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January 12, 2024

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**Constitutional Amendment needed to re-purpose the 3 closed prisons in the Forest Preserve**

Dear Assemblymember Glick and Senator Harckham:

There are now three decommissioned state prisons on Forest Preserve lands. Two are within the Adirondack Park and one is outside the Park on Forest Preserve lands in Saratoga County. The three closed prisons are Camp Gabriels Correctional Facility in the town of Brighton, Franklin County; Moriah Shock Incarceration Correctional Facility in the towns of Moriah and Elizabethtown, Essex County; and Mount McGregor Correctional Facility in the towns of Corinth, Moreau and Wilton, Saratoga County.

**Staff**

Peter Bauer  
**Executive Director**

New York State's prison population has shrunk to around 32,000 from a high of nearly 75,000 in 1999-2000. The reduction in inmates has led to the closing of more than two dozen prisons around the State. Camp Gabriels has been closed since 2009 and Mount McGregor since 2014, while Moriah Shock was shut down more recently in 2022. The State Police are temporarily using the Mount McGregor facility for training exercises, but this is short-term. As state prisons, none of these facilities pay local taxes, unlike the majority of the Forest Preserve where all local real property taxes are paid by the State.

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**Deputy Director**

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**Conservation Director  
and Counsel**

The facilities could be demolished and removed by the Department of Corrections to restore the sites to a wild forest setting, but that does not

appear to be a realistic or responsible proposal for these facilities. The buildings at Moriah Shock are still in relatively good shape. Some of the dozens of buildings at Mount McGregor are massive structures made of stone and concrete. Some of the buildings at Camp Gabriels are historic structures. Demolishing the buildings would create a tremendous amount of waste and wasted opportunity.

The facilities could be used by the State, but the State has found it challenging to repurpose closed prisons throughout New York. For instance, the facilities could be taken over from the Department of Corrections by the Department of Environmental Conservation, the Adirondack Park Agency or the Office of Parks, Recreation and Historic Preservation to be used in a way that is consistent with Forest Preserve restrictions, but no state agency has stepped forward with a plan for any of these sites.

The facilities could theoretically be conveyed to a private entity for redevelopment, but the State Constitution prohibits the leasing or sale of these facilities to a private entity without a constitutional amendment. More than a decade ago, the Office of General Services organized a series of public auctions for the Camp Gabriels facility, where the winning bid was eventually around \$166,000, but the sale was never completed due to the legal requirement for a constitutional amendment to clear title to the property.

Each of the three prison facilities is sprawling and contains a considerable acreage and assortment of buildings (see maps attached). Camp Gabriels includes roughly 92 acres and 48 buildings. Moriah Shock covers 60 acres and has around 20 buildings. Mount McGregor covers 53 acres and has around 100 buildings and structures. Camp Gabriels and Mount McGregor are linked historically to other state lands. Camp Gabriels was originally part of a much larger purchase, but the prison complex was separated from other Forest Preserve lands, which will remain as Forest Preserve, including a portion of the shoreline of Church Pond. The Mount McGregor prison complex is located adjacent to a historic site and other state lands, such as the historic Grant Cottage, where President U.S. Grant wrote his famous memoir as he was dying of throat cancer, and Lake Bonita in Moreau Lake State Park. The Town of Brighton is interested in gaining access to the Camp Gabriels' water system to create a new water district for local residences in the area around Route 86 where residential wells have been contaminated by road salt pollution.

From our discussions with local community leaders, they would like the opportunity to work with the State to repurpose these facilities and bring them back onto the tax rolls if they can be successfully removed from the Forest Preserve through a constitutional amendment. If they are not removed from the Forest Preserve, then nothing will happen with them, and they will sit and deteriorate. Camp Gabriels has already experienced significant building deterioration in the more than a decade during which it has sat dormant. Local leaders talk about possibilities like community housing, maker space, small manufacturing parks, non-profit office space, and educational facilities, among other things, although there are no specific proposals for any of the facilities.

Protect the Adirondacks supports a 3 Prisons Constitutional Amendment to Article 14, Section 1, the famous “Forever Wild” clause. Historically, Article 14 constitutional amendments are only pursued when they are needed to solve some kind of problem facing Adirondack communities or administration of the Forest Preserve. We believe that a 3 Prisons Amendment passes both tests for helping communities to provide municipal services and to improve Forest Preserve management.

For local communities, these fully developed sites hold the possibility that they could be repurposed somehow, either by one entity that purchases the facility, or by many entities, public and private, working together. The State could either sell or transfer them to local governments. While closed prisons do not have a strong track record of successful adaptive re-use in New York, the location of Mount McGregor in Saratoga County, long the fastest growing county in the state, and the good condition of all of the buildings at Moriah Shock, which was not organized as a standard prison, but functioned more like an educational campus, hold real possibilities. The location of Camp Gabriels in the Tri-Lakes area of the Adirondacks, arguably the most dynamic neighborhood in the Adirondack Park, also holds promise. In addition to meeting any number of public needs from housing to small business space to non-profit space, repurposing could bring these facilities back onto the tax rolls, which would benefit local governments and schools. The reality, though, is that nothing can happen without a constitutional amendment to free up these facilities for future public or private use.

An amendment would also remove scores of non-conforming buildings from the Forest Preserve and remove inconsistent, incongruent uses. Replacement lands to compensate the Forest Preserve would be part of the amendment, and these new lands would be managed as wildlands and provide public recreational and outdoor experiences. The existence of closed prisons on the Forest Preserve undermines very basic Forever Wild values of wilderness, solitude, outdoor recreation, wildlife protection, and universal openness and accessibility.

A 3 Prisons Constitutional Amendment is an investment in Adirondack communities and the Forest Preserve, and, really, what could be better than that? We encourage you to explore the viability of such an amendment for First Passage in 2024 along the lines of suggested draft legislative language below. As we see it, this amendment should be simple, and focused on repurposing three closed prisons and 205 acres on the Forest Preserve and compensate the Forest Preserve with 2,500 acres to be purchased by the Department of Environmental Conservation (DEC). We suggest 2,500 acres because it’s significantly greater than the 205 acres being removed from the Forest Preserve, which we believe will make the amendment attractive to voters, and because the Mt. Van Hoevenberg Amendment, which received First Passage in 2023, also calls for compensation of the Forest Preserve with 2,500 acres of new lands.

Here is suggested draft language for a 3 Prisons Amendment:

Notwithstanding the foregoing provisions and subject to legislative approval prior to transfer of title, three decommissioned state correctional facilities on forest preserve lands totaling approximately two hundred five acres and including various buildings may be conveyed by the

state in a public or private sale provided that the state acquires at least two thousand five hundred acres of lands in the Adirondack park for inclusion in the forest preserve that the legislature determines are of equal or greater value. The aforementioned three decommissioned state correctional facilities are Camp Gabriels Correctional Facility in the town of Brighton, Franklin County; Mount McGregor Correctional Facility in the towns of Corinth, Moreau and Wilton, Saratoga County; and Moriah Shock Incarceration Correctional Facility in the towns of Moriah and Elizabethtown, Essex County. Camp Gabriels Correction Facility includes land developed as a private tuberculosis hospital, private college annex and state correctional facility, comprising forty-eight structures on approximately ninety-two acres of land along state route 86, part of lot 78, township 18, Great Tract 1, Macomb's purchase in the town of Brighton, Franklin county. Sufficient water rights on the above-described Camp Gabriels premises shall be held in reserve for the town of Brighton, Franklin county, for the purpose of creating a water district to supply potable water to residents in the area of Easy Street in the hamlet of Gabriels in the town of Brighton whose drinking water wells have been contaminated by road salt. Mount McGregor Correctional Facility includes the land developed as a tuberculosis sanitorium, home for veterans, facility for persons with developmental disabilities and state correctional facility, comprising up to one hundred structures on approximately fifty-three acres of land on Mount McGregor adjacent to Moreau Lake State Park, part of the Kayaderosseras Patent, 18th and 23rd Allotments in the towns of Corinth, Moreau and Wilton, Saratoga county. Moriah Shock Incarceration Correction Facility includes the land developed as a state correctional facility and up to twenty structures on approximately sixty acres of land that is part of the Iron Ore Tracts in the towns of Moriah and Elizabethtown, Essex county. Each of the aforementioned sales shall be subject to the condition that the properties be used for a public purpose after sale and that the revenue derived from each such conveyance be paid into an account of the state to be used solely for acquisition of lands within the Adirondack park to be added to the forest preserve as specified herein.

As stated above, we see a need for such an amendment to deal with the three decommissioned prisons on Forest Preserve in the North Country. We have talked with the local governments in the six towns and three counties where these facilities are located and there's general support to remove these facilities from the Forest Preserve, though there is concern about the complications of a constitutional amendment. We have told local government leaders and other stakeholders that there's no other way. The only way that these facilities can be repurposed is through an amendment. We have also briefed members of the State Senate and State Assembly on this issue and they have stressed the important role of your leadership and your committees. We look forward to discussing this matter further with you. Thank you for this opportunity to share our thoughts on this important matter facing the Forest Preserve.

Sincerely,



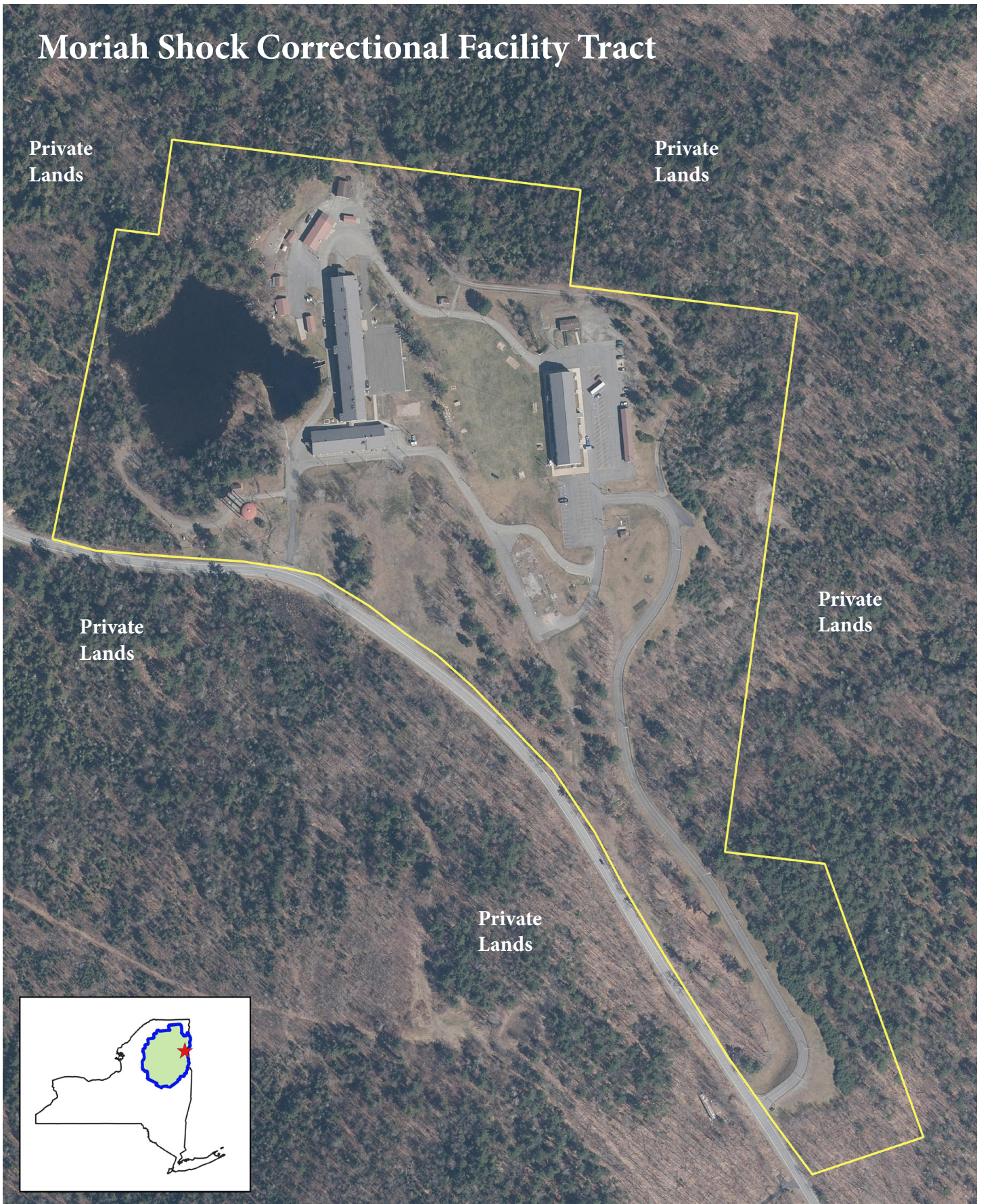
Peter Bauer  
Executive Director

# Camp Gabriels Correctional Facility Tract



The decommissioned Camp Gabriels Correctional Facility in the Town of Brighton, Franklin County, includes 92 acres and more than three dozen buildings.

# Moriah Shock Correctional Facility Tract



The decommissioned Moriah Shock Correctional Facility in the Towns of Moriah and Elizabethtown, Essex County, includes 60 acres and more than two dozen buildings.

# Mt. McGregor Correctional Facility Tract

Moreau Lake State Park

Moreau Lake State Park

Grant Cottage Facilities

Moreau Lake State Park



The decommissioned Mt. McGregor Correctional Facility in the Towns of Moreau, Wilton, and Corinth in Saratoga County, includes 53 acres and nearly 100 buildings.