



NEW YORK STATE SENATOR

Luis R. Sepúlveda

Senator Luis Sepulveda, Fellow Elected, Advocates Call On Governor Cuomo To Sign Significant Criminal Justice Reform Bills, Support Other Pending Reform Legislation

SENATOR LUIS SEPULVEDA July 26, 2018

| ISSUE: **CRIMINAL JUSTICE REFORM, PAROLE BOARD, SOLITARY CONFINEMENT, CRIME VICTIMS, SPEEDY TRIAL**



Senator Luis Sepulveda, fellow state elected officials and criminal justice advocates called on Gov. Cuomo today to sign into Sepulveda's two reform measures passed by both houses, and to support other reform measures.

Those measures include dramatic reforms to the state parole board, solitary confinement, bail, speedy trial and other criminal justice initiatives.

"I and my fellow legislators are calling on the governor to recognize what we believe are common sense solutions to a number of troubling issues in the state's criminal justice system, and truly bring justice to it by signing these bills," said Senator Sepulveda, ranking member of the Senate Committee on Crime Victims, Crime and Correction. "Too many lives, including family members of those incarcerated, have been harmed unnecessarily, and too much money has been wasted that could otherwise go to beneficial programs, for these reforms not to be finally enacted."

"As sponsor of A3936, that passed the Assembly for several years, I am glad the Senate finally passed it and we now urge the Governor to sign this legislation so crime victims can be justly compensated," said Assemblyman J. Gary Pretlow, a member of the Assembly Codes Committee.

"I applaud Senator Sepulveda for his great work on taking steps to reform the parole board and for always being a great advocate for criminal justice reform," said Senator Jamaal Bailey. "Comprehensive criminal justice overhaul is long overdue, and the lack of reform in this state has allowed rampant injustice to happen, often to people of color.

"Significant reforms must be made in the areas of discovery, bail, and speedy trial," Bailey added. "The foundation of our justice system is supposed to be fairness, but in its current state, it is far from fair. We consistently see defendants not having full access to the information against them, waiting extended periods of time to see a judge, and not being able to afford the bail amount that was set against them. I look forward to working with my colleagues in government and Governor Andrew Cuomo in order to ensure that we pass comprehensive criminal justice reform in New York State."

"This year the state legislature passed bills that help victims of sexual assault and that create more transparency on the parole process," said Assembly Speaker Pro Tempore Jeffrion L. Aubry. "Now is the time to sign these bills into law so that New York State can move forward with reforming its criminal justice system."

"Ensuring public safety does not require the disregard of justice and basic fairness," said Assemblyman Correction Committee Chair David I. Weprin. "It's time to bring real change to our criminal justice system and end unfair practices in our prisons and jails; and I am proud to work with my colleagues in both the Assembly and Senate to bring these common sense changes to New York."

"From arrest and pretrial to parole and post-release, New York's criminal legal system drives systemic inequity and discriminatory harm - primarily in low-income communities and communities of color - across the state," said Erin George, JustLeadershipUSA campaign coordinator. "This comes at the cost of hundreds of thousands of lives, and nearly \$4 billion in taxpayer dollars spent on jails and prisons each year. JustLeadershipUSA and directly impacted New Yorkers call for bold legislative action to address the injustice of the criminal system, including: passage of bail (S3579A/A5033A) and discovery (S7722/A10135) law overhaul, an end to solitary confinement, parole board accountability (S.8647/A.2471), and systems reform. The crisis of mass incarceration is real and it must be addressed, now."

"The Release Aging People in Prison (RAPP) Campaign urges Governor Cuomo to sign two bills on his desk that create more Parole Board transparency (S8647/A2471) and support crime survivors and victims (S8751/A3936)," said Jose Saldana, organizer with the RAPP Campaign. "These two bills must propel the Governor and legislature to take bolder stances on broad criminal justice initiatives. RAPP stands with Senator Sepulveda and other legislators in strong support of presumptive parole (S8581/A7564) and elder parole (S8346/A6354A) measures, as well as other initiatives that bring real parole justice and end

mass incarceration in New York State.”

"The New York Campaign For Alternatives To Isolated Confinement (CAIC) stands with the RAPP Campaign and in support of NYS Senator Sepulveda’s Bill S.8647/A2471 that requires the NYS Board of Parole to annually report the age, race ethnicity and other important demographics of the 12,000 parole-eligible persons and those they release," said Victor Pate, NYS CAIC organizer. "Our Campaign also urges the Senate to support and Pass the HALT Bill (S.4784) that will restrict solitary confinement to no more than 15 days and create more human alternatives to solitary confinement, in line with the United Nations Mandela Resolution and ending torture in New York."

Sepulveda's bills involve state parole board reforms and added help for the victims of crimes.

- A. 2471/ S. 8647 by Senator Sepulveda in both houses: Legislation requiring that the parole board shall publish annual demographic data including race, ethnicity, region of incarceration and other relevant data regarding the persons it considers for release. The legislation is significant as well because it helps make board of parole decisions more transparent by collecting and sharing data on age, ethnicity and other demographics involved in its duties.

- A. 3936/ S. 8751 by Senator Sepulveda and Assemblyman J. Gary Pretlow: Legislation allowing crime victims to use documents other than police reports as official evidence when filing a claim with the New York State Crime Victims Board. This change in filing of a claim will help crime victims get their lives back in order.

Other bills in the reform package have yet to pass the legislature and include:

- S. 8782 by Senator Sepulveda will require the ethnic and racial makeup of the state parole board to resemble the racial and ethnic makeup of the state's prison population.
- S. 8781 by Senator Sepulveda will establish a parole board nomination commission. Such commission shall conduct searches and screenings for potential candidates to fill open seats on the state board of parole and provide the governor with no less than three and no more than seven candidate recommendations to fill each vacancy on the board
- A. 6354/ S. 8581 by Assemblyman David Weprin and Senator Brad Hoylman to allow for a consideration of parole release (elder parole) for individuals who are aged 55 and older who have served 15 years in prison.
- A. 7546/ S. 8346 by Assemblyman David Weprin and Senator Gustavo Rivera to require the state board of parole to find that an incarcerated person presents an unreasonable current public safety risk to deny discretionary release to parole and provides that if parole is denied that release shall be presumed at subsequent hearings absent a preponderance of evidence that an incarcerated person presents an unreasonable public safety risk.
- S. 3579, legislation by Senate Democratic Deputy Leader Michael Gianaris to ensure that no individual is incarcerated before trial solely due to a lack of financial resources.
- S. 7006, Comprehensive Speedy Trial Reform, introduced by Senator Jamaal Bailey, that will guarantee that criminal cases go to trial in a reasonable time frame and will ensure that people are not held in jail for a prolonged period while awaiting trial.
- S. 7722, a bill by Senator Jamaal Bailey and Senator Brian Benjamin requiring Comprehensive and Automatic Discovery to ensure automatic, comprehensive discovery before plea deals are made, so defendants have all the information they need to prepare their case.

- S. 4784/ A. 3080, legislation by Senator Kevin Parker and Assemblyman Jeffrion Aubry to restrict the use of segregated solitary confinement and creating alternative therapeutic and rehabilitative confinement options.

- A. 9787, legislation by Assemblyman Walter T. Mosley that would allow a court, after consultation with a prosecutor or other relevant parties, to release certain grand jury information in cases where a felony indictment is dismissed. The court would be required to afford the prosecutor or any other relevant persons the opportunity to be heard and to consider several factors in determining whether or not disclosure is appropriate.

RELATED LEGISLATION

2017-S8647

[Board of Parole](#), [New York State Parole Board](#), [Parole Transparency](#), [Parolees](#), [Racial and Ethnic Discrimination](#)

- Introduced
 - In Committee Assembly
 - In Committee Senate
- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ◦ Passed Assembly

- Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to the duty of the state board of parole in reporting parole statistics

May 10, 2018

Senate Floor Calendar

Sponsored by [Luis R. Sepúlveda](#)

Do you support this bill?

2017-S8751

Crime Victims Services, Crime Victim Advocacy, Crime, Police

-
- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

-

Authorizes the crime victims board to accept other official documents in lieu of police reports for documentation of eligibility for compensation

May 10, 2018

Senate Floor Calendar

Sponsored by [Luis R. Sepúlveda](#)

Do you support this bill?

2017-S8782

- Introduced

- ◦ In Committee Assembly

- In Committee Senate

- ◦ On Floor Calendar Assembly

- On Floor Calendar Senate

- ◦ Passed Assembly

- Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to disability benefits for firefighters employed by the division of military and naval affairs

May 16, 2018

In Senate Committee [Civil Service and Pensions](#)

Sponsored by [Terrence Murphy](#)

Do you support this bill?

2017-S8781

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate
- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ◦ Passed Assembly

- Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to providing transportation for children with a handicapping condition

May 16, 2018

In Assembly Committee

Sponsored by Elaine Phillips

Do you support this bill?

2017-S8581

- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly
 - Passed Senate
-

- Delivered to Governor
- Signed By Governor
-

Relates to parole eligibility for certain inmates age fifty-five

May 10, 2018

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Brad Hoylman-Sigal](#)

Do you support this bill?

2017-S8346

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor

- Signed By Governor

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Relates to findings of the state board of parole necessary for discretionary release of inmates on parole

May 02, 2018

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Gustavo Rivera](#)

Do you support this bill?

2017-S3579

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor

- Signed By Governor

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Enacts the "bail elimination act of 2018"; repealer

January 24, 2017

In Senate Committee [Codes](#)

Sponsored by [Michael Gianaris](#)

Do you support this bill?

2017-S7006

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor

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Relates to time limits for a speedy trial

December 07, 2017

In Senate Committee [Codes](#)

Sponsored by [Jamaal T. Bailey](#)

Do you support this bill?

2017-S7722

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to implementing automatic discovery; repealer

February 13, 2018

In Senate Committee [Codes](#)

Sponsored by [Jamaal T. Bailey](#)

Do you support this bill?

2017-S4784

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

[Restricts the use of segregated confinement and creates alternative therapeutic and rehabilitative confinement options](#)

March 01, 2017

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Kevin S. Parker](#)

Do you support this bill?

2017-A9787

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

[Relates to grand jury proceedings](#)

February 08, 2018

Do you support this bill?

2017-A3936

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

- [Authorizes the crime victims board to accept other official documents in lieu of police reports for documentation of eligibility for compensation](#)

January 30, 2017

Signed by Governor

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