



2019 ANNUAL REPORT

# NEW YORK STATE SENATE STANDING COMMITTEE

ON CRIME VICTIMS



**Senator Luis R. Sepúlveda**  
**Chair**



**2019 LEGISLATIVE SESSION REPORT  
NEW YORK STATE SENATE  
STANDING COMMITTEE ON CRIME VICTIMS, CRIME AND CORRECTION**

**Senator Luis R. Sepúlveda, Chairperson**

Committee Members

<u>Majority</u> Senator Jamaal Bailey Senator Velmanette Montgomery Senator Zellnor Myrie Senator Gustavo Rivera	<u>Minority</u> Senator Fred Akshar Senator Patrick Gallivan
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Committee Staff

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**SENATOR LUIS R. SEPÚLVEDA**  
32ND DISTRICT

**Chair**  
Crime Victims, Crime and Correction

**Vice Chair**  
Black, Puerto Rican, Hispanic  
and Asian Legislative Caucus

**Committees**  
Banks  
Investigations and Government  
Operations  
Judiciary  
Mental Health and Developmental  
Disabilities  
Transportation

January 17, 2020

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Crime Victims, Crime and Correction for the 2019 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction,

During the 2019 session, this committee met six times in session and reported 38 bills. The Committee also made six nominations this past year.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,



Luis R. Sepúlveda  
Senator, 32<sup>nd</sup> District

## **COMMITTEE JURISDICTION AND OVERVIEW**

The New York State Senate Standing Committee on Crime Victims, Crime and Correction has legislative oversight responsibilities for issues concerning victims' rights and restitution, incarceration in state and local correctional facilities, alternatives to incarceration, re-entry, community supervision and the classification and management of sex offenders. The Committee also nominates members of the Board of Parole and commissioners of the State Commission of Correction.

During the 2019 Legislative Session, 167 bills were referred to the Committee for its review. Of these bills, 38 were reported from the Committee. Sixteen were passed by the Senate, and thirteen passed in both houses. This work was conducted through a series of six committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, the Committee also advanced the nominations of six new candidates to serve as commissioners on the State Board of Parole, five of whom were approved by a full vote of the Senate. Those commissioners were Michael S. Corley, Chanwoo Lee, Carlton S. Mitchell, Sheila Y. Samuels, and Elsie Segarra. In addition, the Committee also advanced the nomination of Sheriff Allen Riley as a member of the State Commission of Correction.

## **COMMITTEE HIGHLIGHTS**

The following key bills were acted on by the committee in 2019:

S724A (Montgomery) Provides the Department of Corrections and Community Supervision shall place incarcerated persons with minor children close to home whenever practicable.

S1623 (Sepúlveda) Restricts the use of solitary confinement to no more than 15 days at which limit an incarcerated person with additional disciplinary sanctions must be moved to a residential rehabilitation program in lieu of isolation.

S2144 (Hoylman) Provides incarcerated persons over the age of 55 who have served more than 15 years of their sentences shall be considered for discretionary parole release.

S2161B (Bailey) Provides medication assisted treatment for incarcerated people with chemical dependence or abuse.

## TWO HOUSE BILLS

In 2019, 13 of the 167 bills referred to the Standing Committee on Crime Victims, Crime and Correction passed both houses. Of these bills, the Governor has signed twelve and vetoed one.

Bill	Sponsor	Summary	Action
S1243B	CARLUCCI	Permits a victim of domestic violence to make a complaint to any law enforcement agency in the state regardless of where the offense took place.	Chapter 152 of 2019
S1379	BAILEY	Provides limited credit time allowance to incarcerated individuals who obtain an associate's, bachelor's or master's degree.	Chapter 723 of 2019
S2692	SEPÚLVEDA	Requires unredacted death reports from SCOC to be sent to the legislature.	Chapter 657 of 2019
S3550	CARLUCCI	Provides OTDA and DOCCS shall study and evaluate existing legal and policy barriers to re-entry to the community after incarceration and make recommendations to eliminate such barriers.	Chapter 670 of 2019
S3966A	SALAZAR	Provides sexual assault crime victims and their assisting advocates with transportation home after medical evaluation.	Chapter 737 of 2019
S4566	SEPÚLVEDA	Permits legislative staff	Chapter 274 of 2019

		to visit correctional facilities	
S4958	PARKER	Makes domestic partners eligible for compensation as crime victims	Chapter 690 of 2019
S5444	SALAZAR	Expands the category of eligible participants in the NYS Address Confidentiality Program to include victims of sexual offenses, stalking, and human trafficking.	Chapter 141 of 2019
S5511	SEPÚLVEDA	Provides DOCCS must comply with federal deadlines in document requests by protection and advocacy services.	Veto 253 of 2019
S5593	MAY	Permits detention of arrested individuals in county correctional facilities where off-hours arraignment parts have been established.	Chapter 665 of 2019
S5945	SANDERS	Requires DOCCS to provide educational information on HIV upon discharge.	Chapter 385 of 2019
S6154	SEPÚLVEDA	Permits transfer of people incarcerated in local correctional facilities to other county facilities for programmatic purposes.	Chapter 305 of 2019
S6167	PERSAUD	Makes victims of unlawful surveillance who have not suffered physical injury eligible for compensation through OVS	Chapter 179 of 2019



## SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S724A	MONTGOMERY	Provides incarcerated persons with minor children shall be placed in correctional facilities close to home when practicable.	Advanced to Third Reading
S731A	MONTGOMERY	Reinstates the free bus program for visitors to state correctional facilities	Advanced to Third Reading
S1209	RITCHIE	Authorizes the St. Lawrence county jail to be used for detention of persons under arrest being held for arraignment in any local court in the county of St. Lawrence	Passed Senate Only
S1243B	CARLUCCI	Permits a victim of domestic violence to make a complaint to any law enforcement agency in the state regardless of where the offense took place.	Chapter 152 of 2019
S1379	BAILEY	Provides limited credit time allowance to incarcerated individuals who obtain an associate's, bachelor's or master's degree.	Chapter 723 of 2019
S1623	SEPÚLVEDA	Limits solitary confinement to 15 days	Advanced to Third Reading

S1698	SEPÚLVEDA	Requires DOCCS to take a parolee's work schedule into account when mandating programs	Advanced to Third Reading
S1983	SAVINO	Prohibits certain sex offenders from knowingly entering within 1000 feet of a pre-kindergarten or kindergarten facility.	Discharged from Committee and Passed Senate
S2144	HOYLMAN	Permits discretionary parole release of incarcerated individuals over the age of 55 who have served at least 15 years of their sentence.	Reported from Committee
S2160	BAILEY	Requires notification of voting rights to individuals released from local jails.	Advanced to Third Reading
S2161B	BAILEY	Provides medication assisted treatment for incarcerated people with chemical dependence or abuse.	Passed Senate
S2196	BAILEY	Changes the definition of "direct relationship" in Article 23-A of the Correction Law.	Advanced to Third Reading
S2688	SEPÚLVEDA	Modifies requirements for medical parole.	Reported from Committee

S2690	SEPÚLVEDA	Conforms definition of “serious mental illness” in correction law to definition in mental hygiene law.	Advanced to Third Reading
S2692	SEPÚLVEDA	Requires unredacted death reports from SCOC to be sent to the legislature.	Chapter 657 of 2019
S2698	SEPÚLVEDA	Codifies inmate visitation programs.	Passed Senate
S2915A	HELMING	Authorizes the use of the Cayuga county jail for the detention of persons under arrest being held for arraignment in any court located in the county of Cayuga.	Passed Senate
S3100	BIAGGI	Requires DOCCS to notify next of kin when an incarcerated person will be transferred and permits such person to make one personal phone call	Advanced to Third Reading
S3313	SANDERS	Provides for a certificate of relief from disabilities or good conduct for any person granted merit termination of community supervision	Advanced to Third Reading
S3550	CARLUCCI	Provides OTDA and DOCCS shall study and evaluate existing legal and policy barriers to re-entry to	Chapter 670 of 2019

		the community after incarceration and make recommendations to eliminate such barriers.	
S3966A	SALAZAR	Provides sexual assault crime victims and their assisting advocates with transportation home after medical evaluation.	Chapter 737 of 2019
S4212	SEPÚLVEDA	Requires DOCCS to make diligent efforts to provide people in their custody with copies of their birth certificates.	Advanced to Third Reading
S4270A	SKOUFIS	Authorizes the detaining in the Orange county correctional facility of persons awaiting arraignment or appearance in any local court in the county of Orange.	Passed Senate
S4566	SEPÚLVEDA	Permits legislative staff to visit correctional facilities	Chapter 274 of 2019
S4953	SEPÚLVEDA	Requires the Board of Parole to publish individual commissioners' release rates	Advanced to Third Reading
S4958	PARKER	Makes domestic partners eligible for compensation as crime victims	Chapter 690 of 2019

S5443	PERSAUD	Permits compensation for employment-related transportation for crime victims suffering from physical injuries	Passed Senate
S5444	SALAZAR	Expands the category of eligible participants in the NYS Address Confidentiality Program to include victims of sexual offenses, stalking, and human trafficking.	Chapter 141 of 2019
S5511	SEPÚLVEDA	Provides DOCCS must comply with federal deadlines in document requests by protection and advocacy services.	Veto 253 or 2019
S5570	MARTINEZ	Prohibits level three sex offenders on parole from entering within 1000 feet of a school even if the current sentence is not being served for a sex offense.	Discharged from Committee and Passed Senate
S5593	MAY	Permits detention of arrested individuals in county correctional facilities where off-hours arraignment parts have been established.	Chapter 665 of 2019
S5714	O'MARA	Authorizing the Schuyler correctional facility to also be used for the detention of persons under arrest and being held for arraignment in any court located in the county of Schuyler	Passed Senate

S5945	SANDERS	Requires DOCCS to provide educational information on HIV upon discharge.	Chapter 385 of 2019
S6153	SEPÚLVEDA	Compels criminal justice and other agencies to cooperate with the Office of Victim Services.	Passed Senate
S6154	SEPÚLVEDA	Permits transfer of people incarcerated in local correctional facilities to other county facilities for programmatic purposes.	Chapter 305 of 2019
S6167	PERSAUD	Makes victims of unlawful surveillance who have not suffered physical injury eligible for compensation through OVS	Chapter 179 of 2019
S6277	ROBACH	Authorizes the Monroe county jail to be used for the detention of persons under arrest for arraignment in any court in the county of Monroe.	Passed Senate





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