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I N   A S S E M B L Y

April 20, 2012

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

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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 2 of section 259-i of the executive law is  
2     amended by adding a new paragraph (a-1) to read as follows:  
3     (A-1) NO DELAY OR RESCHEDULING OF AN INTERVIEW SCHEDULED PURSUANT TO  
4     PARAGRAPH (A) OF THIS SUBDIVISION SHALL BE GRANTED UPON THE REQUEST OF  
5     AN INMATE WHO IS INCARCERATED BY REASON OF A CONVICTION OF A CLASS A-I  
6     FELONY, UNLESS, NOT LESS THAN TEN DAYS PRIOR TO THE SCHEDULED INTERVIEW,  
7     SUCH INMATE SHALL HAVE SUBMITTED A REQUEST THEREFOR IN WRITING TO THE  
8     STATE BOARD OF PAROLE STATING THE REASON FOR SUCH REQUEST AND THE STATE  
9     BOARD SHALL HAVE APPROVED THE REQUEST FOR GOOD CAUSE SHOWN.  
10    SHOULD EXIGENT CIRCUMSTANCES ARISE PRIOR TO THE SCHEDULED INTERVIEW,  
11    BUT AFTER THE TEN DAY PERIOD, AN EMPLOYEE OF THE CORRECTIONAL FACILITY  
12    WHERE THE INMATE IS INCARCERATED MAY, ON BEHALF OF THE INMATE, REQUEST  
13    TO RESCHEDULE THE INTERVIEW BASED UPON GOOD CAUSE NOT KNOWN TEN DAYS  
14    PRIOR. IF SUCH REQUEST IS APPROVED BY THE STATE BOARD, SUCH INTERVIEW  
15    SHALL BE RESCHEDULED FOR THE NEXT DATE THAT THE SAME ASSIGNED PAROLE  
16    BOARD MEMBER WILL BE RETURNING TO THAT CORRECTIONAL FACILITY TO CONDUCT  
17    INTERVIEWS.  
18    S 2. This act shall take effect on the one hundred twentieth day after  
19    it shall have become a law; provided that, effective immediately, any  
20    rules and regulations necessary to implement the provisions of this act  
21    on its effective date are authorized and directed to be amended, added  
22    and/or repealed on or before such date.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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