NEW YORK STATE SENATOR

Andrea Stewart-Cousins

Andrea Stewart-Cousins Joins Governor Hochul For Bill Signing of Less Is More Act

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ISSUE:
- [Less is More Act](#)

Albany, NY- Today, Senate Majority Leader Andrea Stewart-Cousins joined Governor Kathy Hochul, Lieutenant Governor Brian Benjamin, Assembly Speaker Carl Heastie, Westchester County District Attorney Mimi Rocah and various local elected officials and community activists for the signing of the Less Is More Act into law. The event highlighted the ways in which individuals are trapped in a cycle of injustice long after they have served their time. The Less Is More Act, which passed the Senate Majority in June 2021, will limit the circumstances under which people subjected to community supervision may be re-incarcerated for violations of the terms of community supervision and capping the length of any such re-incarceration.

"Under my leadership, the Senate Democratic Majority has made a strong commitment to reforming our justice system by ensuring that there is a pathway for formerly incarcerated individuals to transition back into society," Senate Majority Leader Andrea Stewart-Cousins said. "These reforms are morally right and help keep people out of prison for technical violations ensuring that they can continue to contribute to society. When people are treated as valued members of a community, they are less likely to re-engage in criminal activity. I am proud of the work that the Senate Majority continues to do to reform the justice system, and I thank Governor Hochul for signing this critical legislation."

The Less is More Act, [S.1144A](#), sponsored by Senator Brian Benjamin, limits the use of incarceration as a punishment for technical parole violations and caps the length of any such re-incarceration. This bill would:

- Limitation on Parole Sanctions for Technical Violations: caps reincarceration sanctions for technical violations at 30 days.
- Shorter time-frame for preliminary and final revocation hearings: The bill shortens the time frame in which a preliminary hearing, and final revocation hearing must occur.
- Due Process: Creates a congruence between the parole revocation process and the existing criminal adjudication process, adding the following due process protections:
- Right to Counsel: The bill provides individuals on supervision with the right to counsel in recognizance hearings and preliminary revocation hearings
- Increased Burden of Proof: Increases the burden of proof necessary to determine a violation has occurred in preliminary and final revocation hearings..
- New Appeals Process: Allows an individual with a sustained non-technical violation to appeal a final revocation hearing decision directly to a Criminal Court, Supreme Court, District   Court, or County Court.
- Earned Time Credits (30 for 30): Expands the merit time concept to parole under the framework of earned time credits. Individuals under community supervision would be eligible to earn a 30-day earned time credit reduction in their community supervision period for every 30-day period in which they do

not violate a condition of supervision and are in compliance with their supervision. Individuals currently on parole when this bill is enacted will receive up to 2 years retroactive earned time credit.

- Financial Impact: Provides the State the ability to save millions of dollars.

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Senate Majority Leader Andrea Stewart-Cousins represents a significant portion of Yonkers, all of the Town of Greenburgh and Scarsdale, and parts of White Plains and New Rochelle in the 35th NYS Senate District. To learn more about her legislative and community efforts, click here. Follow Senate Majority Leader Andrea Stewart-Cousins   Facebook - Twitter - Instagram