STATE OF NEW YORK

9506--A

IN ASSEMBLY

March 10, 2022

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to enacting the "Michael K. Williams law" 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:

Section 1. This act shall be known and may be cited as the "Michael K. Williams law".

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

§ 847. Michael K. Williams grant program. 1. There is hereby created within the division of criminal justice services a decarceration grant program to be administered by the attorney general acting through the commissioner to award grants to county governments for the implementation of evidence-based programs designed to reduce crime rates and incarcerations.

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

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

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

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

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

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

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

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

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

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

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

§ 3. The sum of seven million dollars ($7,000,000), or so much thereof as may be necessary, is hereby appropriated to the Michael K. Williams grant program as established pursuant to section 847 of the executive law from any moneys in the state treasury not otherwise appropriated and made immediately available to the division of criminal justice services for distribution to municipalities for the purposes of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner of criminal justice services in the manner prescribed by law.

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

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

§ 6. This act shall take effect immediately.