

# STATE OF NEW YORK

9171

## IN ASSEMBLY

February 12, 2024

Introduced by M. of A. DILAN -- 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:

- 1 Section 1. The department of corrections and community supervision  
2 shall undertake a study of the treatment, conditions and prevalence of  
3 aging prison populations and what plans, if any, such department has to  
4 provide for this increasing segment of incarcerated individuals. The  
5 study shall include but not be limited to the following:
- 6 (a) a profile of the current elderly incarcerated individual popu-  
7 lation and statistics relating to its demographics including length and  
8 type of sentence, age at parole eligibility, race, gender, region of  
9 commitment, commitment crime and any other data that may describe such  
10 population;
- 11 (b) projected populations for elderly incarcerated individuals for the  
12 next five, ten and twenty years;
- 13 (c) factors contributing to the growth in the number and proportion of  
14 elderly incarcerated individuals;
- 15 (d) whether, and to what extent, older prison populations are being  
16 provided with adequate or specialized housing, medical care, and  
17 specialized programs that respond to their unique needs and vulnerabili-  
18 ties, such as the need for wheelchair accessibility or accommodations  
19 relating to diminished mental or physical capacity, including a profile  
20 of such housing, medical care and programs currently provided to elderly  
21 incarcerated individuals and a projection of such provisions that will  
22 be needed five, ten and twenty years hence;
- 23 (e) provision of specialized training for corrections officers working  
24 with older incarcerated individuals including what training is currently  
25 provided; and

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

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

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

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

16 § 4. This act shall take effect immediately.