

STATE OF NEW YORK

9506

IN ASSEMBLY

March 10, 2022

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Codes

AN ACT to amend the executive law, in relation to enacting the "Michael K. Williams law", also known as the "New York state reverse mass incarceration act", to establish a grant program to incentivize counties and municipalities to reduce prison populations; and making an appropriation therefor

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

1 Section 1. This act shall be known and may be cited as the "Michael K.
2 Williams law", or the "New York state reverse mass incarceration act".

3 § 2. Article 35 of the executive law is amended by adding a new
4 section 847 to read as follows:

5 § 847. Reverse mass incarceration grant program. 1. There is hereby
6 created within the division of criminal justice services a reverse mass
7 incarceration grant program to be administered by the attorney general
8 acting through the commissioner to award grants to county governments
9 for the implementation of evidence-based programs designed to reduce
10 crime rates and incarcerations.

11 2. A grant may be awarded upon the submission of an application to the
12 attorney general which:

13 (a) demonstrates the ability to collect and analyze local criminal
14 justice and incarceration data including data on racial and ethnic
15 disparities;

16 (b) establishes benchmarks to track decarceration, a clear methodology
17 to account for the number of people in custody and growth rate over the
18 past three calendar years;

19 (c) provides a means to develop a strategic, collaborative plan to
20 decrease local jail/prison populations which shall be public facing and
21 outline how funds, if awarded, shall be used to reduce the prison/jail
22 population in the county over time;

23 (d) sets goals for the reduction of racial and ethnic jail incarceration
24 disparities;

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

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1 (e) demonstrates that the crime rate within the municipality did not
2 increase by more than three percent.

3 3. If a grant is awarded upon the submission of an application, funds
4 cannot be used to construct new jails or correctional centers.

5 4. Financial savings created through decreased incarceration shall be
6 used to sustain programmatic and community-based efforts to reduce jail
7 incarceration.

8 5. Grantees shall consult with municipal, county and state law
9 enforcement agencies, courts, public defense practitioners and communi-
10 ty-based organizations to plan, implement and evaluate.

11 6. If a grantee fails to meet the incarceration rate and racial and
12 ethnic disparities reduction requirements under subdivision two of this
13 section in any two consecutive years of the award, the attorney general,
14 acting through the commissioner, shall terminate the award.

15 § 3. The sum of seven million dollars (\$7,000,000), or so much thereof
16 as may be necessary, is hereby appropriated to the reverse mass incar-
17 ceration grant program as established pursuant to section 847 of the
18 executive law from any moneys in the state treasury not otherwise appro-
19 priated and made immediately available to the division of criminal
20 justice services for distribution to municipalities for the purposes of
21 carrying out the provisions of this act. Such moneys shall be payable on
22 the audit and warrant of the comptroller on vouchers certified or
23 approved by the commissioner of criminal justice services in the manner
24 prescribed by law.

25 § 4. Any financial assistance in the form of a grant may be provided
26 for any amount from funds appropriated specifically therefor up to and
27 including the amount of three hundred and fifty thousand dollars.

28 § 5. Each county may submit no more than one application annually.

29 § 6. This act shall take effect immediately.