



FOR IMMEDIATE RELEASE

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**ON EVE OF 2022 NY STATE LEGISLATIVE
SESSION & STATE OF STATE ADDRESS,
ADVOCATES RESPOND TO ANOTHER
INCARCERATED PERSON DYING OF COVID-19**

*ADVOCATES CALL ON STATE LAWMAKERS TO
PASS ELDER PAROLE AND FAIR & TIMELY
PAROLE BILLS ON DAY ONE TO ADDRESS
COVID-19 SURGE AND PROMOTE JUSTICE*

NEW YORK -- The New York State Department of Correction and Community Supervision (DOCCS) has reported yet [another death](#), the third incarcerated person to die of COVID-19 at Mohawk/Walsh prison in Central New York and the sixth incarcerated person across the state to die from the virus in the last month. The deaths come amid a spike in COVID in the community and behind bars, as the highly-contagious Omicron variant sweeps the world. **In response, Jose Saldana, Director**

of the Release Aging People in Prison Campaign, released the following statement:

“We are devastated for yet another person whose life was taken behind bars by this terrible virus – and by our state’s failure to protect human life. As New York State lawmakers begin their 2022 legislative session this week, they must take immediate action to address the rampant spread and harm of COVID-19 behind bars. As a matter of public health and justice, we call on New York’s legislative leaders Andrea Stewart-Cousins and Carl Heastie to pass the Elder Parole and Fair & Timely Parole bills to provide meaningful pathways to release consideration for incarcerated New Yorkers. We also call on Governor Hochul to support both bills and use her executive power to grant life-saving clemencies.”

BACKGROUND:

- 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 average age of death behind bars was shamefully only 58 before COVID because of state policy failures.
- The New York State Constitution allows Gov. Hochul to grant clemency at will, including sentencing commutations for incarcerated people.
- Since taking office, Hochul has granted clemency to only one incarcerated person
- By the end of 2020, Gov. Cuomo had [received 6,405 applications](#) for clemency in the prior four years and granted only 21 sentence commutations.
- In his nearly 11 years in office, he granted only 41 total commutations.
- By comparison, then-CA Governor Jerry Brown granted [131 sentence commutations](#) in just one day.

- A [report issued by Columbia University's Center for Justice](#) found that a person dies in New York State prisons on average every three days.
- Over 105,000 children have a parent in prison or jail on any given day (Source: OCFS).
- Racism infects the parole release system just as it does every element of the criminal legal system. A white person in a New York prison is significantly more likely on average to be released on parole than a Black or Latinx person and the disparity widened in 2020, according to a [Times Union analysis](#) of the nearly 19,000 parole board decisions over the last two years. Importantly, these racial disparities are not new. In 2016, the [New York Times conducted an investigation](#) of parole release data and similarly found Black and Latinx people were significantly less likely to be released than their white counterparts.
- The People's Campaign for Parole Justice is calling on lawmakers in Albany to pass two bills that will address this pandemic behind bars and help prevent similar tragedies in the future:
- [Elder Parole](#) ([S.15/A.3475A](#)) would allow the State Board of Parole to provide an evaluation for potential parole release to incarcerated people classified by NYS DOCCS as older adults who have already served 15 or more years, including some of the state's oldest and most infirm incarcerated people.
- [Fair and Timely Parole](#) ([S.7514/A.4231A](#)) would provide more meaningful parole reviews for incarcerated people who are already parole eligible.

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