

***Press Release for Immediate Release:
NYS Senate Crime Committee Passes Elder Parole (S.2144)***

CONTACT:

Dave George, ddgeorge23@gmail.com, (631) 885-3565

Albany, NY – April 9, 2019 – Today, the New York State Senate Committee on Crime Victims, Crime and Correction took a historic step by passing Elder Parole (S.2144)—a bill introduced this legislative session by State Senator Brad Hoylman (SD-27). Under S.2144, incarcerated people aged 55 and older who have served 15 consecutive years in prison would become eligible for a consideration of parole release. While the proposal does not guarantee release to the approximately 900 people who would become newly eligible for parole, it does provide them with an opportunity to make their case for freedom before the NYS Parole Board. Various iterations of the proposal have been pending in the legislature for decades but have never passed out of committee in the Senate. The bill passed committee today with a vote of 5-2.

The Assembly version of the bill, introduced by Assembly Member David Weprin (AD-24) passed the Assembly Correction Committee in February 2019. While some version of elder parole exists in 17 other states across the country, the New York proposal, if passed and signed into law, would be the first of its kind because it does not exclude anyone on the basis of their crime of conviction or sentence.

This bill reflects decades of criminal justice data that incarcerated older people pose the lowest risk to public safety and age out of crime. It also affirms research showing long sentences, even for serious crimes, have negligible, if not adverse effects on deterring crime, promoting public safety, and supporting the well being of victims and survivors of harm. The proposal has broad community support, including from criminal justice advocates, legal experts, agencies serving older adults, and representatives of crime survivors. The legislature has just over two months to pass the bill before the end of the legislative session on June 19, 2019.

Jose Saldana, Director of the Release Aging People in Prison Campaign said, “The New York State Senate Crime Committee’s passage of elder parole is a real first step towards addressing the crisis of incarcerated men and women growing old, sick and needlessly dying in prison. It would impact hundreds of elderly incarcerated men and women who are mentors and educators to countless people they’ve been incarcerated with. The bill offers hope and an opportunity for people to return to their families and home communities to continue to repair the harm they caused. We thank Senators Sepulveda, Hoylman and other legislators who have prioritized this critical initiative and helped push the bill through Committee today. It’s time for the entire legislature to correct the New York’s new death penalty—death by incarceration—which disproportionately impacts Black and Latinx communities and does nothing to promote public safety.”

State Senator Brad Hoylman (SD-27) said, “Death by incarceration is New York’s new death penalty. Between January 2011 and May 2018, 675 elder New Yorkers and more than 1,000 people of all ages died in a New York State prison. Over the last 20 years, the number of incarcerated older New Yorkers has more than doubled to over 10,000—even as the state’s overall prison population has fallen by 30 percent. Elder parole is the first of many necessary steps we must take to reverse the decades of failed policy that led to mass incarceration across our state. There’s no justice in a system that denies fairness to so many people. I will continue to work with my Assembly co-sponsor David Weprin, and the Release Aging People in Prison Campaign in Albany to pass my S2144 to establish elder parole for incarcerated older people in New York State. It’s the right thing to do.”

State Senator Luis Sepulveda (SD-32) said, “Incarcerated older people pose the least risk to public safety and seldom recidivate after release. It is both inhumane and expensive to hold older men and women in prison if they no longer pose a danger to society”

Anthony Dixon, Director of Community Engagement for the Parole Preparation Project said, “Elder Parole is an evidenced based bill that is long over due. For decades, trending studies have shown that people age out of crime. Given the excessive money used to house people incarcerated as they age, this bill promotes justice, keeps communities safe and provides millions of dollars in savings.”

State Senator Zellnor Myrie (SD-20) said, “Study after study shows that keeping elderly people locked up with no end in sight does nothing to protect our communities. It's time to bring compassion and common sense to New York's justice system.”

Assembly Member David I. Weprin (AD-24), Assembly Correction Committee Chair said, “Thousands of incarcerated older adults in New York State are serving overly punitive sentences yet pose a low risk to public safety. New York needs to reform its outdated criminal justice statutes and become the first state in the nation to allow older incarcerated individuals the opportunity for consideration of parole. I applaud Senator Brad Hoylman for pushing this bill through the Senate Committee on Crime Victims, Crime and Correction, where it has languished for more than a decade, and look forward to enacting Elder Parole in New York State.”

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