

5548

2015-2016 Regular Sessions

I N A S S E M B L Y

February 27, 2015

Introduced by M. of A. SEPULVEDA, ROZIC, MOSLEY, RIVERA, TITONE, GOTTFRIED, STECK, CRESPO, O'DONNELL, MOYA, RAMOS, COLTON, JAFFEE, ROSENTHAL, PERRY -- Multi-Sponsored by -- M. of A. ARROYO, BROOK-KRASNY, CAHILL, HIKIND, SCHIMEL -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to translation services for inmates appearing before the parole board

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

1 Section 1. Section 259-e of the executive law, as amended by section
2 38-c of subpart A of part C of chapter 62 of the laws of 2011, is
3 amended to read as follows:
4 S 259-e. Institutional parole services. The department shall provide
5 institutional parole services. Such services shall include preparation
6 of reports and other data required by the state board of parole in the
7 exercise of its functions with respect to release on presumptive
8 release, parole, conditional release or post-release supervision of
9 inmates. ADDITIONALLY, THE DEPARTMENT SHALL DETERMINE WHICH INMATES ARE
10 IN NEED OF A DEAF LANGUAGE INTERPRETER OR AN ENGLISH LANGUAGE INTERPRET-
11 ER, AND SHALL INFORM THE BOARD OF SUCH NEED WITHIN A REASONABLE PERIOD
12 OF TIME PRIOR TO AN INMATE'S SCHEDULED APPEARANCE BEFORE THE BOARD.
13 Employees of the department who collect data, interview inmates and
14 prepare reports for the state board of parole in institutions under the
15 jurisdiction of the department shall work under the direct supervision
16 of the deputy commissioner of the department in charge of program
17 services. Data and reports submitted to the board shall address the
18 statutory factors to be considered by the board pursuant to the relevant
19 provisions of section two hundred fifty-nine-i of this article.
20 S 2. Section 259-i of the executive law is amended by adding a new
21 subdivision 8 to read as follows:

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

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1 8. FOREIGN BORN OR NON-ENGLISH SPEAKING PERSON BEFORE THE BOARD. UPON
2 NOTIFICATION FROM THE DEPARTMENT PURSUANT TO SECTION TWO HUNDRED FIFTY-
3 NINE-E OF THIS ARTICLE, OR UPON THE REQUEST OF ANY FOREIGN BORN OR NON-
4 ENGLISH SPEAKING PERSON WHO IS SCHEDULED TO PARTICIPATE IN AN INTERVIEW,
5 PAROLE RELEASE HEARING, PRELIMINARY HEARING OR REVOCATION HEARING, THERE
6 SHALL BE APPOINTED A QUALIFIED INTERPRETER WHO IS CERTIFIED BY A RECOG-
7 NIZED NATIONAL OR NEW YORK STATE CREDENTIALING AUTHORITY TO INTERPRET
8 THE PROCEEDINGS TO AND THE STATEMENTS OR TESTIMONY OF SUCH PERSON. THE
9 BOARD SHALL DETERMINE A REASONABLE FEE FOR ALL SUCH INTERPRETING
10 SERVICES, THE COST OF WHICH SHALL BE A CHARGE UPON THE BOARD OF PAROLE.
11 NO SUCH REQUEST OR APPOINTMENT SHALL CAUSE A DELAY OF RELEASE FROM
12 INCARCERATION OF SUCH PERSON.

13 S 3. This act shall take effect on the one hundredth day after it
14 shall have become a law.