



Legislation Text

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Res. No. 829

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.1343B/A.5493, which would reform revocation presumptive release, parole, conditional release, and post-release supervision.

By Council Members Powers, Ampry-Samuel, Rivera, Rosenthal, Lander, Ayala and Levin

Whereas, In 2017, about sixteen percent of New York City's jail population were parole violators, according to the Mayor's Office of Criminal Justice; and

Whereas, In 2016, about sixty-five percent of parole violators in New York State were incarcerated for technical violations, meaning the person broke conditions of their release, such as missing curfew or a parole appointment, or testing positive for marijuana; and

Whereas, In New York City, the number of people detained on technical parole violations has grown significantly since 2014, accounting for forty-eight percent of the incarcerated parole population in 2017, according to Columbia Justice Lab report; and

Whereas, Of people on parole whom New York officials sent back to prison in 2016, over 6,300, or 65%, were re-incarcerated for technical parole violations, as opposed to new crimes; and

Whereas, According to Criminal Justice Lab, black people are detained in New York City's jails for technical parole violations at more than 12 times the rate of white people, making parole reform a racial justice issue; and

Whereas, In a recent *New York Daily News* opinion piece, New York and Kings County District Attorneys acknowledged that parole is a significant contributor to mass incarceration and must be reformed to be less punitive and more rehabilitative; and

Whereas, Governor Cuomo has stated, "New York jails and prisons should not be filled with people

who may have violated the conditions of their parole, but present no danger to our communities;” and

Whereas, This has occurred while the number of people released from state prison into city homeless shelters nearly doubled from 2014 to 2018; and

Whereas, the increasing number of persons detained for state parole violations in New York City’s jails not only overuses incarceration for crimeless, technical violations but is also slowing the closure of the city’s jails on Rikers Island and increasing the estimated size of replacement, borough-based facilities; and

Whereas, S.1343B, introduced by State Senator Brian Benjamin, and companion bill A.5493, introduced by State Assembly member Walter Mosely, would reform parole: conditional release, revocation presumptive release, and post-release supervision to reduce the number of people held in jails and prisons in New York State; and

Whereas, S.1343B/A5493 grant “earned time credits” to parolees to encourage positive behavior and accelerate discharge from supervision and ensures parolees who are alleged to have violated the terms of their release receive a hearing in a local criminal court to ascertain whether they should be detained in jail pending adjudication of the alleged violation; and

Whereas, S.1343B/A5493 also shortens the timeframe for adjudicatory hearings and limits technical violation terms and jail time for such terms to ensure people on parole are not needlessly re-incarcerated; and

Whereas, Other states, such as Arizona, South Carolina, Utah, Arkansas, Georgia, Idaho, Louisiana, and Mississippi, have implemented similar reforms proposed in S.1343B/A5493 and, as a result, have experienced a decline in recidivism and compliance revocations; and

Whereas, New York County, Bronx County, and King County District Attorneys have expressed their support for S.1343B/A.5493, asserting that it would increase public safety and reduce unnecessary incarceration; and

Whereas, Without parole reform, the growing number of technical parole violators in New York City’s jails could potentially hamstring the city's efforts to reduce the city jail population and close Rikers Island; and,

now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and Governor to sign, S.1343B/A5493, which would reform revocation presumptive release, parole, conditional release, and post-release supervision

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