



# 2020 ANNUAL REPORT

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## **NEW YORK STATE SENATE STANDING COMMITTEE ON CRIME VICTIMS, CRIME AND CORRECTION**

A photograph of a prison facility, showing multiple layers of barbed wire fencing. The scene is set against a sunset or sunrise sky, with a tall light pole visible in the background.

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



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THE SENATE  
STATE OF NEW YORK

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

**Chair**  
Crime Victims, Crime and Correction  
Judicial Diversity Subcommittee

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

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

December 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 2020 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction,

During the 2020 session, this committee met three times in session and reported 22 bills. The Committee also held one hearing 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,

A handwritten signature in black ink, appearing to read "Luis R. Sepúlveda".

Luis R. Sepúlveda, Chair  
Crime Victims, Crime and Correction Committee

**2020 LEGISLATIVE SESSION REPORT**

**NEW YORK STATE SENATE  
STANDING COMMITTEE ON CRIME VICTIMS, CRIME AND CORRECTION**

**Senator Luis R. Sepúlveda, Chairperson**

Committee Members

Senator Jamaal Bailey Senator Velmanette Montgomery Senator Zellnor Myrie Senator Gustavo Rivera	Senator Fred Akshar Senator Patrick Gallivan
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Committee Staff

Christopher Alexander, Associate Counsel  
Jessica Persaud, Associate Counsel  
Dianna Goodwin, Senior Advisor & Counsel  
Tahirih Anthony, Committee Clerk

## **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 2020 Legislative Session, bills were referred to the Committee for its review. Of these bills, 22 were reported from the Committee. Five were passed by the Senate, and four passed in both houses. This work was conducted through a series of three committee meetings as a result of the COVID-19 Pandemic. 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 held one hearing on the impact of COVID-19 on prisons and jails, including review of status for individuals released due to the virus, higher education programs status, and what related agencies plan to do going forward to keep infection numbers low.

Finally, the Committee is responsible for considering the Governor's nominees to various agencies, boards and councils and advancing them to the Senate Finance Committee for further consideration. During the 2020 session, however, there were no nominations advanced to the Committee.

## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2020:

**S724-A (Montgomery)** Provides the Department of Corrections and Community Supervision shall place incarcerated persons with minor children close to home whenever practicable.

**S2161-B (Bailey)** Provides medication assisted treatment for incarcerated people with chemical dependence or abuse.

**S8046 (Sepúlveda)** Permits the correctional association to access, visit, inspect, and examine all state correctional facilities without advance notice to the department; during such visits the association shall have the power to interview and converse publicly or confidentially with any correctional employee, any incarcerated individual, and any other person providing services in a state correctional facility, whether or not employed by such facility.

## TWO HOUSE BILLS

In 2020, 4 of the 267 bills referred to the Standing Committee on Crime Victims, Crime and Correction passed both houses of the Legislature. Of these bills, the Governor has signed 3 and there is 1 bill currently on his desk.

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
<b>S724-A</b>	<b>Montgomery</b>	Requires the department of corrections and community supervision to place incarcerated parents at correctional institutions and facilities closest to their children's home.	<b>Chapter 355 of 2020</b>
<b>S5443</b>	<b>Persaud</b>	Relates to the reimbursement of employment-related transportation expenses incurred due to the physical injuries sustained as a direct result of a crime.	<b>Chapter 233 of 2020</b>
<b>S6437</b>	<b>Sepúlveda</b>	Allows for medical and psychiatric records of deceased inmates to be accessed by the board of correction of the city of New York under certain circumstances.	<b>Chapter 312 of 2020</b>
<b>S8046</b>	<b>Sepúlveda</b>	Permits the correctional association to access, visit, inspect, and examine all state correctional facilities without advance notice to the department; during such visits the association shall have the power to interview and converse publicly or confidentially with any correctional employee, any incarcerated individual, and any other person providing services in a state correctional facility, whether or not employed by such facility.	<b>Chapter 320 of 2020</b>

## SUMMARY OF COMMITTEE ACTIVITY

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
<b>S216-A</b>	<b>Benjamin</b>	Establishes merit time allowance credits and certain administrative privileges credits for local correctional facilities for eligible inmates.	<b>Advanced to Third Reading</b>
<b>S724-A</b>	<b>Montgomery</b>	Requires the department of corrections and community supervision to place incarcerated parents at correctional institutions and facilities closest to their children's home.	<b>Chapter 355 of 2020</b>
<b>S1698</b>	<b>Sepúlveda</b>	Permits individuals on parole who are gainfully employed to attend required programs outside of their work hours.	<b>Advanced to Third Reading</b>
<b>S2160</b>	<b>Bailey</b>	Provides notice of voting rights to persons released from local jails including written information distributed by the board of elections.	<b>Advanced to Third Reading</b>
<b>S2161-B</b>	<b>Bailey</b>	Establishes a program for the use of medication assisted treatment for inmates in both state and county correctional facilities; reporting requirements; substance use disorder treatment and transition services implemented in jails.	<b>Advanced to Third Reading</b>
<b>S2196</b>	<b>Bailey</b>	Changes the definition of “direct relationship” in Article 23-A of the Correction Law.	<b>Advanced to Third Reading</b>
<b>S2200</b>	<b>Bailey</b>	Increases access to substance abuse programming for prisoners whose first language is not English.	<b>Reported from Committee</b>
<b>S3100</b>	<b>Biaggi</b>	Requires DOCCS to notify next of kin when an incarcerated person will be transferred and permits such person to make one personal phone call.	<b>Advanced to Third Reading</b>



<b>S3313</b>	<b>Sanders</b>	Provides for a certificate of relief from disabilities or good conduct for any person granted merit termination of community supervision.	<b>Advanced to Third Reading</b>
<b>S4212</b>	<b>Sepúlveda</b>	Requires DOCCS to make diligent efforts to provide people in their custody with copies of their birth certificates.	<b>Advanced to Third Reading</b>
<b>S4639-A</b>	<b>Sepúlveda</b>	Establishes a program for adults over fifty who are under community supervision or who will be released from a state correctional facility.	<b>Reported from Committee</b>
<b>S4953</b>	<b>Sepúlveda</b>	Requires the Board of Parole to publish individual commissioners' release rates.	<b>Advanced to Third Reading</b>
<b>S5443</b>	<b>Persaud</b>	Permits compensation for employment-related transportation for crime victims suffering from physical injuries.	<b>Chapter 233 of 2020</b>
<b>S5751</b>	<b>Sepúlveda</b>	Establishes a temporary state commission to study and make recommendations on violence in state correctional facilities including the causes and consequences of such violence with a particular emphasis on changes in levels of violence and the causes of those changes.	<b>Reported from Committee</b>
<b>S6153</b>	<b>Sepúlveda</b>	Clarifies that law enforcement and other agencies shall provide the information necessary for the Office of Victim Services (OVS) to investigate a claim, and that in the event the Office receives information from two or more such sources with inconsistent information, OVS will consider the totality of the circumstances when making a determination.	<b>Passed Senate Only</b>

<b>S6437</b>	<b>Sepúlveda</b>	Allows for medical and psychiatric records of deceased inmates to be accessed by the board of correction of the city of New York under certain circumstances.	<b>Chapter 312 of 2020</b>
<b>S6582</b>	<b>Sepúlveda</b>	Prohibits of double-bunked housing in correctional facilities.	<b>Reported from Committee</b>
<b>S7228-A</b>	<b>Benjamin</b>	Directs the commissioner of corrections and community supervision, in consultation with the commissioner of motor vehicles and the federal bureau of prisons, to develop a program to provide an identification card to each inmate upon the release of such inmate from custody.	<b>Reported from Committee</b>
<b>S7728</b>	<b>Sepúlveda</b>	Adds to the definition of a victim of a sexual offense by including a victim of unlawful dissemination or publication of an intimate image.	<b>Passed Senate Only</b>
<b>S7633-A</b>	<b>Myrie</b>	Expands merit time to include earning at least eighteen credits from a program registered by the state education department from a degree-granting higher education institution as a condition on which the merit board may grant merit time.	<b>Advanced to Third Reading</b>
<b>S8046</b>	<b>Sepúlveda</b>	Permits the correctional association to access, visit, inspect, and examine all state correctional facilities without advance notice to the department; during such visits the association shall have the power to interview and converse publicly or confidentially with any correctional employee, any incarcerated individual, and any other person providing services in a state correctional facility, whether or not employed by such facility.	<b>Chapter 320 of 2020</b>
<b>S8244</b>	<b>Sepúlveda</b>	Establishes emergency release protocols during a time of crisis	<b>Discharged from Committee</b>





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STANDING COMMITTEE**

CRIME VICTIMS, CRIME AND CORRECTION