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209

2015-2016 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2015
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Introduced by Sen. MARTINS -- read twice and ordered printed, and when
  printed to be committed to the Committee on Crime Victims, Crime and
  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22 and/or repealed on or before such date.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.
                                                         LBD02156-01-5