



NEW YORK POLICY AND ADVOCACY PRIORITIES FOR 2022

This document outlines the primary legislative and policy priorities of the **Osborne Association** and its policy center, the **Osborne Center for Justice Across Generations** for 2022. As we work to divert and release as many people as possible from jail and prison, and to protect existing pre-trial reforms, we advocate for legislation, improved practice, and expanded access and opportunities in four key areas: **1) responding to Covid, 2) children and families of those incarcerated, 3) aging and parole justice, and, 4) housing stability for people leaving jail and prison.**

RESPONDING TO COVID-19

Covid continues to threaten the lives of those who live and work in prisons and jails, with those incarcerated being particularly vulnerable as they cannot adequately social distance nor access sufficient, high quality PPE. Releasing as many people as possible from State prison is a matter of life and death. **The Governor should use her clemency powers to release individuals over the age of 50 with serious health conditions and issue an executive order releasing people within one year of their release date.**

To promote safety and health inside, **vaccine education as well as access to vaccinations (including the booster) and PPE should be easily accessible.** Additionally, corrections facilities should prioritize **maintaining in-person visiting** (with recommended Covid precautions in place), recognizing the importance of relationships and the benefits of visiting for those incarcerated, their families, and corrections.

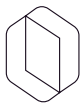
CHILDREN AND FAMILIES¹

Pass the Protect In-Person Visiting Bill, S2841A/A425OA (Senator Sepulveda / Assembly Member Weprin)

This legislation would protect in-person visits at state and local correctional facilities, ensuring that video conferencing may not replace in-person visits. Families are deeply concerned that in-person visits will be reduced or eliminated as more facilities begin to implement and rely on video conferencing during the pandemic. This bill passed the Senate in both 2020 and 2021.

1. Osborne also coordinates the statewide NY Initiative for Children of Incarcerated Parents and the national [See Us, Support Us](#) initiative, both advocating for and with children affected by their parent's involvement in the criminal legal system, from arrest to reentry.

For more information, please contact **Wendell Walters** at wwalters@osborneny.org or NYInitiative@osborneny.org



CHILDREN AND FAMILIES

Pass the Connecting Families New York Act, S3512A/A3096A (Senator Bailey / Assembly Member Epstein)

This bill would ensure that all incarcerated New Yorkers have access to free phone calls and email to stay connected with their loved ones. In State prisons, incarcerated people and their families are charged 60 cents for a 15 minute phone call, and in county jails they are charged up to \$10 for a 15 minute phone call. These costs force families to choose between paying for basic necessities or staying connected. In fact, one in three families goes into debt just to hear the voice of a loved one.

Pass the Child Sensitive Arrest Bill S4053/A6283 (Senator Bailey / Assembly Member Vanel)

This legislation would direct the State Police and the NYS Municipal Police Training Council to develop guidelines that safeguard children when a parent is arrested, and offer related training. To date, Albany, Buffalo, and New York City Police Departments are the only police departments in the state who have implemented written policies to safeguard children at the time of a parent's/caregiver's arrest.

PAROLE JUSTICE

Pass the Fair & Timely Parole Bill, S7514/A4231 (Senator Salazar / Assembly Member Weprin)

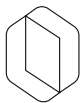
The Fair and Timely Parole Bill would require the Parole Board to determine whether an individual who has reached his/her minimum sentence poses a current and unreasonable risk of violating the law that cannot be mitigated by community supervision; if not, he/she shall be released to community supervision.

Pass the Elder Parole Bill, S15A/A8855 (Senator Hoylman / Assembly Member Davila)

This bill would allow individuals who are 55 years of age or older and have already served 15 years an opportunity to be interviewed by the parole board to consider release on parole supervision even though they might not otherwise have been eligible for a parole interview. One in four people in prison are now 50 years of age and older.² Older people who have served lengthy sentences pose virtually no threat to the community with very low recidivism rates; upon reentry, many are mentors, leaders, and role models in their communities. Without this bill, many people will die in prison.³

2. NY State Comptroller DiNapoli, "[New York's Aging Prison Population: Share of Older Adults Keeps Rising.](#)" (January 2022)

3. Columbia Center for Justice, "[New York State's New Death Penalty: The Death Toll of Mass Incarceration in a Post-Execution Era](#)" (October 2021)



PAROLE JUSTICE

Fully Staff the Parole Board

Governor Hochul included a fully staffed Parole Board in her 2022 State of the State. The New York State Parole Board has the authority to seat 19 commissioners, appointed by the Governor and confirmed by the State Senate for terms of up to six years. There are currently only 15 commissioners in place. The continuous under-staffing renders it practically impossible to adequately and fairly review the 12,000 parole applicants who come before the Parole Board each year. The four vacant seats must be filled with individuals who believe in rehabilitation and transformation.

HOUSING

Support a Fair Chance for Housing

Advocate for legislation that will prohibit landlords from rejecting applicants for housing based on conviction histories.

Improve Housing Stability

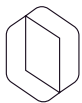
Advocate for capital and operating funding for transitional reentry housing, and increased supportive housing units for those previously incarcerated and recently released from prison.⁴

POLICY PRIORITIES FOR NEW YORK CITY

Fully Implement Child-Sensitive Arrest in NYC

In September 2019, NYC passed a Child-Sensitive Arrest law (Intro 1349A) that includes providing training to police officers and partnering with community-based organizations to provide support to children and families after a parent's arrest. In addition to further operationalizing these components, NYPD should collect data on children present at the time of a parent's arrest, and develop a protocol to consider children when planning to execute search and arrest warrants, with the goal of reducing children's presence and minimizing trauma.

4. The Governor's proposed budget released on January 18, 2022 includes: \$25 billion towards a 5 Year Comprehensive Housing Plan, including \$1.5 billion for the construction of 7,000 supportive housing units, the rehabilitation of 3,000 supportive housing units throughout the State, and \$300 million for developing or rehabilitating affordable housing for low-income seniors, aged 60 and above.



POLICY PRIORITIES FOR NEW YORK CITY

Implement the Recommendations of the NYC CARE Task Force

In 2019, the CARE Act (Intro 1616A) was passed to improve reentry for older adults. The Compassion and Assistance for Returning Elders (CARE) Act created a citywide interagency task force in 2020 to examine and make recommendations to address the needs of the growing number of older people returning from jails and prisons to NYC, many of whom go straight into the shelter system. The recommendations focus on three key areas of elder reentry: health/mental health; housing; and expanding services.

WE ALSO CALL FOR THE FOLLOWING CHANGES:

- ▶ Enact the [Justice Roadmap](#), a legislative agenda signed onto by more than 200 organizations and legislators, designed to address the harms caused by the deeply entangled criminal legal and immigration systems, and the [2022 Youth Justice Platform](#).
- ▶ Fully implement bail reform and utilize all options for safe pre-trial release.
- ▶ End solitary confinement in New York City and replace it with alternative forms of separation proven to better enhance safety, health, and well-being.
- ▶ Close Rikers and invest in communities and community-based programming.

We support and work in partnership with other organizations and coalitions to: expand **alternative to incarceration** programs; expand access to **supportive services and trauma treatment for crime victims and survivors**; expand access to **higher education in prisons**; grant **voting rights** to people who are incarcerated or on parole; **improve the reentry process** starting with strengthened pre-release planning including issuing ID cards; increase **restorative justice** approaches including in schools.