File #: Res 0241-2022, **Version:** A

Res. No. 241-A

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035).

By Council Member Hudson, the Public Advocate (Mr. Williams) and Council Members Hanif, Brewer, Won, Avilés, Louis, Gutiérrez, Restler, Riley, Rivera, Sanchez, Joseph, Krishnan, Richardson Jordan, Ossé, Nurse, De La Rosa, Cabán, Narcisse, Farías and Marte

Whereas, New York State's Parole Board (the Board) oversee approximately 12,000 parole hearings per year, according various sources; and

Whereas, The Board is required to consider whether parole-eligible people in custody are likely to commit future crimes upon release and whether their release will deprecate the seriousness of their crime when deciding whether to approve or deny release; and

Whereas, According to a report from the *Correctional Association of New York* (CANY), the Board has been criticized for not releasing enough incarcerated people who are up for parole; and

Whereas, CANY's analysis of the DOCCS Under Custody dataset in October 2020 found that 69% of incarcerated people were denied parole after their first hearing; and

Whereas, According to CANY's report, fifty-eight per cent of respondents to their study reported filing an appeal, with only 11% successfully appealing and being granted a de novo interview; and

Whereas, According to CANY, low parole release rates along with longer minimum sentence are reasons people are aging in New York prisons; and

Whereas, New York's aging prison population requires more expensive medical care because the aging population have many health problems and longer and more frequent hospitalizations related to their age, according to a report from the Office of the New York State Comptroller; and

Whereas, The long-term incarceration of aging people does not promote public safety as research shows people age 50 and older in New York prisons are least likely to re-offend; and

Whereas, New York parole system disparately affects Black and Latinx communities; and

Whereas, For example, between 2018 and 2020, 34 percent of Black and 33 percent Latinx parole-eligible person were approved for parole compared to 41 percent of white parole-eligible person who were approved during that same period, according to the *Albany Times Union*; and

Whereas, S307, introduced by State Senator Julia Salazar, and companion bill A162, introduced by State Assembly member David Weprin, would create a presumption of release for parole-eligible incarcerated persons unless there is a reasonable public safety reason to keep them in prison; and

Whereas, S307/A162would ensure that the parole release process in New York is based on rehabilitation and current risk to public safety; and

Whereas, S307/A162 would also save the state roughly $60,000 per year for every parole-eligible incarcerated individual released from prison, according to state's estimates; and

Whereas, S2423, introduced by State Senator Brad Hoylman, and companion bill A2035, introduced by State Assembly Member Maritza Davila, would establish parole consideration for people at least 55 years old who have served 15 consecutive years in prison; and

Whereas, Parole advocates, such as Release Aging People in Prison (RAPP) indicate there are now about 8,000 older adults in the New York Prison system; and

Whereas, should S2423/A2035 become law, it could help thousands of elderly people in the New York prison system; and,

Whereas, according to a report from Columbia University, together the two bills, S2423/A2035 and S307/A162, are estimated to save $522 million annually for New York State, now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035).

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