



NEW YORK STATE SENATOR

Velmanette Montgomery

Senator Montgomery's Proximity Bill (April's Bill) Signed Into Law

VELMANETTE MONTGOMERY January 2, 2021

| ISSUE: **SENATOR MONTGOMERY'S LEGACY, CRIMINAL JUSTICE REFORM, CHILDREN AND FAMILIES, KEEPING FAMILIES TOGETHER**

| COMMITTEE: **CHILDREN AND FAMILIES**



Governor Cuomo signs Senator Montgomery's Proximity Bill /April's Bill (S724A Montgomery/A6710 Rozic) into law! The bill requires the Department of Corrections and Community Supervision (DOCCS) to provide consideration of, where practicable, the current residence of the children of the incarcerated individual at the stage when the placement determination is made.

Over 100,000 children have a parent incarcerated in one of New York's prisons. Since prisons are located all over the state, travel is a major barrier for families to visit. These facilities are many hours away and most families have to take the bus. Consistent in-person visitation is the single most important factor in whether a family will reunite after a prison term. It reduces the strain of separation on everyone involved and lowers the chances of recidivism.

In 2011, Senator Montgomery met with three young people from the Osborne Association's Youth Action Council whose parents were incarcerated. Each young person shared their personal experiences with the Senator and suggested reforms to the criminal justice system. From that meeting, the Senator introduced legislation to address each of their concerns and named them Ashley's Bill, April's Bill and Raymond's Bill. In 2014, Ashley's Bill was signed into law to increase access to visitation at correctional facilities. Last week, April's Bill passed both houses and awaits the Governor's signature. Raymond's Bill to institute child sensitive arrest policies is in committee.

"These bills reflect the fact that the children of people who are incarcerated are deeply affected by their parent's absence and we need to pay more attention to their issues as it relates to the impact of mass incarceration on families," said State Senator Velmanette Montgomery. "I am so proud of Ashley, April and Raymond for sharing their pain in concrete terms and suggesting ways in which we can make the system better based on their experiences."

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"I am so happy to see the Proximity Bill (April's Law) signed by the Governor. Children should not be deprived of the opportunity to have a relationship with their parents because of incarceration. This law will support vulnerable families by placing incarcerated parents at facilities closest to their children," said Senator Montgomery. "I thank my colleagues, the advocates and especially Alonicha (April) Triana who shared with me how deeply affected

she was by her mother's incarceration and proposed this legislation."

To learn more about the fight to pass Ashley's law, visit:

<https://www.nysenate.gov/newsroom/articles/2020/velmanette-montgomery/senator-montgomerys-proximity-bill-awaits-governors>

https://www.google.com/search?q=senator+montgomery+proximity+bill&rlz=1C1GCEU_enUS838

<http://www.osborneny.org/news/proximity-bill-passes-the-nys-assembly-and-senate/>

<http://www.star-revue.com/ashleys-law-brings-justice-prison-visits-kimberly-gail-price/>