



**New York City Council
Committee on Aging
Chair, Council Member Hudson
Committee on Criminal Justice
Chair, Council Member Rivera
February 17, 2023**

Oversight - Justice in Aging – Reentry Issues for Older New Yorkers

My name is Brianna Paden-Williams and I am the Communications and Policy Associate at LiveOn NY. Thank you for the opportunity to testify.

LiveOn NY's members include more than 110 community-based nonprofits that provide core services which allow all New Yorkers to thrive in our communities as we age, such as older adult centers, home-delivered meals, affordable senior housing, NORCs, and home care. LiveOn NY is also home to the Reframing Aging NYC Initiative, part of the national Reframing Aging Initiative aimed to counteract ageism and improve the way policymakers, stakeholders, and the public think about aging and older people. With our members, we work to make New York a better place to age.

Background

The number of people in New York State prisons has been declining, however, the proportion of older people in prison continues to rise with one in every four incarcerated people in prison 50 and older. Unfortunately, when formerly incarcerated older adults are released from prison and re-enter into the community, they are often faced with unique challenges with many released in their later years. It's evident that people in prison age at an accelerated rate because of harmful and unhealthy prison conditions, including stress, separation from loved ones, poor nutrition, substandard and inaccessible health care, staff brutality, disabling environments, and more.

New York has a moral and fiscal crisis of aging and dying in prisons due to decades of extremely harsh sentencing and a racially biased parole system that does not adequately create space for redemption, personal transformation, healing, and safety. The grave injustice of mass incarceration extends beyond the harm inflicted on individual people in prison. Tens of thousands of families across our state are missing one or more loved ones: children, parents, grandparents and great-grandparents. Furthermore, New York spends an average of \$60,000 annually to incarcerate just one person, and between \$100,000 and \$240,000 annually per older adult in prison. This is money that should instead be invested in resources that deliver real community health and safety.



Making New York a better place to age

Approximately 1,000 people have already died in New York prisons in the last decade and another 1,000 are likely to die behind bars in the coming years with no hope of release, no matter how much they have done to improve themselves and regardless of whether they pose a risk to public safety.

It's time for the City to address elder parole as an aging issue with an older adult population re-entering into community, looking to move forward in their lives. At LiveOn NY, we believe no one is disposable, nor should anyone be defined by the worst thing they've done. Further, we believe in redemption and transformation. We believe in families, communities, and collective care.

To address the issues of elder parole, LiveOn NY is proud to offer the following recommendations:

Recommendations

The City should look to broad and fund collaboration with community-based organizations such as Osborne Association that have the expertise and programming to provide resources and tools to individuals, families and communities impacted by the criminal justice system and provide support for the re-entry into community.

Remove barriers to access affordable housing for formerly incarcerated older adults The housing crisis in New York City is particularly acute for older adults as many rely on fixed incomes, making it difficult to afford the rent while other costs rise. For formerly incarcerated older adults, finding affordable and accessible housing is an added challenge with many landlords discriminating against older adults on parole through routine background.

Work with HPD to make older adult affordable housing a key priority to relieve the over 200,000 waitlist for older adults seeking affordable housing. LiveOn NY's own research has found that there are more than 200,000 older adults languishing on waiting lists for affordable housing through the HUD 202 program, each waiting for 7-10 years on average for a unit to become available. This challenge is mirrored by the thousands of applications that come flooding in each and every time a new affordable senior housing lottery opens on Housing Connect. To address this, LiveOn NY recommends the City increase capacity of affordable older adult housing that would relieve one of the largest hurdles for older adults returning to community after incarceration.

Create space through support for community building and cure violence programs for formerly incarcerated older adults to contribute to their communities. Upon release, formerly incarcerated older adults often make important contributions to their communities, including by interrupting gun violence, mentoring young people, and ultimately promoting community safety. In addition, LiveOn NY also recommends **the City expands competent mental health and social services for formerly incarcerated older adults, especially for individuals who have experienced long-term incarceration.**

Furthermore, LiveOn NY strongly supports the passage of Resolution 241-A, which calls for the passage of the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035)



Making New York a better place to age

First, LiveOn NY shares our deep appreciation to Council Member Hudson, Chair of the Committee on Aging, for her leadership in introducing Council Resolution 241-A. In addition, we thank Chair Rivera for her support of in holding this hearing, and we thank the 17 Council co-sponsors who have called for the State to pass the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035) and joined in making this Resolution a priority.

It is time that New York reform its parole system to provide hope for families across this state by passing Elder Parole (S2423/A2035). If passed, this bill would make eligible for individualized parole consideration people in prison aged 55 or older who have served at least 15 years. It is not a “blanket release” policy. Rather, it gives older individuals who have transformed themselves an opportunity to demonstrate their moral character before the Board of Parole and, subject to the Board’s discretion, to be released to their families and communities to live out their final years with dignity.

Secondly, we encourage the City Council to support the passage of the Fair & Timely Parole Act (S2423/A2035) to ensure that individuals have a fair and meaningful opportunity to demonstrate their rehabilitation and be released. This bill would provide more meaningful parole reviews for incarcerated people who are already parole eligible by altering the standard of parole to center release determinations not on the original crime but on the person’s rehabilitation while incarcerated and their current risk of violating the law. This bill will not take away parole commissioners discretion and still requires that the Board consider the nature of someone’s crime and victim impact statements in their release decisions.

Thank you for the opportunity to testify.

Testimony provided by Brianna Paden-Williams, Communications and Policy Associate at LiveOn NY For questions, please email bpaden-williams@liveon-ny.org

LiveOn NY’s members provide the core, community-based services that allow older adults to thrive in their communities. With a base of more than 100 community-based organizations serving at least 300,000 older New Yorkers annually. Our members provide services ranging from senior centers, congregate and home-delivered meals, affordable senior housing with services, elder abuse prevention services, caregiver supports, case management, transportation, and NORCs. LiveOn NY advocates for increased funding for these vital services to improve both the solvency of the system and the overall capacity of community-based service providers.

LiveOn NY also administers a citywide outreach program and staffs a hotline that educates, screens and helps with benefit enrollment including SNAP, SCRIE and others, and also administers the Rights and Information for Senior Empowerment (RISE) program to bring critical information directly to seniors on important topics to help them age well in their communities.