Legal Action Center
Women's Legal Action
The Forum Society
TASG of the Capital District
The Criminal Association
Center for Employment Opportunity (CEO)
Senior Association
TASC
Center for Community Alternatives (CCA)
Center for Accountable and Fair Employment Services (CASES)
Endorsed by

Legal Action Center
Director of NYS Policy
Selkiss Solomon

Presented by
January 30, 2018

Executive Director P.T. 2017-2018
John Flaherty
Elected and Appointed
Assembly of NY's and NY's
Testimony of the Legal Action Center
Good Afternoon. My name is Sebastian Solomon. I am the Director of New York State Policy for the Legal Action Center. I appreciate the opportunity to address you today.

In New York State, we work closely with the coalition of Alternative to Incarceration (ATI), Reentry and related programs. These programs enable many thousands of men and women to be appropriately supervised and served in the community. These services divert individuals who would otherwise be sent to more expensive prison beds to less expensive and more effective community-based supervision and services. They also assist individuals who are released from incarceration reintegrate with their families and the communities by lowering barriers to employment, housing and health services, thereby reducing the likelihood of recidivism.

We recognize the fiscal challenges confronting the State. Now more than ever, we call upon the Legislature to protect New York’s investment in nationally-recognized and evidence-based ATI and Reentry programs which have served many thousands of men and women in communities all across the State, at significantly less cost than expensive prison beds. This investment contributes to public safety and is cost-effective. We very much appreciate the Governor’s and the Legislature’s continued funding and strong bi-partisan support for ATI and reentry programming and commend the decision to maintain baseline funding from last year for ATI and reentry programs. We urge the Legislature to take the following steps to support these programs, and those that have lost funding from prior years, for the benefit of the hundreds of thousands of New Yorkers impacted by the criminal justice system:

- Restore over $2 million in cuts to support alternative-to-incarceration, reentry and related programs and allow funding to be used flexibly to address new challenges as they appear. This funding will support New York’s efforts to:
  - Address the thousands of individuals around the state who have been swept up into the criminal justice system as a result of the opioid epidemic; and
programs and school funding to be used explicitly to address new challenges as they appear.

Reserve over $5 million in cuts to support pre-service and in-service teacher education and training

- Eliminate the minimum semester for an undergraduate degree in order to reduce
- Establish a format to address critical volunteerism and
- Eliminate the prep supplement fee.

- Enact the assumption/revision of church/and
- Ecumenical resources, attempts to complement and enhance
- Require article 27.4-standards for all occupational licence and certification
- Expand the Outreach. (CV) program:
- Expand direct hire opportunities and opportunities for individuals to qualify for the
- Establish a comprehensive, accessible program:

- Support the executive’s efforts to:
- Create effective patient and consumer access to and use of medical services
- Improve and enhance the access and
- Professional education in community health care providers for those interested in

ACCESS:
- Support investment in an accessible health care system for those interested in
- Expanding access to education, training, and employment for health care providers
- Making the health service accessible for those interested in

Options for the executive’s proposal to provide 25 million in funding to help those in
- Close the budget deficit.
In 2013, Governor Cuomo baselined funding for ATI and reentry services. This action freed programs from dedicating substantial time and resources to each year seek funding from the Legislature to maintain essential services. However, in the Executive Budget for FY17, this funding was cut over by $2 million. Fortunately, the Legislature was able to restore $500,000 of the reduction. This year, the Executive has proposed the same level of funding as was proposed last year. We urge the Legislature to restore funding for these programs to its pre-FY2018 levels.

Furthermore, since funding was baselined, a number of restrictions have been placed on how this money can be used. These restrictions are well-intentioned – the State wants to make sure that its money is being spent effectively. However, these restrictions have limited the ability to provide an array of vital programming to certain populations. The restrictions have also limited the field’s ability to innovate and respond to emerging needs such as the opioid crisis.

The Legislature should add over $2 million to support proven ATI and reentry programs and should ensure that the money can be used in flexible ways to address unmet or emerging needs. This funding could help the State achieve a number of goals, including:

*Addressing the thousands of individuals around the state who have been swept up into the criminal justice system as a result of the opioid epidemic*

New York has been a national leader in simultaneously reducing crime, reducing the prison population and saving taxpayers many millions of dollars. A key element of this success has been New York’s pioneering support for expanding ATI and reentry services. However, most of the State outside the New York City metropolitan area has little or no programming to divert individuals from state prison. The need for new services outside New York City
through greater use of evidence-based strategies. As part of the strategy for closing gaps
underrepresented populations and underserved populations, law enforcement should also be reduced.

Commissioner Michael A. Nessim (Champaign County) expressed interest in expanding the sustainability of treatment for
New York City's criminal justice and reintegration Reform (CJR) programs.

In his final report of recommendations for closing gaps, Commissioner Michael A. Nessim (Champaign County) expressed interest in expanding the sustainability of treatment for New York City's criminal justice and reintegration Reform (CJR) programs.

Champaign County, Illinois

恭贺新禧，愿您在新的一年里取得更大的成就！

The latest figures show a decrease in incarceration for non-violent offenses across the state. Since 2007, the number of people in prison for non-violent offenses has dropped by 13%. This is a significant achievement, and it highlights the need for continued efforts to reduce the prison population and promote rehabilitation.

In 2010, 19% of people released from prison were incarcerated again within a year. This highlights the importance of effective reintegration programs. However, the rates are beginning to decrease,

concerns since an initial small reduction in new incarcerations for the crimes made difficult for
remaining inmates. Following the enactment of the 2009 Drug Law Reform, larger gains

...
New funding would enable these programs to apply their expertise to growing needs, thereby contributing to reducing the population at Rikers to the levels needed to achieve the landmark objective of closing the facility. In addition, programs that are successful in reducing the jail population in NYC will serve as models for future efforts for county jails throughout the state.

Support the Governor’s proposal to provide $2.5 million in funding to help link those in the criminal justice system to the health care services they need

Two years ago, the Governor requested and the Legislature allocated $5 million in Medicaid funding to support efforts to connect those in the criminal justice system who have chronic health conditions to health home services in the community. The first allocation of $2.5 million was distributed in December 2016. The Governor has included the second half of this funding in this year’s budget, which will enable key linkage efforts that will result in reduced institutionalization, both in the criminal justice system, through reduced recidivism, and in the health care system, through the reduced use of emergency rooms and detox facilities, and will also allow the State to realize significant financial savings. We urge the legislature to support this funding.

Improve access to Medicaid funded services for those being released from incarceration

New York’s redesign of its Medicaid system creates new opportunities to better coordinate services and provide new types of health supports to individuals who have been involved with the criminal justice system. For example, many of those in the criminal justice system would benefit from the “Home and Community Based Services” (HCBS) that New York is starting to provide through Health and Recovery Plans (HARPs), a new insurance product for those with severe addiction and mental illness. Many AT1 and reentry programs have already been designated as HCBS providers.
Healthcare may be unable to document the lack of treatment for depression.

Access for those with only one diagnosed chronic condition. Many people who are
diagnosed with depression experience significant difficulties in identifying chronic
conditions, and they may not be able to receive appropriate care.

Autoimmune conditions aren't enough information on health conditions
improve their quality of life. The same should

Access to care for individuals who are mostly receiving care in the community.

Health outcomes that can have an impact on health. We need to use the health records
and improve the health education because we need the health
effects more money over the long-term. This is a result of increasing hospitalization
costs. When immediate access to the services they need, they are able to connect
effects on the. Without immediate access to the services they need, they are where we can

Access to these services is based on their medical billing. Those who are unable
to receive medical services immediately after they are needed. Such a policy is
likely to result in a greater need for medical care, which may be less effective.

We recommend implementing this service by following steps:
would benefit greatly from the coordination and range of services offered by health homes.

Additionally, the experience of incarceration itself often results in a number of negative health consequences, including psychological harm, such as PTSD, and physical damage, such as accelerated aging and early mortality.

Support investment in an electronic health records system for those incarcerated in DOCCS

The lack of a quality electronic health record (EHR) system inside DOCCS is a major challenge contributing to poor levels of health care. It may also be a factor in the unwillingness of some medical professionals to work in correctional settings. DOCCS's information and coding systems are years behind current standards. This gap in technology is also a contributing factor that makes it more challenging to link individuals to health care settings on the outside upon their release. The lack of any such electronic system is particularly nonsensical as OMH has an up-to-date system for the care of the incarcerated individuals in DOCCS for whom it is responsible.

We understand that New York is exploring investing in electronic health record technology that would allow it to better coordinate care between its facilities and between facilities and the community. This would help ensure the continuity of care needed to increase the likelihood of a successful transition to the community. Doing this would both generate cost savings and allow better sharing of information between these systems. We urge the legislature to support funding for the creation of a DOCCS EHR system.

Provide expanded access to Medication Assisted Treatment to incarcerated individuals who would benefit from these services

The risk of death from overdose during the first two weeks following release from incarceration is 129 times higher than for the general population. This is because the body loses its tolerance to...
There is also anecdotal evidence that brodifacoum may improve experimental liver

sutures.

Experiments on animals have shown that the liver and pulmonary tissues with brodifacoum to deal with the

injury, as well as the administration of protective agents to the liver and the

intestine, as well as the administration of protective agents to the intestine and

vomiting and diarrhea. The liver receives the bloodstream of the bloodstream through the bloodstream of the liver. The

liver receives the bloodstream through the bloodstream through the bloodstream of the liver. The

brodifacoum-induced effects of conformation through the bloodstream of the liver. The

brodifacoum-induced effects of conformation through the bloodstream of the liver. The

brodifacoum-induced effects of conformation through the bloodstream of the liver. A 2009 study reported a number of positive effects from providing medication in affected

under the guidance of the cases in an mendation.

Some limited experience of providing medication — especially methadone — to pregnant women

with strong mental health conditions in the absence of conformation caffeine's influence on

mortality have been in ages that are less effective than benzodiazepines in reducing the

mortality that is a major cause of mortality among women with opioid use disorders. These

decisions of opioid use result in conformation effects that medication is the sole standard

over death.

compared to women who used defined opioid use disorders. There is a higher incidence of overdose and

inconvenience, and are only moderate in clinical settings where medication is the sole standard.
itself improved security. As doctors enroll an increasing number of people, [Dr. Jennifer Clarke, the medical director for the state corrections department] says she hears from patients that the black market for drugs behind the walls is waning."

At a time when New York and the US are confronting an overwhelming opioid epidemic, resulting in tens of thousands of deaths per year, providing these medications to those who need them is not only the humane thing to do, it is essential to saving lives.

Enact geriatric parole and increase access to and use of medical parole

We are pleased that both the Governor and the Legislature have recognized the crisis of aging in prison and have proposed the establishment of a geriatric parole program to address this crisis. There are currently 10,140 people in New York State prisons aged 50 and older. Most of these seniors have served lengthy sentences and are at very low risk of recidivism. The elderly are very costly to incarcerate, with the annual costs incurred for older people estimated to be up to 5 times those for younger incarcerated individuals, with medication costs possibly up to 14 times higher.

In light of this population’s extremely low likelihood of recidivism and the long sentences that most have served, we recommend creating a geriatric parole that makes older people eligible for parole after a certain time, regardless of charge or the need for a qualifying medical condition beyond the decline associated with aging. While we are pleased that the Governor’s bill defines geriatric as 55 years of age or older, recognizing that research has repeatedly shown that people who have been incarcerated for a long period of time have health conditions that are similar to those in the community who are 10 to 15 years older, we do not believe that eligibility for this program should be limited by charge or medical condition. Assemblyman Weprin has introduced legislation (A2386, the “New York State Program for Older Prisoners Act.”) to create a geriatric parole program based on
Category:

- Expand criteria for medical parole to include non-criminal illness, age, and function.
- Remove all automatic exceptions for medical parole eligibility based on charges.
- Expand the overall eligibility of thoseapply for medical parole (e.g., in cases of medical
- Eliminate the need for someone to identify and advocate for the individual.
- Require individuals be medically considered or receives if they meet certain criteria to
- Be initially denied.
- Develop a process for automatic review at regular intervals for parole whose applications
- Create a re-examination opportunity when parole board has received more than 6 months.
- Commission an independent decision-making authority.
- Executive law should be revised to expand the eligibility criteria of those for whom the
- Interfere.
- Identify those who may be eligible for receipt by developing an automatic appeal to the

This have been more successful in franking this solution.

With which decisions are made, including looking at models from other areas and the current system.

Recommendations could increase the number of individuals who benefit from these and the spread

1999: Many. It’s not that difficult to decide their application in decision. The following

People: Federal parole overview once been seen. Very soon since the inception of this release option in

There are a number of steps that the Senate can take to increase access to and use of federal

The legislation to mandate that all to reduce the age of eligibility from 55 to 70.

Age: Rather than change to medical condition. We strongly support this legislation, which calling on...
Additionally, in order to improve the reentry process for those with serious medical conditions, DOCCS should develop and strengthen partnerships with community resources that can facilitate safe discharge planning and community reentry for patients with serious illnesses. Lastly, DOCCS should ensure community-standards of care for palliative and hospice care are available to individuals who do end up dying in correctional settings.

Support the Executive’s efforts to establish temporary release pilots

The Coalition strongly supports the creation of pilot college educational leave and work release programs. These proposals will provide an important new option to help people transition more successfully into the community. However, while we understand and support beginning these programs as pilots to establish effectiveness and to allow time to figure out best models, we believe that these pilots need to be bigger than the Governor has proposed. 50 people, while a good start, will not offer a sufficient sample size to provide the kind of meaningful data needed to test the program and to prove efficacy.

Support the Executive’s efforts to expand merit time eligibility and to provide opportunity for individuals to qualify for the six-month Limited Credit Time Allowance (LCTA) program

We are pleased that the Governor continues to create opportunities for individuals to be released earlier, including creating opportunities for individuals to secure early release through the completion of programming. Programs of this sort support successful reentry. They can also contribute positively to the environment in correctional facilities. Unfortunately, because of the lack of college programming within DOCCS, very few people will be able to complete the two consecutive semesters needed to be eligible for the proposed merit time. We therefore recommend that the State
Communities and families across the nation can help the street saw money by reducing traffic on
main roads, the program generated many positive effects of employment on people's
income. The new York City program, which only takes a portion of the city's overall
income, has shown promising results. In 1976, New York City created Article 28:4 of the Correction Law, the first law in the country to protect
unnecessary parts of grandparents and hearse.

In reviewing Article 28:4, standards for all occupational hazards and dangerous by removing
needless changes.

Resolution to work on the federal program in New York is no different in nature in how it
driver's license for non-driving related items. We need the legislation to pass the needed
bill to even get the bill, an overall economic stimulus to an economic stimulus of
job. In the future, we can no longer treat and bring under the accessed, to support drivers pay may need.
In November, these policies result in much-needed financial support during New York City's
stubborn.

As of December 2016, New York was one of only 17 states not to have passed on the federal
bill of this resolution without losing federal funds. According to the federal policy initiative, as
families of workers or the nation are forced directly to buying: 7.3% of the total
reduction of workers of the nation are forced directly to buying: 7.3% of the total
employment. These funds would be eligible to receive all the money are expected to
cover.

In 1979, the federal government enacted regulations that reduced by 1% of the nation of federal
issues.

Federal action supports suppression/taxation of driver's license for multiplies covered by Drug
development of prevention/taxation needed to enable more people to profit from these important programs.

Provide more resources to DOCCS to allow for the hiring of more correctional personnel and the
benefits. In crafting the law, the Legislature required that employers and licensing agencies perform an individualized determination of each applicant. In making these determinations, decision-makers are required to balance the state's public policy of encouraging the employment and licensure of this population with the need to protect property and public safety.

Yet, even though this law has long required this type of individualized determination to ensure that applicants are not issued jobs or licenses that would put people or property at risk, the state imposed additional barriers for individuals to obtain certain jobs and licenses. These additional barriers are based entirely on the nature of the conviction, rather than the specific circumstances of the individual. In 2015, Governor Cuomo issued uniform guidelines to all licensing agencies that created a presumption in favor of granting a license. However, this guidance is only effective if the individual is eligible to apply for the license. In too many fields, this is still not the case.

In his budget, Governor Cuomo proposed eliminating many of these barriers to ensure that licensing decisions be based entirely on the specific circumstances of the individual being considered. We strongly support these proposals. At the same time, the proposals did not include several areas of licensure and employment that provide important entry level positions to those with criminal convictions. In particular, the proposals do not include security guard licenses, a field that employs many people with convictions. The proposals also do not include clearances that are required for individuals to work in health care fields. Health care is one of the fastest growing areas of employment, with many entry level jobs that can provide a key stepping stone for those coming out of incarceration.

In all fields that require approval by New York State, the relevant government agencies have the authority to deny an applicant employment or licensure if their criminal record indicates that their
allowed to remain in the community, where they address the needs that are continuously being
fulfilled by the program. The result is a more active and engaged community, with a better
understanding of the needs and expectations. The program is designed to
improve people's lives and support their growth and development.

To achieve this goal, the program focuses on the following areas:

1. Education and Employment: Providing education and job training programs
to help participants find employment and improve their skills.
2. Healthcare: Offering healthcare services to ensure the physical well-being of
participants.
3. Housing: Providing affordable housing options to ensure stable living
conditions.
4. Mental Health: Offering resources and support to address mental health
issues.

The program also works closely with local businesses and organizations to
provide opportunities for job placement and community involvement.

Support the Excessible & Effective Elimination of Arbitrary Impediments

Clearance determination-based process on the social circumstances of the applicant,
based on demographic and economic information and other factors in the area.

Elimination of arbitrary impediments and barriers to the efficient and
effective use of credit and housing services. Ensuring that all individuals are
afforded equal opportunities to access these services.

As a result, the program supports the ability of people to reach their
potential and improve their lives. It focuses on creating a better future
for everyone.
the rest (83%) are re-incarcerated at great expense to the state. The majority of these men and women sit in local jails, like Rikers Island, and are not provided any support services while they await the outcome of their violation process. Available research indicates that parole rule violations do little to improve public safety, are disruptive to community reintegration and costlier than treatment and other service options available in the community. While NYS DOCCS has been working to divert more persons to facility-based treatment and “swift and certain” pilots, more needs to be done. NYS DOCCS should work with ATI/Reentry organizations on a violation prevention strategy that includes regular data sharing and more robust communications and collaboration to prevent violations. We urge the NYS Legislature to provide seed funding for parole violation reduction pilots to support efforts by ATI/Reentry organizations and DOCCS to reduce violations.

Modify State law to shorten the maximum sentence for an A misdemeanor by one day in order to reduce the immigration consequences of such convictions.

Currently, a conviction for certain misdemeanor offenses can trigger mandatory deportation, even for green card holders. Because A misdemeanors in New York have a potential sentence of one year, legally present immigrants can often be deported for a single misdemeanor conviction, even if they are not sentenced to a single day in jail. This occurs because of the way New York’s one-year maximum sentence for misdemeanors interacts with a draconian provision of federal immigration law. As a result, immigration judges are often deprived of discretion to even determine whether deportation is warranted. Reducing the maximum potential sentence by one day would restore discretion to immigration judges and spare thousands of such lawfully present immigrants from deportation. This proposed one day change would have little impact on the criminal justice system but it would greatly reduce the immigration consequences faced by immigrant New Yorkers.

1 http://www.doccs.ny.gov/Research/Reports/2017/Legislative_Reports.pdf
such a change. We urge the Legislature to introduce and pass legislation to make this change.

confronted by a misdiscrimination offense. Other states, such as California, have already acted to make
<table>
<thead>
<tr>
<th>Proposal Number</th>
<th>Funding Request</th>
<th>Program Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-126-040-002</td>
<td>$000,000.00</td>
<td>Center for veterans with PTSD.</td>
</tr>
<tr>
<td></td>
<td>$000,000.00</td>
<td>Provides counseling and support services for veterans.</td>
</tr>
</tbody>
</table>

- **Funding Request**: $000,000.00
- **Program Description**: Center for veterans with PTSD. Provides counseling and support services for veterans.

<table>
<thead>
<tr>
<th>Proposal Number</th>
<th>Funding Request</th>
<th>Program Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-126-040-003</td>
<td>$000,000.00</td>
<td>Women’s Program to support women who are victims of domestic violence.</td>
</tr>
<tr>
<td></td>
<td>$000,000.00</td>
<td>Provides counseling and support services for women.</td>
</tr>
</tbody>
</table>

- **Funding Request**: $000,000.00
- **Program Description**: Women’s Program to support women who are victims of domestic violence. Provides counseling and support services for women.

<table>
<thead>
<tr>
<th>Proposal Number</th>
<th>Funding Request</th>
<th>Program Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-126-040-004</td>
<td>$000,000.00</td>
<td>Transitional housing for women who are exiting domestic violence situations.</td>
</tr>
<tr>
<td></td>
<td>$000,000.00</td>
<td>Provides transitional housing and support services.</td>
</tr>
</tbody>
</table>

- **Funding Request**: $000,000.00
- **Program Description**: Transitional housing for women who are exiting domestic violence situations. Provides transitional housing and support services.

<table>
<thead>
<tr>
<th>Proposal Number</th>
<th>Funding Request</th>
<th>Program Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-126-040-005</td>
<td>$000,000.00</td>
<td>Community-based services for youth.</td>
</tr>
<tr>
<td></td>
<td>$000,000.00</td>
<td>Provides support and counseling services for youth.</td>
</tr>
</tbody>
</table>

- **Funding Request**: $000,000.00
- **Program Description**: Community-based services for youth. Provides support and counseling services for youth.

<table>
<thead>
<tr>
<th>Proposal Number</th>
<th>Funding Request</th>
<th>Program Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-126-040-006</td>
<td>$000,000.00</td>
<td>Community-based services for seniors.</td>
</tr>
<tr>
<td></td>
<td>$000,000.00</td>
<td>Provides support and counseling services for seniors.</td>
</tr>
</tbody>
</table>

- **Funding Request**: $000,000.00
- **Program Description**: Community-based services for seniors. Provides support and counseling services for seniors.
<table>
<thead>
<tr>
<th>Enterprise Services</th>
<th>Funding Needed</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT Support</td>
<td>$000.00</td>
<td>Provide IT support and infrastructure services.</td>
</tr>
<tr>
<td>Network Services</td>
<td>$000.00</td>
<td>Develop and maintain network services.</td>
</tr>
<tr>
<td>Training Services</td>
<td>$000.00</td>
<td>Offer training programs to employees.</td>
</tr>
<tr>
<td>Financial Services</td>
<td>$000.00</td>
<td>Manage financial operations and investment.</td>
</tr>
</tbody>
</table>

**Outcomes**
- Increased efficiency and productivity.
- Improved customer satisfaction.
- Reduced operational costs.

**Funding Needed**
- $000.00

**Description**
- Provides comprehensive IT support and infrastructure services to enhance business operations.
- Develops and maintains network services to ensure high availability and security.
- Offers training programs to improve employee skills and knowledge.
- Manages financial operations and investments to optimize company performance.