



Senator Montgomery's Proximity Bill Awaits Governor's Signature

The Proximity Bill (April's Bill) S724A Montgomery/A6710 Rozic would require the Department of Corrections and Community Supervision (DOCCS) to provide consideration of, where practicable, the current residence of the children of the incarcerated individual at the stage when the placement determination is made.

Over 100,000 children have a parent incarcerated in one of New York's prisons. Since prisons are located all over the state, travel is a major barrier for families to visit. These facilities are many hours away and most families have to take the bus. Consistent in-person visitation is the single most important factor in whether a family will reunite after a prison term. It reduces the strain of separation on everyone involved and lowers the chances of recidivism.

In 2011, Senator Montgomery met with three young people from the Osborne Association's Youth Action Council whose parents were incarcerated. Each young person shared their personal experiences with the Senator and suggested reforms to the criminal justice system. From that meeting, the Senator introduced legislation to address each of their concerns and named them Ashley's Bill, April's Bill and Raymond's Bill. In 2014, Ashley's Bill was signed into law to increase access to visitation at correctional facilities. Last week, April's Bill passed both houses and awaits the Governor's signature. Raymond's Bill to institute child sensitive arrest policies is in committee.

"These bills reflect the fact that the children of people who are incarcerated are deeply affected by their parent's absence and we need to pay more attention to their issues as it relates to the impact of mass incarceration on families," **said State Senator Velmanette Montgomery.** "I am so proud of Ashley, April and Raymond for sharing their pain in concrete terms and suggesting ways in which we can make the system better based on their experiences."

"I am so happy that the bill Senator Montgomery named after me is finally moving to become a law. So many kids have parents incarcerated far away. When my mom was incarcerated, it was so hard to visit her. I'd had her in my life my whole life, I was used to her being with me, and now I couldn't see her. We're not even asking for our parents to be within arms reach, but within reach at all. I hope the Governor signs this bill into law- I don't want other kids to go through what I went to when I couldn't get to my mom." **Alonicha (April) Triana, graduate of the Osborne Association's Youth Action Council.**

"The Osborne Association applauds the passage in the NYS Senate and Assembly of the Proximity Bill. Nine years ago we brought young people to meet with Senator Montgomery and she not only heard them, she acted on what she heard by sponsoring the Proximity Bill. Bringing parents closer to their children so that visits can happen during the painful period of incarceration is so important to children's wellbeing and healthy growth and development," said **Elizabeth Gaynes, President & CEO, The Osborne Association**. "By signing this bill into law, the Governor would be sending a powerful message to the 105,000 NY children whose parents are incarcerated in New York's prisons and jails: 'I see you, and I support you.' We urge the Governor to sign this bill into law immediately."

Anthony, an Osborne Youth Action Council member reflects that "Distance divides families, but the proximity bill will bring families closer together. Just thinking about my father being moved closer to home brings a smile to my face. This bill is especially important for Black and Brown families who are disproportionately separated by incarceration. I urge Governor Cuomo to sign this bill into law."

"Most children need to see their parents while separated from them due to incarceration," said **Tanya Krupat, on behalf of the NY Initiative for Children of Incarcerated Parents, a statewide collaborative coordinated by the Osborne Center for Justice Across Generations**. "The Proximity Bill is critically important to families and we commend the NY Legislature for recognizing this. Distance is frequently a make or break factor: children will go years without seeing their moms or dads because they simply can't travel to prisons that are hours away from home. This should not be and the Proximity Bill will remedy this. This bill is especially critical for incarcerated mothers, as New York only has two medium security prisons for women - one downstate and one in Western New York. Prioritizing proximity for these mothers could have a positive, life-changing impact on their children. We urge the Governor to sign this bill into law now."