



**FOR IMMEDIATE RELEASE**

January 13, 2022

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**\*\*\*STATEMENT\*\*\***

***ADVOCATES RESPOND TO NY STATE  
COMPTROLLER REPORT FINDING CONTINUING  
RISE IN THE NUMBER OF OLDER ADULTS IN NY  
PRISONS AMID CRISIS OF DEATH BEHIND  
BARS***

***THE REPORT FOUND A GROWING AGING  
POPULATION IN PRISON EVEN AS THE  
OVERALL POPULATION DECLINED***

**NEW YORK** -- Today, New York State Comptroller Tom DiNapoli released [a report](#) finding a continuing rise in the number of older adults in New York State prisons, even as the overall prison population has declined. This report, which serves as a follow-up

to a [2017 report](#) by his office with similar findings, comes amid a rising death toll behind bars, with New Yorkers dying in prisons [once every three days](#) on average. Academics have [called](#) this crisis “New York’s New Death Penalty”. **In response, Jose Saldana, Director of the Release Aging People in Prison (RAPP) Campaign, released the following statement:**

“The New York State Comptroller’s report highlights what so many incarcerated New Yorkers and their families already know. There is a growing crisis of aging in New York State prisons. Even while the overall prison population decreases, the incarceration of older adults continues to increase, robbing communities across New York State of elders who can be safely released, mentor young people, interrupt violence, provide peer-counseling to people with substance use disorder, and promote safety. We continue our calls for the New York State legislature to pass the Elder Parole and the Fair & Timely Parole bills and for Governor Hochul to grant clemency to effectively address this crisis.”

## **BACKGROUND:**

- The report by the State Comptroller found that nearly 1 in 4 people in NY State prisons are older adults. Specifically, 24.3 percent of the State’s total prison population in March 2021 was age 50 or older (7,586 out of 31,262 total people), compared to 12.0 percent in March 2008 (7,511 individuals out of 62,597 total people).
- The main recommendation of the Comptroller’s report is for “policy makers should continue to look for ways to further reduce the State’s prison population, particularly older individuals who pose a reduced risk to society at large.”
- New York’s prison system currently incarcerates more than two times more people than at the beginning of New York’s mass incarceration era, in 1970 (approximately 31,000 people vs. 12,059 people).

- The crisis of mass incarceration is at a boiling point, with [people dying in New York's prisons once every three days](#) on average.
- A [recent report](#) by the Columbia University Center for Justice found more people have died in our state's prisons in just the last 10 years than the total number of people executed during the more than 350 years in which New York applied the death penalty, with deaths of people over 55, in particular, skyrocketing.
- The average age of death behind bars was only 58 before COVID because of state policy failures.
- There is a crisis of aging and dying for New Yorkers in prison and their families because of decades of extreme sentencing and blanket denials of parole release by a racially biased Parole Board.
- 55% of the roughly 31,000 people currently incarcerated in New York State prisons are Black people, despite the fact that only 18% of the overall population in the state is Black. 77% are People of Color.
- According to a [Times Union analysis](#) of the nearly 19,000 parole board decisions over the last two years, racial bias infects parole release determinations and disparities have only widened in recent years. The data, which spans October 2018 through October 2020, shows the Parole Board granted parole release to 41 percent of white people, compared to 34 percent of Black people and 33 percent of Latinx people.
- Nearly 1-in-4 (24%) people in New York State prisons are serving life or virtual life sentences.
- 4,704 people in prison are defined by NYS DOCCS as older adults, meaning they are 55 or older.
- Without reforms to expand access to parole release and make the process more fair in New York State, New Yorkers, especially those who are Black and Latinx, will continue to age without dignity, get sick, and die in prison regardless of

their transformation and potential benefits to the outside community.

- The People’s Campaign for Parole Justice is calling on lawmakers in Albany to pass two bills that, together, will ensure that people in prison have meaningful opportunities for individualized consideration for parole release based on who they are today, what they have done to change, and whether they pose a risk if released:
  - [Elder Parole \(S.15/A.3475A\)](#) would allow the State Board of Parole to conduct an evaluation for potential parole release to incarcerated older people who have already served 15 or more years, including some of the state’s oldest and sickest incarcerated people.
  - [Fair and Timely Parole \(S.7514/A.4231A\)](#) would provide more meaningful parole reviews for incarcerated people who are already parole eligible.
- The Elder Parole and Fair & Timely Parole bills are supported by more than 300 organizations across New York State, including some of the largest crime victims and survivor advocacy groups due to [the connections between parole justice and justice for victims and survivors of crime](#): The New York State Coalition Against Sexual Assault, Crime Victims Treatment Center, The Working Families Party, 1199 SEIU, CWA District 1, VOCAL-NY, Citizen Action, New Hour for Women and Children, LiveOn NY, JASA, the Brookdale Center for Healthy Aging, NY Communities for Change, Center for Community Alternatives, Osborne Association, NYCLU, [FWD.us](#), the #HALTsolitary Campaign, Legal Aid Society, Center for Justice at Columbia, and NYU Law's Center on Race, Inequality, and the Law.

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