



FOR IMMEDIATE RELEASE
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Contact: Tracy Munford
(212) 614-5538 (office)
(646) 483-6804 (cell)

Advocates Call upon New York State Legislators to Address Reentry of the Formerly Incarcerated

The New York City Reentry Roundtable, a project of the Community Service Society of New York (CSS), will hold its fourth Reentry Advocacy Day in Albany tomorrow, Tuesday, May 4, 2010, to speak with legislators and staff about the challenges facing formerly incarcerated New Yorkers and promote policy initiatives to assist the reentry of the formerly incarcerated into the workforce and their home communities. More than 100 advocates, family members, and formerly incarcerated will travel to the state capital.

The New York City Reentry Roundtable was launched in 2005 by CSS to provide a forum to discuss issues and identify public policy solutions to assist the formerly incarcerated in New York State.

We have found that recidivism has undermined the stability of families and communities, according to David R. Jones, president and CEO of the Community Service Society of New York. "There are more than 60,000 inmates in New York State prisons who, when released, often return to the communities and issues they left before going to prison. There must be reinforcements in place to help transition the formerly incarcerated to training, employment and other resources," said Mr. Jones.

While in Albany, Roundtable participants will meet with legislative staff and have the opportunity to hear from Assembly member Jeff Aubry, Chair of the Assembly Committee on Correction, and Senator Velmanette Montgomery, Chair of the Senate Committee on Children and Families.

The New York City Reentry Roundtable has developed a number of proposals that address unfair obstacles faced by the formerly incarcerated in employment and restoration of rights, voting rights, sentencing, family connections, higher education, and parole.

A list of proposals is outlined below:

EMPLOYMENT & RESTORATION OF RIGHTS

We Support removing the blanket prohibition on individuals with criminal records working in establishments with liquor licenses. **A.3770-A (Aubrey)/S.4686 (Hassell-Thompson)** The existing law, which dates back to Prohibition, is increasingly counterproductive in today's economy because it bars qualified applicants from the labor market and takes away an employer's right to select the best candidate for the job.

We Support standardizing all references to Certificates of Relief from Disabilities and Certificates of Good Conduct in licensing laws such that when one certificate is mentioned, the other is implied. **S.4366-B (Hassell-Thompson)/A.3664-B (Aubry)** This bill gives practical effect to the fact that while an individual's conviction history determines which Certificate he or she is eligible for, both Certificates are intended to grant virtually the same rights and have the same effect.

We Support the Conditional Job Offer Bill, which prohibits prospective employer from making any inquiry about an applicant’s criminal record until a conditional offer of employment has been made contingent upon a satisfactory criminal background check. **A.5330 (Aubry)** This bill will help lessen illegal discrimination against jobseekers with criminal records by requiring employers to judge them on their merits and qualifications prior to considering the relevance (if any) of their conviction history.

We Support a path to sealing criminal convictions after a certain number of years in the community without subsequent convictions. **A.6065 (Lentol)/S.1708 (Sampson)** This legislation, while it excludes many categories of offenses, allows some formerly incarcerated people who were convicted of minor crimes to move beyond the stigma associated with their conviction record.

We Support granting people faced with employment discrimination by government agencies the opportunity to bring their grievances before the New York State Division of Human Rights or the New York City Human Rights Commission. **S.4687 (Hassell-Thompson)/A.8012 (Jeffries)** This legislation gives these individuals the right to have their charges heard informally by an administrative agency. People faced with discrimination by private employers already have this right.

We Support a time limit on listing people in the DOCS Inmate Lookup, so that this website is no longer used as an unofficial (and often inaccurate and incomplete) source of criminal history information. **S.4406-B (Hassell-Thompson)/ A.9382 (Kavanagh)** The proposed legislation excludes many categories of offenses and has time frames that could be further reduced.

We Support legislation that would prohibit DCJS from including entries about certain cases or arrests on rap sheets produced for pre-employment screening or other non-criminal justice purposes, where there has been no activity on the case or arrest for at least three years. **S7416 (Kruger)** Failure to list disposition information is the biggest “mistake” on rap sheets. Employers and others seeing these undisposed arrests may incorrectly consider them to be open cases. This bill provides a practical remedy to this problem.

VOTING RIGHTS

We Support increasing the political participation and power of racial and language minorities in New York State, as well as expanded avenues to civic participation for all New Yorkers, including:

Restoration of voting rights to people on parole to facilitate community reintegration and participation in the civic process. **S.4643 (Hassell-Thompson) /A.2445 (O’Donnell)** There is no practical reason for denying individuals on parole the right to vote; this bill removes this unnecessary restriction and helps to clear up confusion by Election Board officials and those affected by felony voter disfranchisement laws.

Enactment of legislation which aims to remedy the U.S. Census policy of counting individuals where they are incarcerated instead of in their home communities by adjusting, for redistricting purposes, home districts of New York prisoners. **A.5946 (Espaillat)/S.1633 (Schneiderman)** This bill will correct a longstanding practice that has led to underrepresentation of communities of color through unfairly skewed legislative districts.

SENTENCING

We Support extension of merit time release eligibility to domestic violence survivors incarcerated for committing violent crimes. **A.4516-C (Weinstein)/S.3438-B (Montgomery)** This bill will help reunite parents with their children who have already suffered far too long from the tragedy of domestic violence, and save taxpayer money in the process.

FAMILY CONNECTIONS

We Support an amendment to the Family Court Act and the Domestic Relations Law in relation to setting or modifying child support obligations of incarcerated non-custodial parents so that incarceration is no longer defined as “willful unemployment.” **S.4684 (Hassell-Thompson)/ A.8178 (Aubry)** Under current law, incarcerated non-custodial parents continue to accrue child support obligations at the same rate set prior to their imprisonment – even though they are earning virtually no income – which may result in accumulation of massive arrears that are practically impossible to pay. This bill will give judges discretion to set realistic child support terms in these circumstances.

We Support an amendment to the Adoption and Safe Families Act that would grant foster care agencies the discretion they need to delay, if necessary, filing termination of parental rights papers when a parent is incarcerated or in a residential drug treatment program. **A.5462-A (Aubry)/S.2233-A (Montgomery)** This bill gives incarcerated parents and their children a fairer opportunity to work toward reunification and safe permanency options that do not involve severing family bonds forever.

HIGHER EDUCATION

We Support legislation to establish a commission on post-secondary education in prison tasked with exploring the restoration of eligibility for the New York State Tuition Assistance Program (TAP) and evaluating the benefits of expanding access to educational programs. **A.8552 (Aubry)/S.5685 (Hassell-Thompson)** This bill is a good start toward reestablishing education programs (and access to them) that make a real difference in peoples’ lives and reduce recidivism.

PAROLE

We Support changes to Executive Law §259-i that would provide revised criteria and guidance to the Parole Board to enable it to carry out its evaluations with a clearer focus on fostering reentry and reintegration rather than on continued punishment. Proposed revisions would help ensure that parole applicants are treated fairly and are provided with clear guidelines on what they need to do to prepare themselves for productive and law-abiding lives beyond the prison walls.

Leading efforts in Albany from the Community Service Society are Juan Cartagena, General Counsel and Vice President of Advocacy, Gabriel Torres-Rivera, Director of the New York City Reentry Roundtable, and Judith Whiting, CSS Litigation Director.

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For 160 years, the Community Service Society of New York has been the leading voice on behalf of low-income New Yorkers and continues to advocate for the economic security of the working poor in the nation’s largest city.