



New York State Prisoner Justice Network

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February 1, 2014

Terrence X. Tracy, Esq., Counsel, Board of Parole
New York State Department of Corrections and Community Supervision

Dear Mr. Tracy:

The New York State Prisoner Justice Network represents 40+ criminal justice reform and advocacy organizations throughout New York State, which in turn represent advocates, communities and families of incarcerated New Yorkers as well as New York residents concerned about the negative impacts of mass incarceration on every facet of life in our state.

Members of this Network have experienced the failure of the Parole Board to fairly consider the record of the parole applicants who come before it, and the contribution of that failure to unjust and unnecessary incarceration which damages our communities and the state as a whole. There is a widespread perception, fueled by direct experience, that the Board does not respect the spirit of the law, the letter of the law, or the well-being of the communities most impacted by both crime and over-incarceration. The Board is seen, instead, to be responsive to tabloid hysteria and other special interests.

A central issue is the Board's focus on the nature of the crime of conviction and criminal history instead of the applicant's readiness for re-entry. The proposed regulations do nothing to change this, but instead provide justification for the Board to continue its past practices. If the legislature had intended the Board to continue its practices unchanged, it would not have made changes in the language of the law governing parole procedures.

A fair parole system, made transparent with a set of regulations that ensure accountability of the Board to a process of evaluation, would make our communities more, rather than less, safe. The starting point for such a parole system would be regulations that create a transparent, process for evaluating the parole applicant's readiness for re-entry as demonstrated by the totality of his or her accomplishments, achievements, record, and performance, instead of the punitive model of "re-sentencing" based on the factors that never change.

Many of NYSPJN's members are survivors/victims of crime who find that the voices of victims who call for restorative solutions to violence are not heard, while the voices of victims who call for more punishment are used as justification for an agenda of endless incarceration. Survivors of violence from the communities most negatively impacted by mass incarceration need community-based preventive and rehabilitative solutions, which are short-circuited by the reliance on incarceration. A fair parole system would help to make those alternatives possible, while restoring community stability by returning our elders and other family members to their roles as mothers and fathers, brothers, sisters, wage-earners, and contributing members of our communities.

Sincerely yours,

Naomi Jaffe, for the Steering Committee of the New York State Prisoner Justice Network