S T A T E O F N E W Y O R K

1209--A

2011-2012 Regular Sessions

I N S E N A T E

January 6, 2011

Introduced by Sens. MARTINS, SKELOS, GOLDEN, LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to inmate requests to reschedule a parole hearing

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 259-i of the executive law is amended by adding a new paragraph (a-1) to read as follows:

(A-1) NO DELAY OR RESCHEDULING OF AN INTERVIEW SCHEDULED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION SHALL BE GRANTED UPON THE REQUEST OF AN INMATE WHO IS INCARCERATED BY REASON OF A CONVICTION OF A CLASS A-I FELONY, UNLESS, NOT LESS THAN TEN DAYS PRIOR TO THE SCHEDULED INTERVIEW, SUCH INMATE SHALL HAVE SUBMITTED A REQUEST THEREFOR IN WRITING TO THE STATE BOARD OF PAROLE STATING THE REASON FOR SUCH REQUEST AND THE STATE BOARD SHALL HAVE APPROVED THE REQUEST FOR GOOD CAUSE SHOWN.

SHOULD EXIGENT CIRCUMSTANCES ARISE PRIOR TO THE SCHEDULED INTERVIEW, BUT AFTER THE TEN DAY PERIOD, AN EMPLOYEE OF THE CORRECTIONAL FACILITY WHERE THE INMATE IS INCARCERATED MAY, ON BEHALF OF THE INMATE, REQUEST TO RESCHEDULE THE INTERVIEW BASED UPON GOOD CAUSE NOT KNOWN TEN DAYS PRIOR. IF SUCH REQUEST IS APPROVED BY THE STATE BOARD, SUCH INTERVIEW SHALL BE RESCHEDULED FOR THE NEXT DATE THAT THE SAME ASSIGNED PAROLE BOARD MEMBER WILL BE RETURNING TO THAT CORRECTIONAL FACILITY TO CONDUCT INTERVIEWS.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that, effective immediately, any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be amended, added and/or repealed on or before such date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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