



NEW YORK  
STATE SENATE

New York State Senate  
Albany, NY 12247



# Senator Velmanette Montgomery's LEGISLATIVE REPORT

New York State Senator  
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## SENATOR MONTGOMERY'S YOUTHBUILD ACT



Senator Montgomery, Senator Jesse Hamilton and Assemblywoman Latrice Walker welcome students from Brooklyn's DREAMS Youthbuild Program to Albany to fight for more funding.

### WORKFORCE DEVELOPMENT

**S1749 (Montgomery)/ A835 (Cahill) - "NYS YouthBuild Act"** creates a program that would provide grants to eligible YouthBuild programs in New York State.

YouthBuild is a comprehensive, youth diversion program focused on education, job training, leadership development, community service and the cultivation of life skills.

YouthBuild students provide hundreds of hours of service to their communities while they produce and preserve affordable housing for low-income families.

The YouthBuild Act would appropriate the sum of \$20 million per year for a period of three years in order to carry out the costs associated with the demonstration program. The Act would create a nine member interagency board, appointed by the Governor, that would make grants to eligible YouthBuild applicants in order to revitalize and sustain existing YouthBuild programs and expand the number of YouthBuild programs in New York State. Currently, there are 16 programs statewide, including 8 in New York City.

To learn more about Senator Montgomery's sponsored legislation, please visit <https://www.nysenate.gov/senators/velmanette-montgomery/legislation>



State Senator  
**VELMANETTE MONTGOMERY**  
25th Senate District

Dear Neighbor,

As your representative in the New York State Senate, I have worked to develop legislative solutions to address issues and concerns important to my constituents, our state and our nation.

In response to public health concerns and to address disparities in New York, I have spearheaded the campaign to stem the spread of HIV/AIDS among intravenous drug users through **legalized needle exchange programs**; and authored laws to **prohibit female genital mutilation**, and **expand the scope of practice and licensure for nurse practitioners in New York State to address the shortage of primary care doctors.**

As an advocate for criminal justice reform, I have authored laws to remove barriers by **prohibiting licensing agencies from disqualifying someone from licensure as a barber or cosmetologist solely on the basis of a criminal conviction**; authored a law that **prohibits the shackling of a pregnant woman in prison while being transported to the hospital to deliver her baby.**

I am so thankful to my constituents for their suggestions for new legislation. I am proud to sponsor laws that are a direct result of constituent input such as the **"The Blair Bill," a law that expands the protection of guide and service dogs was sponsored on behalf of Eric Blair and "The Community Board Bill"** which originated from discussions with Community Board 6 members and was signed into law to **allow community boards throughout the five boroughs of New York City to apply for and receive brownfield opportunity area grants.**

I welcome your thoughts and ideas for new legislation. Please do not hesitate to contact my office if I can be of any further assistance.

Sincerely,  
**Senator Velmanette Montgomery**  
25th Senate District

## MONTGOMERY BILLS SIGNED INTO LAW

### ASHLEY'S LAW (FAMILY VISITATION BILL)

**Ashley's Law (the Family Visitation Bill) strengthens family ties between New Yorkers who are incarcerated and their loved ones on the "outside."** Senator



Montgomery was inspired to introduce the Family Visitation Bill 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, had been incarcerated at various upstate correctional facilities for nearly 20 years.

Through the tireless advocacy of Ashley Duncan, the Osborne Association, the Correctional Association of New York State, the Fortune Society, and many other criminal justice advocates, Ashley's Law now **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.**

### THE 2015 ANTI-SHACKLING LAW

**The 2015 Anti-Shackling bill strengthens the 2009 law and expands protections to women throughout all stages of pregnancy and eight weeks post-partum. The bill's provisions would apply to all state and local correctional facilities in New York.**

Senator Montgomery and Assemblyman Nick Perry worked closely with dozens of women's rights, human rights and reproductive justice groups and thousands of people from around the state, including the American Congress of Obstetricians and Gynecologists, American College of Nurse-Midwives, NYS Association of Licensed Midwives, Family Planning Advocates of NYS, NARAL Pro-Choice NY, NOW NYC, American Association of University Women NYS, the NYCLU, the Correctional Association of NY and the Coalition for Women Prisoners to pass additional protections for pregnant incarcerated women.



### GED BILL (EDUCATIONAL PREPARATION FOR RE-ENTRY)

**This legislation requires the Department of Correctional Services to provide prisoners with an opportunity to complete a General Equivalency Diploma (GED) prior to release on parole, conditional release, post release supervision or presumptive release.**

# 2015-2016 LEGISLATIVE REPORT - UPDATE ON MONTGOMERY BILLS

## **PASSED SENATE & ASSEMBLY (AWAITING GOVERNOR'S SIGNATURE)**

### **DANCEWAVE TO RECEIVE CONSTRUCTION FINANCING THROUGH NYS DORMITORY AUTHORITY**

**S6023 (Montgomery)/A7770 (Simon)**

Dancewave is a Brooklyn based non-profit dance organization that began in 1995 and has inspired students to express themselves by combining rigorous training and mentorship from dance professionals in a nurturing and noncompetitive environment. School enrollment has increased dramatically and larger space is needed.

This Capital Project will allow for the building of a new community arts and cultural center at 182 4th Avenue in Brooklyn, which will offer affordable rehearsal space, community events, performances, and professional development workshops and artists talks. The new Dancewave Center will allow expansion of the current class offerings to meet demand and reduce reliance on outside studio rentals, creating a new home that will accommodate Dancewave's growth and mission; providing affordable arts programming and cultural connectedness that strengthens the health and vibrancy of the community. For more information about Dancewave, please visit [www.dancewave.org/](http://www.dancewave.org/)

### **INCREASING PAROLE BOARD TRANSPARENCY**

**S6806 (Montgomery)/A1984 (O'Donnell)**

This bill directs the State Board of Parole to publish its appeal decisions within 60 days on a public website and create an annual index of such decisions.

The decisions are useful in that individuals and their attorneys can read appeal decisions in similar cases to see what kinds of arguments might apply to their cases and because agency transparency is an important tenet of open government. The Board of Parole, which exercises extraordinary discretion, should post its administrative appeal determinations so that the public and concerned citizens can have access to the body of decisions that informs the Board's practice.

## **CRIMINAL JUSTICE REFORM**

**S969 (Montgomery)/A3363 (Peoples-Stokes)** - "The Fair Access to Education Act" allows for college admissions for persons previously convicted of criminal offenses & removes barriers to higher education faced by people with past criminal justice involvement.

**S975 (Montgomery)/A2870 (Aubry)** - Repeals the ban on incarcerated persons receiving student financial aid award, including Tuition Assistance Program (TAP).

**S976 (Montgomery)/A9250 (Richardson)** - limits the segregated confinement of persons in a correctional facility with serious mental illness.

**S978A (Montgomery)/A9795 (Walker)** - Alters membership of the State Board of Parole and distributes the appointing authority among the Governor, Senate and Assembly.

**S981 (Montgomery)/A6967 (Lentol)** - "Raymond's Bill" develops and institutes child-sensitive arrest policies and procedures to minimize child trauma for those witnessing the arrest of a family member.

**S982 (Montgomery)/A1642 (Wright)** - Provides a sentencing judge the opportunity to sentence non-violent offenders who are charged with simple drug possession and low-level drug sales to treatment instead of prison.

**S1010 (Montgomery)/A5022 (O'Donnell)** - Increases the age of a person from nineteen to twenty-two to be deemed a youth for youthful offender status.

**S1011 (Montgomery)/A2871 (Aubry)** - Clarifies that individuals have the ability to vote by absentee ballot in certain elections where their maximum sentence of imprisonment has expired.

**S1012A (Montgomery)/A3277 (Peoples-Stokes)** - Establishes a \$10 million New York State justice reinvestment fund and program to provide not-for-profit and faith based entities with funding to improve communities with a higher than normal criminal offender and ex-offender population.

**S1013 (Montgomery)/A553 (O'Donnell)** - Allows incarcerated parents the right to modify an existing child support order.

**S1016 (Montgomery)/A238A (Rozic)** - "April's Bill" Requires DOCCS to place incarcerated parent in correctional facilities close to home of minor child or children whenever practicable.

**S1018A (Montgomery)/A4463BA (Moya)** - Prohibits the possession of condoms as evidence of criminal activity.

## **PASSED SENATE**

**S965 (Montgomery)/A3061 (Weprin)** - "The Regents Bill" - requires the NYS Board of Regents to hold at least 2 meetings a year in NYC to allow parents direct access to policy changes and other relevant information that would affect their children's education. This bill will increase transparency and accountability when it comes to decisions made at the state level that impact all stakeholders in the education system, including students, parents, and teachers.

**S7367 (Montgomery)/A9279 (O'Donnell)** - Requires DOCCS to establish a body camera pilot program in a NYS correctional facility.

## **CHILDREN AND FAMILIES**

**S907 (Montgomery)/A9287 (Richardson)** - Establishes the youth in progress advisory board and regional teams for adolescents in foster care to provide mentorship of youths in foster care.

## **EDUCATION AGENDA**

**S904 (Montgomery)/A1814A (Weprin)** - "Mayoral Control Bill" distributes the appointing authority of the Board of Education of the city school district of NYC among each borough president, city council, and mayor of NYC, to give parents and education professionals a greater voice in the process, and to grant the authority to appoint the city school district Chancellor to the Board of Education.

**S905 (Montgomery)/A9261 (Richardson)** - Mandates comprehensive, medically accurate and age appropriate sex education be taught in grades one through twelve in all public and charter schools.

**S3244 (Montgomery)** - Prohibits the State Education Commissioner from issuing a waiver allowing an unqualified individual to be appointed to the position of Chancellor of the NYC school district.

## **JUVENILE JUSTICE REFORM**

**S906A (Montgomery)** - Establishes a pilot program that would provide job and vocational skills training to youth who have been adjudicated juvenile delinquents or juvenile offenders and are residing in a facility overseen by the Office of Children and Family Services.

**S1019(Montgomery)/A2774 (Lentol)** - "Raise The Age Bill" - Raises the age of criminal responsibility in New York from 16 years of age to eighteen years of age.

**S1325 (Montgomery)/A6484 (Perry)** - "Parental Notification Bill" - requires a police officer to notify the parents when a teenager is arrested or issued an appearance ticket, unless doing so would put the teen in danger.

## **STRENGTHENING COMMUNITIES**

**S966 (Montgomery)/A8572 (Simon)** - Requires first consideration of unemployed individuals, low-income individuals, dislocated workers, individuals training for nontraditional employment, veterans, and individuals with disabilities for hiring for positions created as a result of state economic development assistance programs.

**S1062A (Montgomery)/A4124A (Ortiz)** - "The Community Board Bill" allows community boards to apply and receive grants for

waterfront revitalization programs for coastal areas and inland waterways.

**S1260A (Montgomery)/A9132 (Walker)** - "Solar Energy Bill" increases the allowable tax credit for the installation of solar energy system equipment from \$5,000 to \$10,000.

**S1568 (Montgomery)/A9141 (Simon)** - "MWBE Mentorship Bill" creates a small business and minority and/or women-owned business enterprise (MWBE) Mentor/Protege Program and addresses barriers related to performance and payment bond requirements.

**S4378 (Montgomery)/A4364 (Ortiz)** - "Briana's Law" requires biennial CPR training for police officers.



**S4971A (Montgomery)/A6793A (Crespo)** - Provides an exemption from jury duty for breastfeeding women.

**S5253A (Montgomery)** - "Library Transparency Bill" enhances oversight and governance of the Brooklyn Public Library as it relates to membership and duties of the board of trustees and the oversight of the executive director.

**S6093 (Montgomery)/A8583 (Richardson)** - "Rogers Avenue Community Garden Bill" requires the State Comm. of Park, Recreation and Historic Preservation to acquire land by eminent domain for the purpose of creating a state park and continued community garden.

**S5521A (Montgomery)/A3521B (Robinson)** - "Credit Union Bill" authorizes credit unions to offer small business services, business lending & other services currently offered by commercial banks.



## **CELEBRATING THE 100TH ANNIVERSARY OF THE MUNICIPAL CREDIT UNION (MCU)**

Senator Montgomery, Assemblyman Walter Mosley and Assemblywoman Latrice Walker present a Legislative Resolution commemorating the 100th Anniversary of the Municipal Credit Union to members of MCU's Board of Directors. *Photo: (l to r) Thomas E. Diana, Director Emeritus; Tremaine Wright, Chairperson of Community Board 3; Tessa I. Hackett-Vieira, Director; Assemblyman Mosley, Senator Montgomery, James Durrah, 1st Vice Chair; Assemblywoman Walker, Mario Matos Jr., Assistant Treasurer; Henry Butler, Community Board 3 District Manager; Cheryl Wright, Member of the Supervisory Committee.*

## **PASSED ASSEMBLY**

**S971A (Montgomery)/A4913 (Ortiz)** - "SBHC Funding Bill" - creates a voluntary NYS income tax check-off box for the funding of school based health centers (SBHC) to help expand their services and develop new sites. For school-age children and youth in high need areas, SBHCs are the first line of defense against costly hospitalizations because they provide preventive primary care and mental health services.