

**TESTIMONY BY MR. GEORGE SMITH #11A1980**  
**BEFORE THE NEW YORK STATE SENATE COMMITTEE ON CRIME VICTIMS,**  
**CRIME AND CORRECTION HEARING ON HOW THE ELDER PAROLE AND FAIR**  
**AND TIMELY PAROLE BILLS WILL IMPROVE PAROLE RELEASE LAWS AND**  
**PUBLIC SAFETY IN NEW YORK STATE**

In this present day, aging people in New York State prisons are increasing in numbers at an alarming rate, and their physical and cognitive conditions are worsening. The incarcerated population of people aged 45 years and older are at its highest in the history of the state prison system. This is why it is essential for the passing of Elder Parole and Fair & Timely Parole bills.

These bills will give hope to a large portion of people who are aging and those who have been denied release numerous times without clear directions or advisories for their next parole hearing.

Having served twelve years of a 20 years-to-life sentence, personal experience and growth have led me to become an asset to myself and my peers. It is my hope that by the time I reach my parole date in 2029 (at the age of 60); I can be of sound mind and function in a technologically advanced society. The programs in DOCCS are far behind in technology and are more of a disservice than anything to our reentry needs.

This will not stop me from continuing to do my part on the road to restoration. After completing most mandatory programs (HSE, Vocational, ART-Aggressive Replacement Training, Thinking for a Change...etc.), I started to apply time with Volunteer Service Programs. This is where I began to utilize the learned skill sets to become a student, facilitator, educator, counselor, mentor, and leader.

Presently, I am an Executive Member for the Lifers' & Long-Termers Committee organization where I use this platform to assist men with time navigation and build a principled life while serving their sentence. When taking advantage of the limited resources available and making contact with outside support from prominent justice reform agencies, I began to become a progressive activist for myself and others. I am an advocate for the less fortunate and mentally challenged, and those who are aging and have disabilities.

In my assessment, there is a need for guidance and quality counseling, especially for men who have long-term incarceration within the NYS prison system. A transformation of my character can attest to how I overcame many obstacles of imprisonment. For this very reason, I choose to get involved with progressive change, to open the doors to

opportunities not regularly found in New York State prisons. Outreach is one of the only signs of hope within this, what is for many, a seemingly hopeless state of incarceration.

Through correspondence with agencies like Release Aging People in Prison (RAPP), Parole Preparation Project, Osborne Association, Inc., Alliance of Families for Justice, Fordham Law School's Parole Advocacy Initiative and Lincoln Square Legal Services, CURE: National Lifers of America, Inc. (and so many more), I have developed a sense of agency to assist my aging peers with parole preparations and post-release planning. Most men who have long-term incarceration of 10+ years, when asked if they took mandatory programs needed to satisfy COMPAS they say, "My counselor told me to wait until I am at least 3 years to the board." This is neglect.

Many people are in need of housing, employment, re-entry treatment, and rehabilitation. How can we neglect to recognize the length of suffering they've endured throughout their lengthy incarceration in order to be released and/or appear before a parole board? How can we refuse to acknowledge the irreparable damage one experiences during long periods of incarceration? There are times when I sit with men who have less than two years to the board who can hardly remember what happened in their case or the set of circumstances surrounding their charges. This lapse in memory is because they are not getting the help they need early in their incarceration.

Seemingly, DOCCS's mandatory programs have an adverse effect as corrupted staff continue to find ways to cause a decrease in individuals' COMPAS risk assessments. Too much time goes by when incarcerated people have unresolved anger issues, unaddressed substance use or abuse issues, unchallenged criminal behaviors, and most of all, suffer from mental health crises. A lot of us take it upon ourselves to come together and change our lives.

The Less Is More Act signed into law by NYS Governor Kathy Hochul on Sept. 17, 2022, is a major step in the right direction to prevent recidivism for those released on parole. It is the path crossing over the threshold of parole that needs reconstruction. Considerations for COMPAS review is meant to assist the board in its evaluation process, as opposed to the consistent blatant disregard of the COMPAS mechanism. Not to mention, some correctional staff make it their sole interest to provoke and antagonize incarcerated individuals at their weakest points. Most staff members who have these behaviors are ones who subscribe to a white supremacist ideology and/or the correction union's agendas to keep prisons open while causing a dysfunctional atmosphere. Since the HALT Solitary Confinement Act, retaliation on multiple levels has occurred, leaving a wake of incarcerated victims in its path.

Accountability should be a top-down model, one that comes from the top (DOCCS Commissioners) to the bottom (DOCCS facility staff members). DOCCS needs a real commissioner, not an 'acting commissioner. This is why the finances do not add-up and are accounted for, and this is why so many incarcerated individuals are not ready for life beyond the walls.

Furthermore, incarcerated Elders do not need to be in such places where chaos is the order of the day.

In real-time, I am watching the New York State justice system fail so many men who once had the mental acuity to function with vigor and vitality, only to become cold, distant, self-destructive, and broken-spirited. Hear my plea for FREEDOM AND RELIEF for a majority of Black and Latino men that have experienced a failed system and need a second chance at becoming a prestigious citizen in their perspective communities.

I am truly looking forward to receiving your decision on these bills. All of your time, services, and consideration on this matter is greatly appreciated. May God Bless.

In Solidarity,

Mr. George Smith