STATE OF NEW YORK

8017

2023-2024 Regular Sessions

IN ASSEMBLY

September 1, 2023

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

AN ACT to amend the correction law, in relation to requiring the department of corrections and community supervision to establish discharge plans and reentry services for wrongfully convicted individuals upon their discharge

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

Section 1. The section heading of section 78 of the correction law, as added by section 81-b of part WWW of chapter 59 of the laws of 2017, is amended to read as follows:

Discharge plans **and reentry services; juvenile offenders and adolescent offenders**.

§ 2. The correction law is amended by adding a new section 78-a to read as follows:

§ 78-a. Discharge plans and reentry services; wrongfully convicted individuals. 1. Definitions. For the purposes of this section, the term:

(a) "wrongfully convicted individual" means a person who has been convicted and subsequently determined to be innocent of the crime for which they were convicted.

(b) "discharge plan" means a plan describing the manner in which the wrongfully convicted individual will be able to receive reentry services upon release from the custody of the department to the community.

(c) "reentry services" means appropriate programming and support planning offered to a wrongfully convicted individual upon release from the custody of the department to the community, as well as follow-up support offered to the individual after their release.

2. Discharge plans and reentry services. Prior to the release of an eligible incarcerated individual from the custody of the department, a designee of the department shall, in consultation with non-profit providers and in conjunction with such wrongfully convicted individual,

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

LBD11996-01-3

develop and offer to such individual a discharge plan. Such discharge plan shall:

(a) be designed to address the unique needs of the wrongfully convicted individual, including, but not limited to, the individual's geographic location upon release from the custody of the department, housing needs, educational needs, employment needs, medical needs, and specific social service needs.

(b) provide access to reentry services including, but not be limited to, case management and connections to employment services, educational services, mental health services, medical care, housing services, and other social services that may be available to such wrongfully convicted individual upon their release.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.