

STATE OF NEW YORK

10386

IN ASSEMBLY

May 4, 2020

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to establishing emergency release protocols during a time of crisis

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The correction law is amended by adding a new section 807
2 to read as follows:

3 § 807. Emergency release during a time of crisis. 1. During an epidem-
4 ic, a natural disaster, a climate disaster, a war or other similar emer-
5 gency which places the lives, health or well-being of people in custody
6 at risk, the commissioner shall have the authority to release to commu-
7 nity supervision any person in custody who:

8 (a) is within two years of his or her earliest release date;

9 (b) has a stable living situation upon release;

10 (c) does not pose an unreasonable public safety risk; and

11 (d) appears to be rehabilitated, or is elderly, frail or immunocom-
12 promised, or has a disability as defined in paragraph (a) of subdivision
13 twenty-one of section two hundred ninety-two of the executive law.

14 2. Any pregnant woman or woman participating in the nursery program at
15 a correctional facility shall be released to community supervision
16 during such emergency unless she presents an exceptional public safety
17 risk.

18 3. Any person over the age of fifty-five who has completed at least
19 one half of his or her minimum sentence may be released in such an emer-
20 gency.

21 4. Such emergency release shall not be revoked when the emergency
22 concludes as long as any person so released complies with the terms and
23 conditions of community supervision.

24 § 2. This act shall take effect immediately.

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

LBD16168-01-0