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

4431--A

2013-2014 Regular Sessions

I N S E N A T E

April 1, 2013

Introduced by Sens. MONTGOMERY, DILAN, GIPSON, HASSELL-THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- recommitted to the Committee on Crime Victims, Crime and Correction in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to the composition of the state board of parole

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

Section 1. Subdivision 1 of section 259-b of the executive law, as amended by section 38-a of subpart A of part C of chapter 62 of the laws of 2011, is amended to read as follows:

1. There shall be in the department a state board of parole [which] THAT shall possess the powers and duties hereinafter specified. The board shall function independently of the department regarding all of its decision-making functions, as well as any other powers and duties specified in this article, provided, however, that administrative matters of general applicability within the department shall be applicable to the board. Such board shall consist of not more than nineteen members AND NOT LESS THAN FIFTEEN MEMBERS appointed by the governor with the advice and consent of the senate AND IN CONSULTATION WITH THE CORRECTIONAL ASSOCIATION OF NEW YORK. IN MAKING APPOINTMENTS TO THE BOARD, THE GOVERNOR SHALL ENSURE THAT THE MEMBERSHIP SHALL ADEQUATELY REFLECT THE COMPOSITION OF THE PRISON POPULATION IN RACE AND ETHNICITY, AGE, AND GEOGRAPHIC AREA OF RESIDENCE. THE PERCENTAGE OF EACH DEMOGRAPHIC CHARACTERISTIC OF THE MEMBERS SHALL BE DIRECTLY PROPORTIONATE TO THAT OF THE PRISON POPULATION. ADDITIONALLY, AT LEAST ONE-THIRD OF THE MEMBERS SHALL HAVE BEEN PREVIOUSLY EMPLOYED IN THE FIELDS OF PRISONER REENTRY OR SOCIAL WORK, EACH WITH A MINIMUM OF FIVE YEARS OF EXPERIENCE IN THEIR RESPECTIVE FIELDS. The term of office of each member of such

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

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board shall be for six years; provided, however, that any member chosen to fill a vacancy occurring otherwise than by expiration of term shall be appointed, IN THE MANNER SPECIFIED ABOVE, for the remainder of the unexpired term of the member whom he OR SHE is to succeed. In the event of the inability to act of any member, the governor may appoint some competent informed person to act in his OR HER stead during the continuance of such disability.

S 2. The state board of parole as constituted on the effective date of this section is hereby abolished as of January 1, 2015. Members of the state board of parole as constituted pursuant to the provisions of subdivision 1 of section 259-b of the executive law, as amended by section one of this act, shall be appointed by the appropriate state official prior to January 1, 2015, so that such board may be fully operative on and after such date.

S 3. This act shall take effect immediately.