

June 25, 2020

Hon. Andrew M. Cuomo, Governor
New York State Executive
New York State Capitol Building
Albany, NY 12224

Hon. Carl Heastie, Assembly Speaker
New York State Assembly
188 State Street, Legislative Office Building, Room 932
Albany, NY 12247

Hon. Andrea Stewart-Cousins, Majority Leader
New York State Senate
188 State Street, Legislative Office Building, Room 907
Albany, NY 12247

Governor Cuomo, Senate Majority Leader Andrea Stewart-Cousins, and Assembly Speaker Carl Heastie:

We are concerned and appalled by the Department of Corrections and Community Supervision's (DOCCS) plan to transfer 128 incarcerated older people to Adirondack Correctional Facility. DOCCS is in the process of transferring incarcerated people aged 65 and older who have some level of physical and/or mental health difficulties to Adirondack—a prison near the Canadian border.

As of June 21, 2020, 52 people had already been transferred to Adirondack. 71% of them are People of Color, 54% are Black New Yorkers, and 62% have already served at least 10 years in prison. Furthermore, 78% were convicted in downstate New York—Long Island, New York City, or Westchester County—and presumably placed many more hundreds of miles away from their families and home communities. Reports from several people connected to the facility confirm that DOCCS tested very few, if any, incarcerated people at the facility for COVID-19, despite many of the transferred people coming from the hardest hit correctional facilities in the state (e.g., Fishkill and Otisville Correctional Facilities).

This plan runs directly counter to public health, racial justice, and criminal justice evidence, and instead promotes mass incarceration, family separation, racism, and the needless punishment of incarcerated older people. It also threatens to replicate the public health crisis experienced in nursing homes across the state.

To put it plainly, we believe these transfers fundamentally represent a public health crisis that amounts to a ticking time bomb. Isolating a large number of older and sick people in a congregate prison setting is the exact opposite approach that public health experts and medical professionals have been advising incarceration systems to embrace. If just one COVID-19 case enters Adirondack, it creates a moral crisis that could be fatal to every person in the population.

The truth is, even without this public health crisis, these transfers fly in the face of all criminal justice and penological research and evidence that proves conclusively that older people, and those who have already served decades in prison, are most suitable for release and least likely to recidivate.

We call on Governor Cuomo to release every single person incarcerated at Adirondack using your executive clemency power. At an absolute minimum, we call on you to commute the sentences of everyone at the facility to allow the Parole Board to evaluate peoples' suitability for release based on who they are today. We also call on Senate Majority Leader Andrea Stewart-Cousins and Assembly Speaker Carl Heastie to pass Elder Parole (S.2144/A.9040) and Fair and Timely Parole (S.497A/A.4346) to ensure that everyone incarcerated at the facility has a fair and meaningful opportunity to return to their families and home communities. These actions would promote racial justice, public health, community safety, and save the state millions of dollars.

In the wake of the murder of George Floyd and Breonna Taylor, New Yorkers are rising up against systemic racism that extends to Adirondack and every prison in New York State. We call on you to stand with us by taking these actions and prove that your publicly stated support of Black Lives Matter extends to those behind bars and their families.

Sincerely,

Asociacion de Mujeres Progrecistas Inc.
Association of Legal Aid Attorneys (UAW 2325)
Beacon Prison Action
Benedict Advisors
Bronx Defenders
Brooklyn Defenders Services
Calvary Baptist Church--Jamaica, New York
CD-SURJ
Center for Community Alternatives
Center for Constitutional Rights
Center for Justice at Columbia University
Center on Race, Inequality, and the Law at NYU Law
Church of Gethsemane
College and Community Fellowship
Correctional Association of New York
CUNY School of Law Defenders Clinic
Drug Policy Alliance
ENJAN
Erie County Restorative Justice Coalition, Inc.
Formerly Incarcerated Law Student Advocacy Association
Free The People
Girl Vow
#HALTsolitary Campaign

Immigrant Defense Project
Indivisible Harlem
Innocence Project
Inwood Indivisible
Jewish Voice for Peace - New York City
Jews for Racial and Economic Justice
Jim Owles Liberal Democratic Club
John Brown Lives!
Justice and Unity for the Southern Tier
Justice for Women Covid-19 Task Force
LatinoJustice PRLDEF
Legal Aid Society
Malcolm X Grassroots Movement
Moms Rising
MongoDB
Morningside Monthly Meeting of the Religious Society of Friends
(Quakers) NADAP
New Hour for Women and Children LI
New Rochelle Against Racism
New York City Jericho Movement
Open Buffalo
Parole Preparation Project
Partnership for the Public Good
Prison Families Anonymous
Prisoners Are People Too, Buffalo, NY
PUSH Buffalo
Queer Palestinian Empowerment Network
Re/Creation
Reclaim Pride Coalition
Release Aging People in Prison Campaign
Rise and Resist
Rogue Detection Teams
Showing Up for Racial Justice Rochester
Showing Up For Racial Justice NYC
SSDP Buffalo
Survived and Punished NY
The Bronx Defenders
Time for Change Foundation
Truth Pharm Inc.
Unitarian Universalist Church of Canton
Unitarian Universalist Congregation at Rock Tavern
United Voices of Cortland
Upper West Side Action
Uptown Progressive Action
Urban Justice Center - Safety Net Project
Visionary V
VOICE-Buffalo

Wake the North Country
Washington Heights Corner Project
WESPAC
Westchester for Change
Western New York Peace Center
Women & Justice Project
Women 4 Women
Youth Represent