



NEW YORK STATE SENATOR

Velmanette Montgomery

# **Legislature Approves Senator Montgomery's Bill to Improve Family Visiting Program in Prison**

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Albany, NY: Final legislative approval was recently given to the *Family Visitation Bill* (S.1413/A.4606), a criminal justice measure that seeks to strengthen family ties among New Yorkers who are incarcerated and their loved ones on the “outside.”

The legislation, sponsored by NYS Senator Velmanette Montgomery (D-Brooklyn) and Assemblymember Gabriela Rosa (D-Manhattan), requires the Department of Corrections and Community Supervision to establish and maintain a public website and dedicated toll-free telephone line to provide up-to-date information regarding specific visitation rules and regulations for all individual correctional facilities throughout the state.

“While New York’s prisons allow inmates to receive visitors, the experience of being processed for visits varies greatly from one facility to another,” Senator Montgomery said.

The *Family Visitation Bill* was inspired by Ashley Duncan, a college student who experienced, first-hand, the inconsistencies with visiting policies and procedures when attempting to visit her father who, up until recently, was been incarcerated at various upstate correctional facilities for nearly 20 years.

“I am so delighted! I would never imagine that legislation I felt so strongly about has passed and that we can begin to see changes with the correctional system when it comes to families who visit their incarcerated loved ones,” said Ms. Duncan.

In discussing some of the patchwork of facility-specific rules and regulations, the Senator explained that when families arrive at the “wrong” time, on the “wrong” day, or with the “wrong” clothing or identification, they may be turned away even if they have been traveling all night with young children. Generally, there is no recourse for a person excluded from visiting; they have no one to call during the weekend to resolve the problem or elevate it to a supervisor’s attention once the officer at the front gate turns the visitor away. This can be especially devastating for children of incarcerated persons, who may have anticipated the visit for weeks.

Senator Montgomery expressed her appreciation to Ashley Duncan, the Osborne Association, the Correctional Association of New York State, the Fortune Society, and many other criminal justice advocates who helped garner support for the bill’s passage.

"Visits are so important for children whose parents are incarcerated. Children look forward to this precious time with their moms and dads. To ensure that visits happen, it is critical that visitors know about visiting rules before they arrive at a prison. Having this knowledge also makes the jobs of officers easier as people arrive prepared and are not surprised by visiting rules they didn't know about," said Tanya Krupat, Program Director at the Osborne Association's New York Initiative for Children of Incarcerated Parents.

"Through years of monitoring prisons in New York, we know that this bill is critical," said Soffiyah Elijah, Executive Director of the Correctional Association of New York. "Without clear visiting guidelines, families routinely suffer through long and difficult processing before visits and some are turned away at the prison gate altogether. Keeping family connections strong reduces the trauma of incarceration for families, makes prisons safer and reduces recidivism. We applaud Senator Velmanette Montgomery, Assemblymember Gabriela Rosa and their colleagues in the Legislature for passing this bill and we look forward to it becoming law in our state."

According to the Correctional Association of New York, approximately 73 percent of New York’s incarcerated women and 58 percent of incarcerated men are parents. Most prisons in New York State are located in upstate rural communities that are inordinately far from New York City and its suburbs, where a majority of children and other family members of incarcerated parents live. Traveling long distances to visit is extremely taxing on young children and the older relatives who often are caring for them.

Despite these challenges, however, regular visitation is imperative for a number of reasons. The Association points out that visiting in appropriate environments can maintain family integrity during a prisoner's incarceration. In addition, prison officials and researchers agree that strong family ties motivate prisoners to participate in programs and maintain good behavior; improve prisoners' state of mind; lead to easier prison management, and greatly reduce recidivism.

The Family Visitation Bill will now be sent to the Governor for consideration before becoming law.

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