

STATE OF NEW YORK

4250--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. WEPRIN, BARRON, WALKER, DE LA ROSA, GOTTFRIED, FERNANDEZ, EPSTEIN, REYES, CRUZ, AUBRY, HUNTER, TAYLOR, FORREST, QUART, BURGOS, SIMON, BURDICK -- read once and referred to the Committee on Correction -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to the establishment of a visiting program for incarcerated people

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

1 Section 1. The correction law is amended by adding a new section 138-b
2 to read as follows:

3 § 138-b. Visiting program for the incarcerated. 1. State and local
4 correctional facilities shall provide visiting programs which give
5 incarcerated people opportunities for personal contact with their rela-
6 tives, children, friends, clergy, volunteers and other persons to
7 promote individual transformation, better institutional adjustment and
8 better community adjustment upon release. Such program shall include,
9 but not be limited to, (a) visiting hours that are reasonably likely to
10 accommodate persons traveling from within the state, including evening
11 and/or weekend hours, (b) visits of sufficient duration, including a
12 minimum of one hour at local correctional facilities so that visitors
13 and incarcerated people will be able to maintain relationship bonds, and
14 (c) a published overcrowding policy that is equitable with due consider-
15 ation to the distance traveled by the visitor, the frequency of the
16 visitor's visits, the most recent occasion that the incarcerated
17 person's visit was terminated due to overcrowding, and any other indi-
18 vidual circumstances that limit in-person visits between the incarcerat-
19 ed person and the visitor.

20 2. Video conferencing may supplement, but shall not take the place of,
21 in-person visits.

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

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- 1 3. No incarcerated person is to be visited against his or her will by
- 2 any person.
- 3 § 2. This act shall take effect on the one hundred twentieth day after
- 4 it shall have become a law.