STATE OF NEW YORK

1363

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

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

AN ACT authorizing a study by the New York state department of corrections and community supervision to study the treatment of aging prison populations and make recommendations for ensuring humane treatment of such populations

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

Section 1. The department of corrections and community supervision shall undertake a study of the treatment, conditions and prevalence of aging prison populations and what plans, if any, such department has to provide for this increasing segment of incarcerated individuals. The study shall include but not be limited to the following:

(a) a profile of the current elderly incarcerated individual population and statistics relating to its demographics including length and type of sentence, age at parole eligibility, race, gender, region of commitment, commitment crime and any other data that may describe such population;

(b) projected populations for elderly incarcerated individuals for the next five, ten and twenty years;

(c) factors contributing to the growth in the number and proportion of elderly incarcerated individuals;

(d) whether, and to what extent, older prison populations are being provided with adequate or specialized housing, medical care, and specialized programs that respond to their unique needs and vulnerabilities, such as the need for wheelchair accessibility or accommodations relating to diminished mental or physical capacity, including a profile of such housing, medical care and programs currently provided to elderly incarcerated individuals and a projection of such provisions that will be needed five, ten and twenty years hence;

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

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(e) provision of specialized training for corrections officers working with older incarcerated individuals including what training is currently provided; and

(f) a profile of classification and facilities assigned to such incarcerated individuals including what institutional oversight, if any, exists to ensure the welfare of older incarcerated individuals within each correctional facility.

§ 2. The department of corrections and community supervision shall make a report to the governor and the legislature of the information required under section one of this act, its findings and conclusions, and any legislative recommendations it deems necessary no later than one year after the effective date of this act.

§ 3. To the maximum extent feasible, the department of corrections and community supervision shall be entitled to request and receive and shall utilize and be provided with such facilities, resources and data of any court, department, division, board, bureau, commission or agency of the state or any political subdivision thereof as it may reasonably request to carry out properly its responsibilities pursuant to this act.

§ 4. This act shall take effect immediately.