

COMMENTARY

Less is More is changing N.Y. parole system for the better

By Phara Souffrant Forrest and Julia Salazar

It has been one year since the Less Is More: Community Supervision Revocation Reform Act was enacted on September 17, 2021, overhauling New York state's parole system to encourage successful reintegration after prison and promote public safety.

Prior to Less Is More, New York held the embarrassing distinction of being the worst in the country when it came to locking people up for noncriminal technical violations of parole — things like being late for curfew, missing an appointment, or using marijuana.

For decades, New York reincarcerated people for these types of violations at six times the national average; 40 percent of the people admitted to our state prisons every year were sent there not for a new felony conviction but for something that is not even a crime. Across the state, Black people were 5 times more likely and Latinx people 30 percent more likely to be locked up for a technical parole violation than whites.

This practice cost New York taxpayers more than \$680 million annually with no evidence of enhancing public safety. In fact, it had the opposite effect, because disrupting the fragile progress of people trying to rejoin their families and communities after incarceration actually made us less safe.

Now, with the Less Is More Act fully in effect, we have seen dramatic improvements to our criminal legal system across the state. Less Is More restricts the use of incarceration as a response to technical parole violations, that is, minor alleged violations of supervision rules without any accompanying new criminal charges. Jail time can be imposed only for the most serious and repeated infractions; minor violations must be addressed in the community.

Less Is More also ended automatic detention for alleged technical violations, and people accused of such violations now have the opportunity to remain at home while their hearings are conducted. These changes have resulted in a nearly 90 percent decrease in the number of people detained in local jails across the state for technical violations compared with 2019 data. That has meant thousands of individuals who are able to continue the process of reintegrating into society without the traumatic and harmful disruption of reincarceration.

To encourage successful reintegration, Less Is More also created an incentive system for people to comply with parole rules through what are called earned time credits. For every 30 days a person on parole completes without a violation, they earn 30 days off their supervision period. Prior to Less Is More, there were limited mechanisms for people doing well under supervision to earn early release, and those mechanisms were discretionary and arbitrarily applied. People already on parole at the time the law took effect were eligible for up to two years of retroactive earned-time credits. As a result, nearly 13,000 people have been discharged early from parole since March 1, reducing the total number of people on parole across the state by nearly 40 percent.

The provisions in the Less Is More Act have already been tried and tested in many other states across the country, including conservative states like Louisiana, Missouri, and South Carolina. Those states have seen shrinking jail and prison populations, smaller parole officer caseloads, fewer new crimes committed by people on parole, and millions of dollars in savings since implementing the reforms. It worked in those states and it is working in New York.

As legislators, we will continue to work with the #LessIsMoreNY campaign, led by the Katal Center and Unchained and made up of directly impacted people, advocacy organizations, district attorneys and other law enforcement and corrections administrators who support these common-sense and transformational reforms. We will continue to measure the impact of Less Is More and to ensure that the money saved as a result of the new law is invested into communities of color most affected by mass incarceration and mass criminalization. In our experience working across health care, housing, and criminal legal reform, we have continuously been clear on one point: The best solution for public safety is real community investment.

► *Assemblymember Phara Souffrant Forrest, D-Brooklyn, represents the 57th Assembly District. State Sen. Julia Salazar, D-Brooklyn, represents the 18th Senate District.*