their duties. The new champion—Mayor Hickenlooper—needs to launch a concerted public awareness effort now that aims at the election in May 2005 and beyond, until the bond issue is passed and the new justice center can be built.

The panel believes that nothing short of new criminal court and short-term detention facilities, sited within close proximity of one another to provide the security features so sadly lacking today, is necessary to begin to address the systemic problem that now exists.

### **Honoring Commitments**

It is essential that the city government honor its commitment to Denver's residents by delivering what is promised. The public rightfully expects safety and high standards of human rights. Based on a clearly articulated program for space and use, it is imperative to clearly define what is intended and follow through with what is promised until completion. This obligation includes fulfilling the vision and maintaining the quality of services that the public has a right to expect. The process must be expeditious and funded by a realistic budget that anticipates future cost increases.

Projects that are approved and then not completed as specified only serve to widen the gap between the population and its leadership, and to dampen the interest of voters when they are called upon to approve publicly funded development in the future. Sufficient funds with adequate contingencies must be budgeted in a bond issue to produce what is planned.

A commitment must be made to Denver's citizens in general and especially to the Golden Triangle neighbors, who must enfold the new court and detention facilities into the fabric of their everyday lives. Conversely, the neighbors and citizens must also make a commitment to the government to support a project that has made a good-faith effort to involve them in the process and to address their concerns. Once a decision is made, the public officials need community support. The panel views this project as a long-range endeavor that should produce solutions effective for up to 50 years or beyond. A 20-year plan is too short-sighted, given the tremendous needs and the fact that the population will only increase over time, creating even greater demands on the justice system.

# Planning and Design Considerations

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**T**he jail and the courts represent two elements of a complex system that is not monolithic and instead requires both segments to work closely together. At present, Denver's criminal justice system is dysfunctional, resulting in a dangerous environment for both citizens and inmates. The jail is alarmingly overcrowded and does not meet basic standards, nor are the criminal courts' operations supported by a facility that meets today's standards, despite the best and most cooperative efforts of all the professionals involved. The shortcomings of the city's physical infrastructure of justice must be addressed now.

The panel aimed to advise the city on how to create a functional system: one that works at several levels. The system must address the immediate practicalities facing the sheriffs, judges, and justice system employees. To communicate a level of safety and trust, the system must succeed as well at the level of engendering and sustaining public trust, compliance, and confidence in the justice system. The overall solution also needs to reach beyond functionality in the narrow sense and address some powerful intangibles. Whether experienced directly in the course of participating in litigation or other legal business, or simply as an image seen through a windshield as one drives by, the new justice center needs to project a sense of openness, balance, clarity, and fairness for all.

The jail has to work properly. The basic conditions of confinement need to meet or exceed current minimum standards, and there must be a way to hold and transport detainees of different classifications and lengths of stay. Similarly, the criminal court operations need to be supported by adequate spaces and controlled circulation systems that ensure the safety of everyone—persons in custody, judges and court staff, jurors, and citizens in general. These two otherwise distinct operations and

facilities need to be developed in a way that ensures optimal interaction between them.

## The Context for the Project

The proposed justice center project has at least three major dimensions. The physical context is its existing urban fabric. The physical heart of Denver is the axial beaux arts civic plan that features, like bookends, the state capitol building with its gold dome at one end and the crescent-shaped City and County Building at the other. The long landscaped plaza in between has two matching elements on its flanks that signal the points where cross-circulation occurs. Both topographically and symbolically, the capitol building occupies the city's "highest ground" and can be considered the crown jewel of its public architecture.

On the southern side of the civic plaza lies an expanding cluster of cultural facilities, including the 1995 Denver Public Library designed by Michael Graves, the 1971 Denver Art Museum by Gio Ponti, with its Daniel Libeskind addition currently under construction, the Webb Municipal Building by David Tryba, and the Denver Convention Center, also under construction, by Fentress Bradburn Architects.

The city's commercial office core is located just north of Colfax Avenue and features comparatively dense high-rise buildings on a diagonal street grid. Mixed among the newer tall buildings are numerous older ones, some quite distinguished architecturally, that have been rehabilitated and kept in use.

The mixed-use areas of the lower downtown (LoDo) and Larimer Square are situated farther to the northwest. These areas represent the city's emerging neighborhoods and are characteristic of the downtown mixed-use neighborhoods being developed nationwide. Immediately south of Colfax Avenue, which is the northern boundary of the

Golden Triangle neighborhood, lie the cultural buildings that edge the Civic Center (the art museum, the public library, and the Colorado State Judicial Building). The Golden Triangle, another emerging mixed-use residential neighborhood, will be the area most affected by the new justice center, and its residents and business owners are understandably most concerned with the impact of potential development.

Beyond the downtown are various outlying neighborhoods. Particularly noteworthy is the growth of Stapleton: a 4,700-acre planned community located on the site of the former airport about six miles northeast of the city, it is the largest urban infill project in the nation. The Smith Road detention facility is situated due east of this community and is separated from it by significant topographical features. The panel concurs with previous recommendations for the continuation and modification of this long-term detention facility. The panel believes it can be improved so as not to negatively affect nearby development activity.

In addition to the physical context, the project must take into account its temporal context: the patterns of past, present, and future development. Again, the panel stresses the compelling need to act now: the current situation is a time bomb waiting to detonate, not only because of the overcrowded conditions at the jail but also owing to the similar situation in the City and County Building. Otherwise someone, somewhere, is going to get hurt. The absence of a modern criminal courts circulation system suggests that a random, spontaneous outbreak of violence could easily occur at any moment somewhere in the public space.

The justice center's design should draw on the city's beaux arts heritage exemplified by the Civic Center and the surrounding buildings that date from the City Beautiful movement a century ago and refined at various times in succeeding years. The recommendation to close Gene Amole Way, for example, would build on this heritage and vision by creating a pedestrian space that extends the green open space of the civic area farther west.

As with Denver's beaux arts buildings, the justice center should be viewed as a legacy project with

far-reaching, long lasting implications for future residents. It needs to capture the city's civic spirit and serve as a catalyst for continued high-quality design—a tradition currently being upheld by the forthcoming Libeskind addition to the museum and Fentress Bradburn's new convention center. To ensure continued excellence, neighborhood associations, plans, and various public initiatives must follow an agenda that preserves and extends the quality of the city's Civic Center.

### **What's at Stake**

The answer to the question "what's at stake?" is the public interest, reflected in the ability of Denver to continue to be a place where people want to live and work and where people can take pride in their physical environment. It is the future of Denver that is at stake. Thus, it is crucial that the city avoids the danger of an ad hoc, fragmented, and divisive quick-fix solution to its courts' and jails' space needs.

In case after case, communities that have resorted to piecemeal, barrackslike, lean-and-mean detention solutions have created case studies in false economies that come back to haunt them. In other words, it is far too easy to do it badly. Denver must avoid falling into the traps of insufficient information or failures of imagination and political will. It must recognize the necessity to clarify, refine, and implement a truly successful solution to a problem that is everybody's issue in one way or another.

### **The Opportunity**

Denver has an opportunity to develop a solution that contributes to rather than compromises the overall community interest; that supports, not subverts, what leaders are trying to achieve in their respective neighborhoods. The new justice center must provide state-of-the-art facilities that achieve true fitness for both detention and court needs and, by extension, for the justice system as a whole. This project should foster quality development throughout Denver and help to further knit, not separate, its neighborhoods, zones, and citizens.

The justice center offers an opportunity to contribute to further community growth by providing a solution that enhances and extends the original

Civic Center farther west toward Speer Boulevard, while simultaneously providing an attractive linkage between the downtown core north of Colfax Avenue and the cultural and Golden Triangle areas south of 14th Avenue. The center can help integrate these two major areas of downtown Denver in a mutually complementary way.

The panel notes that the presence of a well-conceived and attractive justice center—one that improves the functionality of the justice system while also serving as an exemplary civic icon—can contribute to the general environment and conditions that future development requires. It can help create a place where people will invest their resources and aspirations. (Refer to the Design Addendum for examples.)

### **History and Prior Studies**

The current planning process for the justice center has taken place within the context of a long history of community, economic, and land use planning going back to the City Beautiful Plan of 1904 and the Greening Plan of 1924 through to the present day. Planning for criminal justice and detention facilities and operations also has a substantial history, beginning with Pouw and Associates' City and County of Denver Facility Master Plan of 1986.

Here is a list of the major general planning initiatives that have influenced development in Denver:

- City Beautiful Plan, 1904;
- Greening Plan, 1924;
- Central Business District / B-5 Design Guidelines, 1995;
- Central Denver Transportation Study, 1998;
- Golden Triangle Neighborhood Plan, 1998;
- Silver Triangle Urban Design Study, 1999;
- Denver Comprehensive Plan, 2000;
- B-8-G Design Guidelines, 2002;
- Blueprint Denver: An Integrated Land Use and Transportation Plan, 2002; and
- Game Plan Parks Master Plan, 2003.

The following justice planning initiatives have also occurred:

- City and County of Denver Facility Master Plan, 1986;
- Pre-Arrest Detention Facility Expansion and Remodel, 1992;
- Denver County Jail Plan, 1995;
- RNL Inmate Daily Population Projections, 1996;
- Denver County Jail Master Plan, 1999;
- Denver Justice Center—Sears Site, 2001;
- Denver Justice Center—I-70 and Quebec Site, 2001;
- Denver Justice Center Master Plan, 2003; and
- Denver Justice Center—Downtown Courts, PADF Remodel, Smith Road Redevelopment, 2003.

### **Hallmarks of Excellence in Justice Project Design**

Good planning and design promote the role of our courts and judiciary in society, enhance public trust and confidence in our courts and justice system, and improve operational efficiency and effectiveness. The courts are governed by planning and design guidelines formulated by the Colorado Judicial Department (the Colorado Court Facility Planning and Design Guidelines). Jails and detention facilities are governed by the American Correctional Association (ACA) Standards. The following discussion summarizes the hallmarks of justice center design excellence and should serve as a guide for the city in reviewing design proposals.

#### **The Courts**

The panel focused on certain major issues associated with courthouse design. These prime considerations include the image that can be established through good design and how the facility fits into its surroundings.

**Image and contextual compatibility.** The Colorado Court Facility Planning and Design Guidelines state that the courthouse is a powerful place within the community and that architectural elements should reflect the spirit and dignity of the judiciary, enhance the spirit of the community, and reinforce the courthouse's image as the focal point of our justice system. Image sets the mood and tone for the activities that take place within the courthouse; the building should project a formal and dignified atmosphere that enhances decorum and respect for the law.

It is important that the courts be located in an area that is compatible with civic and public use and where the nature of the justice operations and special security measures will not conflict with the surrounding community. The Colorado Court Facility guidelines state that the best location is one that is already being used for civic purposes. Downtown commercial and business areas are also appropriate for court facilities. The panel's recommendation to expand and renovate the justice facilities within the Civic Center area complies with these considerations.

The site should be large enough not only to accommodate current needs but also to allow for expected future growth and change. Courts will grow in case volume, and changes in jurisdictions, procedures, and polices may involve differences in the types of services provided, the way services are provided (see the Technology Addendum), and the number of staff required. Any site under serious consideration should be flexible enough to accommodate unforeseen system changes that may require additional or reconfigured space.

**Accessibility considerations.** All courts should be programmatically, as well as physically, accessible to the public. Physical accessibility requires easy access by roads or public transportation, adequate parking, unambiguous signage and directions, and location in a safe area near major population centers. In other words, considerations for public access far exceed American Disabilities Act (ADA) requirements and the mere ease of getting to buildings and parking. The economics and politics of providing parking, for example, must be thoroughly explored; they may have a decisive influence in choosing between a rural or urban site.

The panel is aware of the current community debate regarding the development of a comprehensive justice center located somewhat remotely, so as not to negatively impact its surroundings, versus the development options associated with the Rocky Mountain News site downtown and the facility on Smith Road. The deciding locational factors should be the jurisdiction of the court and the nature of the area to be served. The site that is most accessible to the maximum number of people has advantages that are not easily ignored. Travel time by automobile is as good a measure of accessibility as can be found; it is more meaningful than population center, commercial development, or distance.

The high cost of land acquisition in an urban area is often warranted by virtue of the city's role as a focal point in the highway and mass transportation network and by its concentration of law offices. Based on case studies of other justice centers and the dynamics of urban real estate in general, the panel believes that expansion of the facilities downtown is most appropriate and will be more convenient for most users. As mentioned earlier, the panel also believes that expansion of the Civic Center will ultimately lead to additional economic development in the neighboring areas.

More specifically, access to private attorneys, the prosecutor's office, and the public defender needs to be considered. Excessive travel time between the courts and these offices would mean lost time, higher fees and operating costs, and reduced productivity. The location of the court should not, of course, be determined by the convenience for attorneys at the expense of other public users. In this case, however, the panel believes the downtown site will better serve most users.

Sufficient parking is essential. State judicial standards require a minimum of four parking spaces for every 1,000 gross square feet of building space. Most people drive to court and become frustrated at not being able to park after arriving on time. The site should be approached easily by road. Crowded and narrow street approaches should be avoided, since the increased traffic created by court business would only make the situation worse. These considerations appear to have been incorporated in all the development proposals, but

the city should be vigilant in its review of parking and circulation issues. It is important to consider that demand for parking also comes from jurors, who certainly can increase the demand for spaces. Access to the court for the poor, the elderly, and other segments of the population without cars also must be considered. While most people drive, there are many who must rely on public or other forms of transportation. Fortunately, the Rocky Mountain News site enjoys good access by public transportation due to its proximity to downtown. Available modes of transport include bus, light rail, and a proposed downtown circulator.

In terms of internal circulation, a typical court cross section generally shows the separation of public and private space both vertically and horizontally. Private functions are often located in the back of the building, with office space for judges and staff in the rear. Prisoners generally circulate through the basement level and then vertically to the courtrooms without mixing with the public. Tunnels offer another particularly effective way to separate prisoners from the general public.

### **Jails and Detention Facilities**

Working with the sheriff's office, planners for the new justice center need to be cognizant of detention program requirements and key operational and organizational concepts related to detention. These requirements specify the classification and separation of prisoners and a variety of alternative supervision methods such as direct, indirect, and intermittent. Prisoner services and programs can be both centralized and decentralized. Many types of spaces, as listed below, should be incorporated into the facility and will be key to efficient design:

- central control;
- intake/transfer/release;
- housing (single and multioccupant);
- inmate services (food, laundry, medical, mental health);
- inmate programs (religious, educational, law library, recreational, counseling, passive recreation);
- visitation (none, limited, full-contact); and
- administrative and support areas.

An important criterion when reviewing the design for these facilities should be consideration for the staff as well as the prison population. Building design must serve the staff in its efforts to control housing and related services for the prisoners and to implement the programs for intake, transfer, and release.

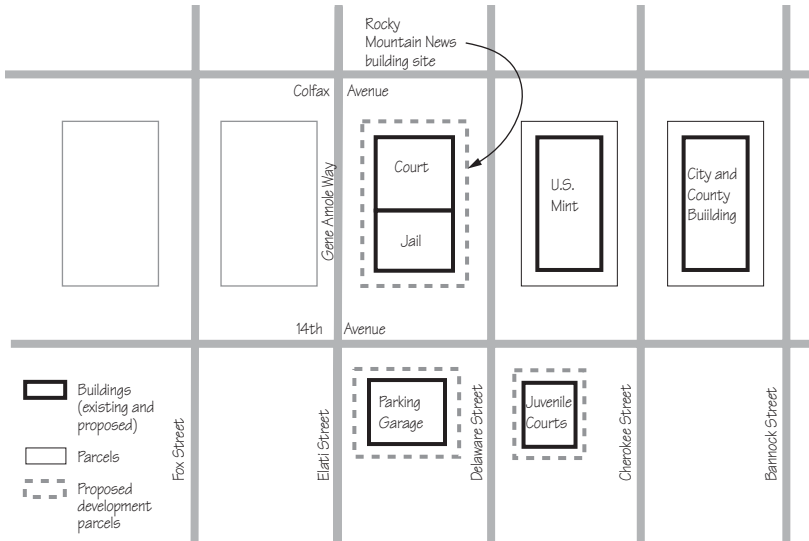
Experience shows that inhuman environments can induce inhumane behavior. Conditions of confinement that work only at the lowest possible threshold are counterproductive. If conditions reach the point where they incite bad behavior, the institution will have to spend more, not less, money dealing with it. It will have also failed to meet its rehabilitative objectives. Most would agree that the Denver justice system has already declined to a marginal level of service and needs to immediately reverse its downward trajectory.

### **Planning Recommendations**

The Denver Justice Center Master Plan focuses on the Denver civic areas bounded by Bannock Street on the east and Gene Amole Way and Elati Street on the west, and by 13th Avenue on the south and Colfax Avenue on the north. The panel recommends that the justice center master planning area be expanded to include the blocks west of Gene Amole Way to Speer Boulevard.

#### **Alternative I as Proposed**

The Denver Justice Center (DJC) Master Plan provides design and site criteria for the (1) criminal courts (district and county courts), (2) presentence detention center (PADF); (3) juvenile courts; and (4) parking facility. The criminal courts and detention center are located in a single seven-story structure (including basement and subbasement) to be built on the site of the current Rocky Mountain News (RMN) building. The criminal courts would occupy the site's north half and include 30 courtrooms, court-related offices and judicial chambers, and jury assembly space. The detention center would occupy the site's south end and house intake processing (which would be relocated from the PDAF) and a 1,500-bed pretrial de-



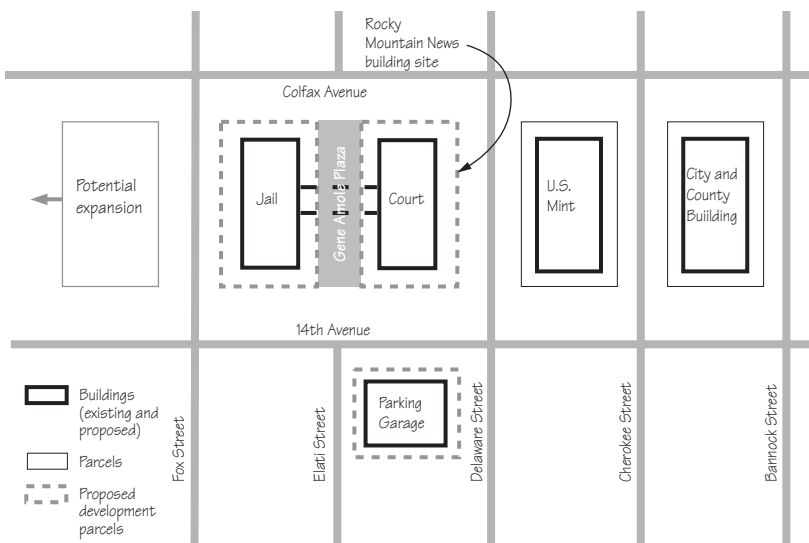
Alternative I as proposed.

tention center. A juvenile courthouse would replace the juvenile courtrooms now in the City and County Building. To be located adjacent to the PADF, the building would include 12 courtrooms and court-related offices. A 500-space parking structure for the public and staff is planned for the north end of the block, immediately south of the present RMN building.

**The Panel’s Proposed Plan**

The panel recommends the continued location of the criminal courts and allied agencies and functions within the Denver Civic Center area. The distinguishing feature of the recommended solu-

ULI panel’s proposed plan.



tion is its “unbundled” approach to the detention and courts components. The panel’s proposed center would consist of two stand-alone buildings that would be connected below grade by secure circulation and would share a pedestrians-only plaza in between at the sidewalk level.

To accomplish this, the panel proposes that the city purchase the properties on the block immediately to the west of the RMN building and that a stand-alone criminal courts building containing a minimum of 30 courtrooms, judicial chambers, and court-related offices and jury space be constructed on the RMN block. Note that the program is the same for both schemes (1,500 beds, at least 30 criminal courtrooms, and 12 juvenile courtrooms).

The presentence detention center, previously to be located on the same block with the criminal courts, would be separated from the courts and located on the block immediately to the west. Gene Amole Way would be closed to vehicular traffic to provide for a pedestrian walkway/plaza space. An underground tunnel would connect the two buildings. The juvenile courts building would occupy the block with the detention center as a separate, detached building with a separate entrance.

This recommended solution achieves numerous goals at once. Instead of a single, large, boxlike volume that covers most of the site, and that risks blurring the architectural identity of the courts as the independent third branch of government, the unbundled approach makes it possible to develop more appropriate scale, massing, and imagery for each justice component. In so doing, the solution as a whole respects the hierarchy, volumetric and symbolic, of buildings in and adjacent to the original civic core. As the core is extended by the justice center to the west, between Colfax and 14th avenues, a natural progression would be maintained by the new courthouse across the street from the U.S. Mint and the new detention facility across the street from the courthouse.

In addition, the removal of the criminal courts from the City and County Building would provide the opportunity to renovate the City and County Building and to move the civil and domestic courts out of the Adams Mark Hotel (where six court-

rooms have been located), consolidating these courtrooms in the improved City and County Building. Similarly, when presentence detainees now housed at the county jail on Smith Road are moved to the new presentence detention center downtown, some buildings at Smith Road could be demolished and the remaining facilities improved to achieve a better fitness for purpose.

While respecting the hierarchy of existing buildings in the original civic core, the recommended solution of a justice center composed of two volumes is consistent with both historic and current visions for Denver that call for continued development to the west toward Speer Boulevard. The accommodation of modern detention and courts operations in this zone would keep them close to the court-related and other allied professionals associated with the justice system—attorneys, social services, and others—while at the same time avoiding ill-planned encroachment into the Golden Triangle or the downtown core to the north. In this proposed solution, appropriate scale and imagery would be emphasized, along with high-quality pedestrian amenities. The justice center can serve as a positive linking element between the neighborhoods on either side of the axial strip.

The recommended approach to the new justice center thus includes strong emphases on its civic presence as an icon and on providing further enhancement to the Civic Center.

### **The Recommended Plan Expresses the Hallmarks of Excellence**

The problems with the existing master plan proposal stem from the attempt to cram too much onto one site. The panel understands that this design responds to the original program specified by the city. However, the panel was asked to consider other options and has not been constrained by the same program. Thus, while the existing proposal technically meets the city's courts and jail program and minimizes the transportation of prisoners to and from the criminal courts, it does not contribute substantially to the enhancement of the adjacent community, the Civic Center, or the downtown business community.

In contrast, the panel's recommendation completely meets the proposed courts and jail pro-

gram and provides for optimal functionality. This result can be achieved by acquiring additional land immediately west of the RMN building, necessitating the relocation of the existing post office and several small businesses. The panel's scheme provides sufficient space for the criminal courts, juvenile courts, and presentence detention of defendants. With the acquisition of additional land, development of two separate buildings with desirable setbacks can be achieved and potential expansion accommodated more efficiently. Above all, a more appropriate scale and massing can be accomplished in a manner that is compatible with Denver's historic urban fabric and design.

This scheme also provides easy accessibility and security, while maintaining association with allied agencies and offices. The panel recognizes that new service providers need to be brought into the justice system to incorporate diversionary programs for those who do not require incarceration but require other treatment. The bail bond businesses could also be knitted into a revised plan with interior, 24-hour accessible space provided. In this way, these businesses would be located off the street, something adjacent neighborhood residents and business people would appreciate. The proposed plan would provide an opportunity for entry and use of public space that would visually and physically link the two buildings, ensuring an aesthetic and safe environment.

### **Other Justice Centers**

Numerous examples exist of good design for projects similar to the proposed Denver Justice Center. The panel recommends that city representatives tour the St. Louis County Justice Center and the Milwaukee County Jail and Criminal Justice Facility; there are many other examples that the city may also want to explore.

The St. Louis facility offers a good example of two buildings, for courtrooms and jail, that read as an integrated whole. Each is distinct, yet the design is not disjointed. The two buildings are connected by a bridge, addressing the same issues as the tunnel proposed by the ULI panel. The Milwaukee facility also incorporates a bridge.

The panel notes, however, that the city need not look far for fine examples of civic design. Denver has a number of buildings that exhibit excellence: the library by Michael Graves, the City and County Building, the David Tryba–designed Webb Municipal Building, the forthcoming expansion to the Denver Art Museum designed by Daniel Libeskind, and the Convention Center, also under construction. This ongoing tradition of excellence should be maintained and extended in the design of the Denver Justice Center.

# Neighborhood Impact and Market Potential

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**D**enver has already devoted considerable time and resources toward planning for a new justice center but has not received the voter support necessary to proceed with the needed improvements. This inability to move ahead has reinforced a negative perception of the proposed area. Further, this uncertainty regarding the future of the area has hindered private investment. This lack of private investment and lack of growth to the tax base will increasingly burden the taxpayers. The panel emphasizes that doing nothing is not protecting the community and will have broader negative economic consequences.

## Negative Impact of No Decision

Redevelopment occurs when the business climate is attractive for private investment. Government decisions need to be made expeditiously for two reasons: the speed with which economic factors affecting land cost and availability can change, and the dampening effects of uncertainty. The perception that an area is “hot,” or that the municipality plans to make infrastructure or other investment in the area, can drastically increase the value of land. Investors are generally expected to hold land until development conditions are right.

While both the area adjacent to the Civic Center and the proposed site for the justice center have some of the ingredients needed for redevelopment—in particular, cultural amenities—Denver’s failure to address the courts and detention facility issue and to decide where to place those facilities has created a sense of uncertainty that is currently inhibiting new investment. When there is no decision and no vision of how an area will look and function in the future, developers are loath to assume risk for their own projects. Inhibition of private investment only serves to place a greater economic burden on the public sector and, ultimately, on the taxpayers.

## Perception of Crime and Quality of Life

Anecdotal evidence relayed to the panel through interviews confirmed a perception that the Civic Center area is plagued with crime. When communities are working to retain and attract jobs, the perception of crime reduction is a precursor to economic development. Proof of this can be found in a recent survey of real estate professionals involved in the business of assisting manufacturers and other business owners to select sites for expansion or relocation. Low crime was rated as the leading quality-of-life factor that influences siting decisions. There appears to be a direct connection between quality of life and economic development. Even with the many amenities in the Civic Center neighborhood that provide incentives for new development, the top factor that will attract private investment is public safety.

Following is the *Area Development* corporate survey’s list of quality-of-life factors, in order of priority:

1. Low crime rate;
2. Health facilities;
3. Housing availability;
4. Ratings of public schools;
5. Housing costs;
6. Climate;
7. Colleges and universities in area;
8. Recreational opportunities; and
9. Cultural opportunities.

The perception of crime in the Civic Center area is exacerbated by the daily spectacle of antiquated buses transporting as many as 250 detainees for court appearances in the City and County Building. The perception is further reinforced by the

overflow of clients and families waiting to access the juvenile court. Individuals visiting the building to use city and county services often encounter potentially unsafe conditions due to the lack of space to adequately separate the public from detainees awaiting trial. While the presence of criminal justice facilities is not in itself an impediment to economic development, the inadequacy of Denver's existing justice system is tarnishing the Civic Center area's attributes. Law enforcement is certainly hindered by the lack of facilities; victimless crimes are often not fully adjudicated because of the lack of space, and many convicted misdemeanants benefit from early release for the same reasons.

### **Potential for Positive Impact**

In moving forward with a comprehensive solution to its justice system's severe overcrowding, Denver can incorporate other infrastructure improvements that can improve mobility and provide other elements that will improve the city's quality of life. A good example is the opportunity to enhance open space and public assets in the Civic Center and Golden Triangle areas. Open-space en-

hancements are economic necessities for metropolitan areas; parks, trails, and other aesthetic features are critical variables in the quality-of-life equation. Such improvements are key initiatives of many urban areas, as are pedestrian and vehicular mobility improvements.

The panel learned from its information-gathering sessions that the Civic Center area is not functionally or physically connected with the surrounding neighborhoods. The development of the justice center can facilitate several transportation improvements, including the enhancement of pedestrian mobility and greater recognition of the urban space. The panel believes that a new justice center can serve as a catalyst for additional improvements to the immediate surroundings and lead to improved circulation, particularly with the proposed closing of Gene Amole Way. If the center's development better serves and knits with its surroundings and helps improve circulation in the area, it can be an asset for the community and a catalyst for additional private development.

# Development Strategies

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**T**he panel identified a number of development strategies that the city should consider. Foremost, it should be understood that the panel is not recommending starting over. Instead, the emphasis should be on assimilating some of the work that has already been done, taking new technology into consideration, and investigating ways to encourage interdependence among the various public entities that will be involved in the development. This section of the report includes a discussion of the benefits of the ULI panel's recommendation and some generalized cost figures.

## Integrate Existing Plans

The panel proposes a strategy that does not entail significant additional planning. Rather, the panel recommends integrating some of the existing plans as the city continues the process already underway for a new justice center. For several years, Denver has been quite proactive in planning for individual components of the Civic Center area. In fact, the panel found that most of the facility concerns have been adequately addressed. What is lacking, however, is a full understanding of how these plans overlap, how they are compatible, and how a comprehensive implementation strategy can serve to improve the diverse infrastructure of the area. For this reason, the panel encourages the development of a strategy that will focus on the implementation of recommended improvements. The panel understands that the Government Complex Master Plan is intended to do just that by taking a strategic implementation focus rather than a pure design emphasis. That plan should be conceived with the panel's recommendation in mind. Strategic long-term goals cannot be achieved by applying a myopic view of individual elements and will only succeed through creating and maintaining partnerships to help realize a vision for the area.

Denver has taken a significant step in this direction with the development of the Civic Center Planning Assessment in 2003 (by the Department of Community Planning and Development). This assessment takes a comprehensive look at the disciplines involved in creating a sense of place and properly engages all the stakeholders who are needed to contribute to the success of the area.

The assessment laid the groundwork for the panel's assignment and directed the need for action as shown in Figure 1.

The city has an opportunity to redefine the role of public facilities in the Civic Center area and their potential impact on the redevelopment potential of the surroundings. Local developers are uncertain where the growth of government facilities will occur and have expressed a preference for concentrating them north of 14th Avenue. As part of this redefinition, Denver needs to review the buildings that currently flank the Civic Center and determine how best to use these assets. For example, the Carnegie Library is a historic jewel that currently houses functions that do not enhance the management of the plaza area.

## Consider Technological Changes

Denver is a technologically advanced community, and technological improvements should be maximized as an alternative means of dealing with the future need for the justice system's infrastructure. Many jurisdictions now regularly use on-line traffic ticket payment, video visitations, video arraignments, and electronically transmitted court filings. The reason Denver is not currently making these improvements is the impracticability of installing the capabilities within the existing structures. The construction of new facilities will provide the opportunity to integrate advanced court and justice technologies into the design; the justice center's planning and design should thus pro-

**Figure 1**  
**Assessment Questions and ULI Recommendations**

Questions	Recommendations
Whether to proceed with plans for a new Justice Center.	Proceed with plan for a new Justice Center.
The preferred site for a new DJC facility.	Use RMN site plus adjacent site to be acquired.
The timing of a potential bond issue to fund the design.	May 2005 ballot question.
Assignment of key city staff to the project and the associated improvements.	Establish a leadership team with technical staff resources.
The priority of the DJC project relative to the costs of funding, staffing, and time and potential impacts on the initiation and completion of other projects.	The Justice Center must be top priority.
Next steps for the process.	Implement assessment recommendations.

vide sufficient infrastructure to permit easy and cost-efficient installation and upgrading.

This report’s Technology Addendum summarizes various emerging methods and advancements that may prove relevant to the city in its design and planning for new courts and detention facilities. Many routine procedures are changing due to technological advances. The panel emphasizes the need to “design for tomorrow” and incorporate state-of-the-art technology. Whether technological advances will also impact space needs is an issue that must be dealt with in the planning and design of new facilities.

**Moving Forward with the Recommended Plan**

Denver leaders have traditionally addressed the justice center issue as a jail overcrowding problem, but they have now expanded its scope to include the overcrowding of the courts as well. In reality, overcrowding is a function of systemic flaws as much as a result of insufficient space. To focus solely on the development of larger facilities without addressing operational inefficiencies and system improvements is not advisable. Furthermore, detention and adjudication are components of a complex public/private legal system that includes law enforcement, the district attorney, public defenders, private and nonprofit service providers, and private attorneys.

**Benefits of the Panel’s Recommendation**

The benefits of the panel’s recommendation encompass a variety of community goals, including providing a high quality of community life within a safe and economically sustainable environment. Specifically, the panel’s alternative proposal for a new justice center will provide the city with a significant return on the public investment.

The proposal aims to address the criminal justice system needs in a comprehensive, efficient manner and to allow for future growth and enhancement of public safety. There will be more beds, more courts, and law enforcement improvements at a price comparable to the prior bond issue. Leased space at the Adams Mark Hotel can be eliminated, and the functions conducted there can be returned to the civil division at the City and County Building. New construction will free up space in the City and County Building for other types of government use and thereby help maximize public assets. By enhancing several important public spaces, the proposed plan will address some neighborhood needs. Once the city endorses a plan, the area’s development uncertainties will be vastly reduced, and the city can move forward with its related economic development goals.

**Conceptual Compilation of Costs**

The panel deemed it important to generally estimate the costs associated with its recommended plan and so presents the following conceptual com-

pilation (see Figure 2). These general costs build on the anticipated public-sector investment.

The ULI panel reviewed previous cost estimates and engaged in brief conversations with city staff and consultants to arrive at this conceptual compilation of costs. The panel emphasizes that these figures are extremely preliminary and are provided for discussion purposes only. Each of the factors contained in the panel’s recommended alternative require thorough evaluation based upon specific program and design requirements, such as the inclusion of a tunnel between buildings and development of a public plaza.

The panel’s concept would fundamentally change the building program shown in Alternative I. Costs associated with developing two buildings instead of one, the tunnel and plaza between the two, and perhaps a different parking scheme will all impact cost estimates. The panel did propose the same parking structure as in Alternative I but also suggests consideration of other options. For instance, parking might be located under both the court and jail buildings, or excavation could occur

**Figure 2  
Conceptual Development Costs**

<b>Site</b>	<b>Cost</b>
Justice facility	\$261,400,000
Additional site	10,000,000
Smith Road–Phase I	57,500,000
Retrofit City and County Building	500,000
Rehabilitate PADF for nondetention justice uses	6,000,000
<b>Total cost estimate</b>	<b>\$335,400,000</b>

under both parcels to create one underground parking structure. The underground structure could combine the tunnel and plaza in a podium-like configuration. Further study is required to reach a reliable cost estimate that can be reflected in the bond issue to be submitted to the electorate in May 2005.

# Implementation

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**D**oing nothing has severe implications. The panel's recommended steps toward implementation do not contemplate additional planning but instead aim to gain consensus for the purpose of moving forward with previously prepared plans.

The overarching premise is that this project must become the city's top priority. The Denver Justice Center project is too critical to wait any longer. The community and its government, business, and civic leaders must come together to assist in making these improvements a reality.

The city should adhere to several goals in its path toward implementation.

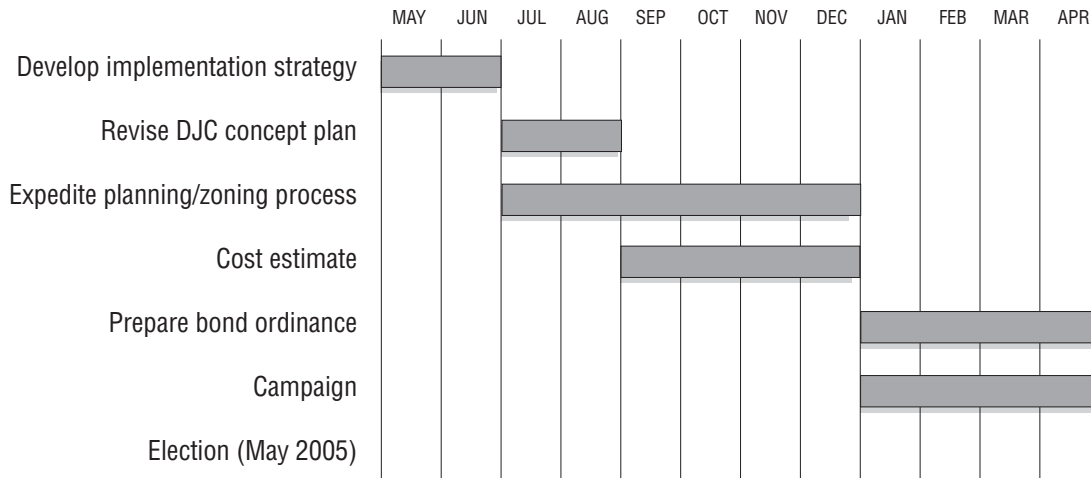
- Engage and educate the political leadership along with the business community and civic organizations. The city needs to reach out to the many constituents served by the justice system, ranging from the business community to the myriad of private service providers.
- Community leadership must be committed to the project.

- Effectively communicate the case for and benefits from a new justice center. The issue is broader and requires more than jail cells and courtrooms alone. Civic leaders, with professional assistance, must sell the project to the general public.
- The mayor can ensure a transparent and inclusive implementation process.
- The campaign should start now.

The panel hopes that its efforts will serve as a call to action. The mayor has a major role to play that includes establishing a project team and providing continued oversight. Revised development proposals should be evaluated in terms of best practices and projected funding.

The city must engage in a focused, expedited process to meet the May 2005 ballot date. The panel believes that, with the mayor as champion and broad-based support from community leaders, the project can win public approval. Figure 3 outlines the steps that should be taken.

**Figure 3  
Implementation Strategy Timeline, 2004–2005**



# Conclusion

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**K**ey to the panel's recommendation is acquisition of additional land immediately west and adjacent to the Rocky Mountain News (RMN) site. The panel recognizes that previous studies were limited by the need to accommodate the program requirements within the RMN site. The acquisition of the adjacent block of land, as recommended, would allow for significantly greater functionality. The city may also determine that, over time, it would be beneficial to have control of additional parcels.

The city needs to build the Denver Justice Center to address basic quality-of-life and safety issues. The time to move forward is now. The panel's proposed scheme would allow for a separation of criminal and civil courts and a separation of long-term inmates from those who come and go. It would certainly create better working conditions for the judges, attorneys, administrators, and staff while addressing the ACA standards, which would lead to resumption of the city's accreditation status.

The courts function at the center of the city's legal system and represent the third branch of government—the independence of which should not be compromised by any operational or architectural

solution. Unlike jails, courts have traditionally been housed in architecturally distinguished buildings that are open, that “belong to the people,” and that exhibit a positive civic presence. Otherwise, jails and courts are distinct but not disjointed elements of the legal system that need to function together efficiently and effectively. This is what the panel's recommendation aims to accomplish.

The panel's proposed plan would provide significant criminal justice improvements for the courts downtown and for the detention facility at Smith Road. The mayor needs to establish a leadership task force to build citywide support for these improvements. Equally important, the task force should exhibit a commitment to excellence in design and cooperation with the community. The city must honor its commitments to the community and, in turn, the community needs to provide the support necessary to ensure the passage of the bond issue in May 2005 that can make this recommendation a reality. Much mutual benefit can result from a relationship forged between the city and its citizens working together toward the implementation of this project.

# About the Panel

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## **Richard (Rick) J. Dishnica**

*Panel Chair*

*Point Richmond, California*

Rick Dishnica is president of the Dishnica Company, LLC, formed in 1999 to pursue individual investment goals, to develop infill housing both for sale and for rent in the Bay Area, and to provide real estate consulting services. Current development projects include obtaining entitlements for the second phase (73 units) of an apartment project next to the BART station in downtown Lafayette, California (the first phase of 75 units was successfully completed and leased in 2001), and the adaptive reuse and conversion of the San Francisco Armory, a building on the National Register of Historic Places located in the city's Mission District, to 207 units of housing.

Prior to forming the Dishnica Company, Dishnica was an executive vice president and the chief operating officer of American Apartment Communities, a privately held REIT from 1994 through March 31, 1999, with responsibility for all apartment operations, development, and rehabilitation. Until its merger with United Dominion Realty Trust on December 7, 1998, American Apartment Communities owned and managed (directly or through subsidiaries) 54 apartment communities containing a total of 14,141 units in Ohio, Indiana, Michigan, Kentucky, California, Oregon, Washington, Colorado, and Florida. The total asset value as of the merger was \$787 million. Another portfolio containing an additional 4,000 units was retained to continue the business of American Apartment Communities.

A member of the Urban Land Institute, Dishnica serves on the Multifamily Residential Council and is program chair for the San Francisco District Council. He is also a member and was a director of the National Multi Housing Council.

He served as an officer in the U.S. Navy, achieving the rank of lieutenant with assignments in Vietnam and as the officer-in-charge of a mine-sweeper. He received his master's degree in business administration from the University of Southern California in 1974 and his BS from Ohio State University in 1968.

## **Diana Gonzalez**

*Miami, Florida*

Diana Gonzalez is the president of DMG Consulting Services, Inc., and the Consulting Group of South Florida, Inc. Both firms engage in management consulting services in the areas of project management and facility development for non-profit, government, and for-profit clients. Current clients include the Beacon Council, Miami-Dade County, Carter Goble Lee, MGT of America, Fitch and Associates, and the Dade Community Foundation.

Prior to entering the private sector, Gonzalez was employed by Dade County as the director of the Department of Development and Facilities Management. This agency provided central support services in real estate acquisition and leasing, facility management, and building construction. Beginning as a management intern, she worked for most of her county career in the capital improvement field. Acquisition of county land, architect and engineer selection, and capital budget expenditure oversight were some of her responsibilities in the Capital Improvements Division, which was responsible for the development and implementation of the \$200 million Criminal Justice Program. This general obligation bond program modernized the county's criminal justice system through the development of new courthouses, jails, and police and support facilities. In 1989, the Capital Improvements Division was combined with the county's facilities and construction management

divisions and she was named director of the merged department.

Gonzalez received her BA from the University of Florida. She began her career with Dade County immediately following the completion of her master's degree from Northeastern University in 1979. In 1989, she attended the Senior Executive Program in State and Local Government at the John F. Kennedy School of Government.

### **Don Hardenbergh**

*Williamsburg, Virginia*

Don Hardenbergh is a nationally recognized planning professional specializing in justice facility planning, court security, court technology planning, and judicial operations and management. His firm, Court Works, performs court facility master planning, facility and technology programming, postoccupancy evaluations, feasibility studies, site selection analyses, security evaluations, records management evaluations, court workload and staffing analyses and forecasting, court management reviews, and case flow analyses. He has over 30 years of experience with issues related to the management of government and public policy, with the last 23 years dedicated to the improvement of courts and their facilities.

He is the author of *The Courthouse: A Planning and Design Guide for Court Facilities*, first and second editions, published by the National Center for State Courts, he compiled *Retrospective of Courthouse Design, 1981–1991*, and he was coeditor of *Retrospective of Courthouse Design, 1991–2001*, published by the National Center for State Courts in 2001.

Among his most recent projects are technology and security planning for a new justice facility in New Orleans, Louisiana; a facility and security program for the Las Cruces, New Mexico, Municipal Court and the Dona Ana County Magistrate Court; master planning for the Sandy District courts in Salt Lake City, Utah; a court facility master plan for the Howard County, Maryland, Circuit Court; programming for the Chester County, Pennsylvania, courts and county government offices; and an implementation plan and de-

sign for court service centers that assist pro se (self-representing) litigants in Virginia. He is presently working with KMD Architects in San Francisco on the space programming for seven county court facility master plans as part of a statewide court master-planning project.

Hardenbergh received a BA in political science and a master's degree in public administration from Pennsylvania State University.

### **Paula K. Konikoff**

*New York, New York*

Paula K. Konikoff, JD, MAI, is a member of the Appraisal Standards Board and an independent professional real estate consultant with 20 years of experience providing clients with advisory, valuation, and other consulting services. The scope of her practice ranges from designing and conducting due diligence investigations on properties, conducting and evaluating property appraisals, and advising private and public institutions (both owners and lenders) regarding the acquisition, development, and disposition of their real estate holdings, as well as their fit within a real estate portfolio. Konikoff has provided such services concerning properties throughout the United States (from Hawaii to New York) and abroad (from Hong Kong to the Czech Republic). Her broad national and international experience enables her to provide unusually comprehensive analyses for the growing number of investors and lenders with international real estate portfolios. She is a frequent speaker and author on appraisal and other real property issues.

Prior to establishing her independent real estate advisory practice in 1993, Konikoff was director of national real estate valuation services at KPMG. She joined KPMG in 1989 after having served as president of the Hudson Group, a national real estate consulting and appraisal firm. Previously, she had been an attorney in private practice with the Philadelphia law firm of Dilworth, Paxson, Kalish and Kauffman, where she worked in both the real estate and corporate law practice areas.

Konikoff is also an adjunct professor at New York University, where she has taught graduate and

undergraduate courses on real estate finance, markets, and appraisal. She is an instructor as well for the Appraisal Foundation, where she conducts programs on standards of appraisal practice and on professional appraisal ethics. She develops and presents real estate valuation seminars for continuing education credits for CPAs and attorneys. She has also served as an expert witness in a variety of legal cases in which real estate valuation and damages issues have come into dispute. Prior to her appointment to the Appraisal Standards Board in January 2003, she presented seminars on standards of practice, ethics, and valuation issues in litigation for the Appraisal Institute.

She earned a BS from Temple University and a JD from Villanova University School of Law.

### **Todd S. Phillips, AIA**

*Silver Spring, Maryland*

Todd Phillips is a courts planning, design, and research consultant whose work focuses on both state and federal facilities. Master planning, space programming, adaptive use planning, facility assessments, and technical reviews of courts design and construction documents are among the professional services his firm offers. All work reflects the latest standards and principles of current best practice.

Recent projects have included conducting assessments of approximately 50 courts facilities in California as a consultant to the state's comprehensive 20-year county courts master-planning effort, as well as "plan check" reviews of federal courthouse designs in progress. He has also consulted on courts planning and design projects in Maryland, Illinois, Florida, New Mexico, and Virginia (with special emphasis in the latter state on a pro se service center prototype study).

Phillips is the principal author of *Justice Facilities Planning and Design*, published by John Wiley and Sons in August 2003. The book's 12 chapters address the operations, planning, and design of all major justice facility types—law enforcement, detention, courts, corrections, juvenile and family, and multioccupant justice centers—as well as their engineered systems, technology, security, costs, financing, and alternative project delivery methods. Phillips's reflective essay, "Courthouse Design at a Crossroads," will appear in *Celebrating the Courthouse*, to be published later this year by W.W. Norton.

He received bachelor's and master's degrees from George Washington University, a master's degree in architecture from the University of California–Berkeley, and a PhD in history from the University of Wisconsin–Madison through a Ford Foundation fellowship. He is a registered architect and member of the American Institute of Architects.

# Appendix

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**T**he following government officials and community leaders met with the ULI panel in individual interviews or as part of a roundtable discussion.

## Mayor

Honorable Mayor John Hickenlooper

## City Council

Councilman Rick Garcia, District 1  
Councilwoman Jeanne Faatz, District 2  
Councilwoman Rosemary Martinez, District 3  
Councilwoman Peggy Lehmann, District 4  
Councilwoman Marcia Johnson, District 5  
Councilman Charlie Brown, District 6  
Councilwoman Kathleen MacKenzie, District 7  
Councilwoman Elbra Wedgeworth, District 8,  
Council President  
Councilwoman Judy Montero, District 9  
Councilwoman Jeanne Robb, District 10  
Councilman Michael Hancock, District 11  
Councilwoman Carol Boigo, At-Large  
Councilman Doug Linkhart, At-Large

## City Staff

Michael Bennet, Chief of Staff  
Beth Conover, Special Assistant to the Mayor  
Happy Haynes, Mayor's Office Council Liaison  
Seneca Holmes, Mayor's Office Policy Assistant  
Peter Park, Manager, Community Planning and Development  
Dennis Swain, Program Manager, Community Planning and Development  
Derek Brown, Asset Management  
Kurt Schumacher, Asset Management

## Judges

Judge Raymond Satter, Presiding Judge, Denver County Court  
Judge Jeffrey Bayless, Chief Judge, Denver District Court  
Matt McConville, County Court Administrator  
Chief Justice Mary Mullarkey, Colorado Supreme Court

## Sheriffs

Undersheriff Fred Oliva  
Chief Bill Lovingier  
Chief Steve Comito (retired)  
Chief Ron Foos  
Major Marie Kielar  
Major Gary Wilson

## Court Users

Bill Ritter, 2nd Judicial District, Denver District Attorney  
Joe Dischinger, Denver Bar Association  
Charlie Garcia, Colorado State Public Defender

## Justice Center Presenters

Bob Johnson, Reilly Johnson Architecture  
Ron Mason, Anderson Mason Dale Architects  
Mike Frawley, HOK  
Adrian Brown, Citizens for a Better Denver

## Golden Triangle Association and Justice Center Task Force

Eric Boyd  
Janis Frame  
Paul Grattet  
Dennis Humphries  
Carol Minar  
Mickey Zeppelin

### **Citizens for a Better Denver and Golden Triangle Arts District**

Robin Riddel Lima

Carol Minar

Dr. Jim Raughton

Nell Swiers

### **Stapleton Development**

Richard L. Anderson, CEO Stapleton Development Corporation

Marva Coleman, Secretary Stapleton Development Corporation Board

Beverly Haddon, President Stapleton Foundation for Sustainable Urban Communities

Khadija Haynes, Founder of The Urban Farms at Stapleton

John Lehigh, COO Forest City Stapleton

Tom Gleason, VP Public Relation Forest City Stapleton

### **Civic Center Park/Cultural Facilities**

Helen Kuykendall, Landscape Architect, Parks and Recreation

Steve Turner, Denver Public Library

### **Partnerships and Private Interests**

Annie Warhover, Downtown Denver Partnership, Inc.

Becky Wilcox, Executive Assistant, Downtown Denver Partnership

Brad Buchanan, Buchanan Yonushewski Group

Kim Koehn, Equity Office

John Shaw, Opus Northwest LLC

# Design Addendum

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**D**ifferent kinds of justice facilities may have different kinds of images. For example, buildings that house operations involving juvenile and family matters may be deliberately noninstitutional in appearance. Court-houses, in contrast, strive to project the majesty of the law without being unduly intimidating.

The image of the justice system as a whole should be a careful exercise in appropriateness, carried out with the recognition that buildings convey messages. The justice system should not be perceived as a closed, monolithic, and fortresslike presence in the community. On the contrary, it strives to be open and transparent and to work in partnership with the citizenry. It reflects shared values and the larger community interest.

## Unique Characteristics of Justice Facilities

Justice facilities in general have characteristics that make them different from most other kinds of facilities. First, they tend to have an unusually high degree of visibility. Courthouses in particular have traditionally served as important civic landmarks or anchor points, and many of them are architecturally distinguished. They often feature attention-getting design that attempts to convey the dignity and decorum of the judicial process. Other justice facilities, such as prisons and jails, may be visible because of their scale while otherwise seeking to be blandly unobjectionable in appearance. The full spectrum of justice facilities encompasses a variety of types at every scale and with every kind of architecture.

Second, the planning and design of justice facilities must be organized around complicated, mission-driven programs. Each facility type has its own set of highly specific functional requirements, and these are always evolving. The physical bricks and mortar of justice have to be well conceived to

achieve—and to maintain over time—true fitness for purpose in each case. As staffing levels and equipment change, and as the job of carrying out the mission becomes increasingly technology-intensive, the ability of facilities to support the operations is continually challenged.

Third, justice facilities in general are characterized by construction materials and methods that are more durable and of higher quality than those exhibited by conventional buildings. Justice facilities have to do more and to last longer. The full life cycle of a building may extend to 50 or 100 years. A justice facility therefore should not be regarded as something to be built to mere office-space standards.

Fourth, new justice facilities are often developed on a site or in a context that involves existing buildings. Remodeling within and additions to older buildings are commonplace. New buildings are also often developed as part of a group or civic ensemble of other buildings. The physical infrastructure of justice in America has thus tended to evolve in an additive fashion over time. Issues of architectural and operational compatibility between different buildings of varying age and style are more the rule than the exception.

## Accessibility

The type and degree of access provided to a justice facility depends upon the facility type. For detention and corrections facilities, public access must be highly controlled on the exterior and even more so on the inside.

For those elements of the justice system that are intended to be open and public—notably courts, court-related agencies, and community-based law enforcement facilities—the prevailing view is that great care should be taken to avoid a “fortress” scenario or an architecture of fear. The openness of the system should not be compromised by clumsy attempts to harden it against threats.

The concept of accessibility itself has evolved in recent years to extend beyond the physically disabled only. The buildings need to be navigable by blind, deaf, and wheelchair-bound persons, and they also need to respond to the geriatric, the economically disadvantaged, the non-English-speaking, and the citizenry in general. Growing numbers of the latter are self-represented litigants who cannot afford legal counsel. Good design addresses the way-finding and informational needs of all these people.

## **Safety and Security**

Current best practice recognizes that safety and security are key priorities, and that they are achieved through the careful integration of physical design, technology-based systems, and highly trained personnel. The highest threats to security often involve random, spontaneous outbreaks of violence in a public corridor or parking lot.

Design strategies for the interior layout of justice facilities vary according to the specific type, but controlled circulation paths (separating public, private, and secure zones) and unobstructed sightlines are key in every case. Exterior security at the building perimeter and beyond involves many considerations, from enclosure systems and lighting to setbacks from the property line.

Finally, it has been observed at least anecdotally that good design can encourage good behavior. Public space in plazas, lobbies, corridors, and waiting areas, for example, can reflect a measure of dignity, decorum, and solemnity that may reduce the risk of disruptive outbreaks.

Conversely, uncomfortable or visually sterile space may incite inhumane behavior. When the conditions of confinement in detention and corrections facilities are designed to function at the lowest possible threshold only, the results may be counterproductive in several ways. Danger levels increase, the institution is forced to spend more of its resources, not less, trying to control them, and any chance for success with rehabilitation programs is lost.

## **Ability to Accommodate Growth and Expansion**

Current best practice in justice facilities design anticipates the need to expand as the volume of work to be done increases over the years. Future expansion within the envelope of a facility can be made possible by designing its structural and other engineered systems in a way that permits a relatively easy and economical reconfiguration of space inside. Expansion outside the initial envelope can be made possible by site selection that leaves room for extending the footprint of the building(s) in a way that makes design and structural sense.

## **Hallmarks of Excellent Design**

Connecting stand-alone buildings that separate the detention and courts components is an approach that has a well-known pedigree in justice facilities planning and design. One example is the famous Allegheny County Courthouse and Jail in Pittsburgh, Pennsylvania, designed by H.H. Richardson a century ago. More recent examples include the Milwaukee County Jail and Criminal Justice Facility as well as the St. Louis County Justice Center. Both of these latter examples use an overhead bridge to connect the detention and courts buildings, but tunnel connections are also commonplace.

State-of-the-art functionality for each facility is also easier to achieve when each can be developed on its own terms. Detention facilities and courts require significantly different building systems, from structure to shell, as well as different specialty systems and mechanical, electrical, and plumbing infrastructure. These can be optimized much more readily when they do not have to be completely combined beneath the same roof. Moreover, each type can be planned and designed to accommodate growth and change in ways that minimize the costs of modification in the future. “Shell space” or “swing space,” for example, can be built in from the beginning.

On the exterior, the reduced scale and massing of two separate buildings make it possible to develop pedestrian amenities in the form of landscaped green space, street furniture, and a plaza closed to

vehicular traffic. Generous setbacks from the property line can also help to resolve the potentially competing requirements for higher security on the one hand and greater accessibility on the other. Setbacks can be integrated skillfully into a security design strategy that uses bollards and other hardscape elements to detect, deter, and delay certain threats. They can also improve sightlines.

At the same time, accessibility can be enhanced when there is ample room for landscaping and comfortable modulations of the ground plane to

accommodate ramps for the wheelchair-bound. To the extent that accessibility is also a function of the appearance of inviting openness—of approachability—an appealing entry sequence can be designed to guide citizens from an exterior plaza to the front door and through the security checkpoint to the lobby space and public corridor areas inside. Rather than impose an abrupt confrontation with a building that comes nearly to the curb, in other words, the entry sequence can be made into a comfortable procession.

# Technology Addendum

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One of the main uses of **remote electronic access** is to research information. Attorneys, prosecutors, probation officers, pre-trial officers, and creditors, as well as defendants and plaintiffs, all need on occasion to locate information about a case. Instead of physically going to the clerk's office to find the case number in an index, request the case file, and review the file at the counter or have copies made, this can all be done quickly and electronically from remote locations if the case records are automated.

Another use of electronic access is the filing of court cases and pleadings. By dialing up a court's computer or accessing its Web site, attorneys can simply transmit case documents electronically, thus eliminating the need to journey to the courthouse.

The time will come when the courts will also make extensive use of **e-commerce** to process fines and fees, and file and respond to complaints using the Internet. The idea of remote access to courts is in its infancy and lags behind the private sector. But with the greater emphasis that governments and the courts are placing on service to the public, it is inevitable that the ability to transact business using Internet connections will become commonplace.

**Videoconferencing** refers to two-way communications that link different locations using audio and video technology for the real-time transmission of digitized video images and sound. For many years, courts in widespread jurisdictions have been using videoconferencing to conduct arraignments, pre-trial release interviews, mental health hearings, pretrial conferences, remote witness testimony, and other similar events. The potential uses of videoconferencing are many, and the future is likely to see its widespread adoption for initial appearance hearings, arraignments, bail and detention hearings, compliance hearings, remote witness testimony in civil cases, and even attorney interviews with jailed clients. Each of these

instances will save the courts and county time and money.

**Electronic filing** offers several advantages. Documents are transmitted faster, less expensively, and with greater security. Computers can perform document retrieval functions faster than people, saving time and effort in filing and retrieving physical case files or references. Computer programs for displaying text often include hypertext functions that enable a reader to click on a particular citation and have the computer automatically retrieve and display the reference.

**Electronic imaging** is a technology that stores documents as electronic "photographs" in a computer, which can then be viewed on workstation display screens, eliminating the need to store and retrieve paper files. Electronic documents may be routed to any workstation in seconds, thus speeding the processing of cases. Files also may be retrieved instantly, eliminating the need to spend hours tracking down paper case files that have been mislaid.

In those courts where imaging has been tried, one of the major benefits has been a significant reduction in the time spent handling paper and completing routine transactions. Among the benefits are:

- improved file/case processing;
- improved case-flow management;
- improved file integrity;
- easy document retrieval;
- reduced paper handling;
- fewer misplaced files and lost documents;
- improved customer satisfaction resulting from better access;

- reduced time spent manually filing records and maintaining file rooms; and
- reduced on-site file storage.

The future may see the elimination or reduction of large record rooms and record storage vaults as more information is automated, imaged, stored, and made available electronically. This trend, in turn, may affect the space needs of new facilities. In considering development of state-of-the-art facilities, Denver should be sure that it is planning for tomorrow.