

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:

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

4 Discharge plans and reentry services; juvenile offenders and adoles-
5 cent offenders.

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

8 § 78-a. Discharge plans and reentry services; wrongfully convicted
9 individuals. 1. Definitions. For the purposes of this section, the term:

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

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

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

20 2. Discharge plans and reentry services. Prior to the release of an
21 eligible incarcerated individual from the custody of the department, a
22 designee of the department shall, in consultation with non-profit
23 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.

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

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

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

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