



**Testimony by Theresa Grady, Jeannie Colon, Lisette Nieves and Nawanna Tucker
Community Leaders with the Release Aging People in Prison (RAPP) Campaign
Before the FY 2022-23 Joint Legislative Hearing
on the Executive Public Protection Budget Proposal**

January 25, 2022

Thank you for the opportunity to testify today as part of the Public Protection Budget hearing. My name is Theresa Grady and I am a Community Leader with the Release Aging People in Prison (RAPP) Campaign. I am speaking here today on behalf of myself and three of my fellow RAPP Community Leaders: Nawanna Tucker, Lisette Nieves, and Jeannie Colon.

The crisis of mass incarceration is at a boiling point, with people dying in New York's prisons once every three days on average. In fact, a recent report from [Columbia University](#) found more people have died in our state's prisons in just the last 10 years than the total number of people executed during the more than 350 years in which New York applied the death penalty. Deaths of people aged 55 and older, in particular, are skyrocketing. The report called long sentences & perpetual parole denials "New York's New Death Penalty." The path forward is clear to us and we hope to make it clear to our elected representatives: Give incarcerated people who have rehabilitated themselves a pathway to return home.

All of us have a loved one in New York State prisons. Lisette's brother was locked up at 16 and, 39 years later, won't be eligible to even be considered for release for another decade. Jeannie's husband was locked up at 17. Nawanna's husband has already served 33 years on a wrongful conviction. My husband is 67 years old, 17 years into his 40-year sentence, and suffering from severe chronic illness. All of these men have grown into mature adults who bear no resemblance to the people who entered prison so long ago. But under existing laws, the prison system doesn't care about that. Even when they do become eligible for parole, [ample research](#) shows the Parole Board will likely ignore their rehabilitation and deny their release based solely on the one thing they can never change – their original conviction. Worse, data shows they are [even more likely to get denied](#) because they are all People of Color.

Every day, we live in fear that our loved ones will become, to the state, another death statistic. The average age of death in state prisons is only 58. We used to feel powerless to protect them – and then we discovered the campaign for parole justice. Now, we're fighting for our families, and for the families of countless other New Yorkers.

One woman we met was on her way to visit her son, who was in a vegetative state, handcuffed to a bed at Fishkill Prison. She brought her priest, praying for peace. She pleaded with DOCCS for

him to be released to die in peace. Last we heard, he died there. She held onto God, but our state forsook her – and we want that to never be repeated.

Governor Kathy Hochul included many valuable policies and programs to serve currently and formerly incarcerated people in her Executive Budget proposal but there is a glaring omission. Generally, the Governor's proposals fall into two important categories: Initiatives to aid in the growth and development of people who are currently incarcerated, like funding for higher education behind bars, and initiatives to support people post-release, like eventual sealing of old criminal records for those who are not re-arrested.

What's missing is a bridge connecting rehabilitative programming and reentry support: meaningful opportunities for those who have grown and transformed to actually get released. If the prison system is focused on perpetual punishment, what's the point of these budget proposals? Many of the initiatives included in the Governor's budget will expand the good that people can do upon release to the community, but much of their potential will perish behind bars if people are endlessly blocked from parole and there is no pathway to release.

Parole reform will give dedicated, community-driven, and transformed people a chance at freedom on a case by case basis – and an opportunity to serve as mentors, non-profit leaders & drug counselors for young people in their home communities. [One report](#) found a violence interrupter program led by formerly incarcerated people led to 20% less gun violence.

Legislators often say that a budget is a fiscal and a moral document. [Unlocking Billions](#), a Columbia University report, found passage of Elder Parole and Fair & Timely Parole would save \$522 million dollars annually, money that could be invested in expanding community-based, public health-centered violence prevention programs, services for crime survivors, quality mental health care, education, and more. Together, these bills would expand eligibility for case-by-case parole consideration and make the process more fair – and they may save our loved ones' lives.

The bills are also backed by some of the largest victim & survivor advocacy groups in the state, including the Crime Victims Treatment Center and the New York State Coalition Against Sexual Assault, who prioritize rehabilitation over endless punishment.

The Governor put forth her vision. Now it's time for lawmakers to put forth our vision to end the cycle of perpetual punishment, death by incarceration and give our loved ones, and countless others who have transformed themselves, a pathway to return home.

Thank you for considering our comments.