This email is submitted as testimony for the NYS Senate Hearing on Elder Parole and Fair and Timely Parole, Dec. 7. Thank you for taking the time to consider this.

I am writing you to urge the Senate to pass two parole-reform bills, Elder Parole (S.15A-Hoylman) and Fair & Timely Parole (S.7514-Salazar).

I have seen various templates floating around about what testimony might look like. Everyone I have seen provides detailed, compelling reasons why these bills must pass in 2023. But I am writing my own letter.

I could perhaps say that I am not impacted in any way by these bills — nobody in my immediate, or even extended, family has ever received anything more than a motor vehicle ticket. But of course that is not true — all of us are impacted, deeply impacted, by the carceral policies of NY state.

I am a resident of Westchester county. I find it unconscionable, indeed, morally unbearable, that — according to data recently published by the Vera Institute of Justice (https://www.vera.org/empire-state-of-incarceration2021#people\_in-prison-in-new-york-state) — over 90% of those convicted in our (majority) white county, and serving time in NY state prisons, are people of color. In every single category, the data shows that people of color comprise at least 80% of those impacted. Yet Blacks make up at most 16.9% of the residents of Westchester County, with Latino or Hispanics comprising another 25.5% (https://www.census.gov/quickfacts/fact/table/westchestercountynewyork/PST045219).

We need radical reform of criminal justice in NY State, across the board. Passing these two parole-reform bills is only an extremely modest first step. As you know, both only allow people to go before a parole board for that board to assess whether they are able to return safely to their communities; neither allows automatic release. But even were these bills more ambitious (as I believe they should be) and asked more than that, they would need to be passed — the public is made safe, not by perpetual punishment, but when justice prevails. People who have served their time, and are ready to return to their communities — to work in healing those communities, working with youth, engaging in organizations committed to care for the marginal — deserve a chance to show who they are today, rather than being defined, in perpetuity, by their original crime of conviction. We need restorative justice, not just for those directly impacted, but for all of us, who, in our silence, and in our failure to act, are complicit in what can only be seen as a racist punitive system, disproportionately impacting people of color.

All of our Westchester senators must champion these bills, ensuring that they pass this session. We elected you (we walked the streets for you, quite literally!) because we believed that you were committed to justice. And we urge you to have the courage to speak the truth about safety, against all the fear-mongering about bail and other criminal justice reform — it is the building and restoration of communities, and establishing of justice — not perpetual punishment — that makes us safe.

Sincerely,

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PEOPLE CONVICTED IN

WESTCHESTER COUNTY

SERVING TIME IN

NEW YORK STATE PRISONS

THE DATA ON RACE

2021

799 People from Westchester incarcerated in New York State prisons:

 Black: 522 people 65.3% of total People of Color: 724 people 90.6% of total

433 Indeterminate sentences in Westchester:

 Black: 295 people 68.1% of total People of Color: 389 people 89.8% of total

81 People who are already parole eligible in Westchester:

 Black: 53 people 65.4% of total People of Color: 74 people 91.4% of total

202 People aged 50 and older in Westchester:

 Black: 126 people 62.4% of total People of Color: 166 people 82.2% of total

133 People aged 55 and older in Westchester:

 Black: 84 people 63.2% of total People of Color: 107 people 80.5% of total

54 People aged 55 and older who have already served 15 years in Westchester:

 Black: 37 people 68.5% of total People of Color: 45 people 83.3% of total

38 People aged 55 and older who have already served 15 years and aren’t yet eligible for parole in Westchester:

 Black: 25 people 65.8% of total People of Color: 32 people 84.2% of total

70 Serving life sentences, have already served 15 years and aren’t yet eligible for parole in Westchester:

 Black: 49 people 70% of total People of Color: 62 people 88.6% of total

For further information, contact Steven Siebert, Criminal Justice Committee Chair, NYCD16 Indivisible

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