

STATE OF NEW YORK

6098

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT establishing the New York state commission to end mass incarceration and to prevent violence

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

1 Section 1. A state commission, to be known as the New York state
2 commission to end mass incarceration and to prevent violence, is hereby
3 created to investigate, evaluate and make recommendations concerning how
4 to reduce the New York prison population and the incidences of violent
5 crime in New York state.

6 § 2. (a) The commission shall consist of seventeen members, to be
7 appointed as follows: nine members to be appointed by the governor, one
8 of whom shall be the chair; three members to be appointed by the tempo-
9 rary president of the senate; one member appointed by the senate minori-
10 ty leader; three members appointed by the speaker of the assembly; and
11 one member appointed by the assembly minority leader.

12 (b) The members of the commission shall receive no compensation for
13 their services, but shall be allowed their actual and necessary expenses
14 incurred in the performance of their duties under this act. The commis-
15 sion may employ and at pleasure remove such personnel as it may deem
16 necessary for the performance of its functions and fix their compen-
17 sation within the amounts made available by appropriation therefor.

18 § 3. Specifically the commission shall investigate:

19 (a) how to reduce the New York prison population based on fairness and
20 justice; and

21 (b) how to reduce the incidences of violent crime in New York state.

22 § 4. (a) For the accomplishment of its purposes, the commission may
23 meet and hold public and/or private hearings within or without the
24 state, and shall have all the powers of a legislative committee pursuant
25 to the legislative law. The commission is authorized and empowered to

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

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1 undertake any studies, inquiries, surveys or analyses it may deem rele-
2 vant through its own personnel or in cooperation with or by agreement
3 with any other public or private agency.

4 (b) To the maximum extent feasible, the commission may request and
5 shall be entitled to receive and shall utilize and be provided with such
6 facilities, resources and data from any court in the state and from any
7 subdivision, department, board, bureau, commission, office, agency or
8 other instrumentality of the state or of any political subdivision ther-
9 eof as it deems necessary or desirable for the proper execution of its
10 powers and duties and to effectuate the purposes set forth in this act.

11 (c) The commission is hereby authorized and empowered to enter into
12 any agreements and to do and perform any acts that may be necessary,
13 desirable or proper to carry out the purposes and objectives of this
14 act.

15 § 5. The commission shall make recommendations and a report of its
16 findings. The commission shall submit such recommendations and report,
17 including any recommendations for legislative action as it may deem
18 necessary and appropriate, to the governor, the temporary president of
19 the senate and the speaker of the assembly no later than December first,
20 two thousand twenty.

21 § 6. This act shall take effect immediately.