



New York State
**PUBLIC EMPLOYEES
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OPPOSE

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A. 5493-B (Mosley)/

S. 1343-C (Benjamin)

The New York State Public Employees Federation, representing 53,000 Professional, Scientific, and Technical workers of New York State, opposes this legislation.

This legislation would amend the Executive Law and the Penal Law in relation to the revocation of community supervision. The bill, known as “less is more,” dramatically changes the current law as it relates to community supervision. As written, the bill would make it virtually impossible for parole officers to do their jobs. More specifically, the proposal removes all meaningful consequences for bad actors, ties the hands of parole officers and makes it much harder for them to help parolees transition back into society. With the number of violent crimes on law enforcement personnel on the rise, the timing of this proposal could not be worse.

^ This bill takes those fundamental terms and conditions of parole, which is essentially a contract between the parole officer and the parolee with expectations, rules and consequences, and wipes out all of the consequences. Eliminating the potential sanctions levied against parolees for violating the terms of their parole hurts the rehabilitation process, reinforces negative behaviors and potentially puts the community at risk.

As written, the bill language makes it virtually impossible to incarcerate anyone for violating one of the few violations deemed significant enough to merit re-incarceration (i.e., testing positive for alcohol or non-prescribed drugs or controlled substances, failing to report, and failing to notify of a change in address).

Instead of building on the premise that parole officers serve to guide, support and help parolees transition back to society and protect the public, this legislation relies on the faulty premise that our jails and prisons are full of parolees sent back by overzealous parole officers because of technical violations to their terms of parole. The bill sponsors wrongfully assume that parole officers’ principle goal is to lock people up instead of focusing on all of the things that they do to help parolees safely reintegrate back into the

community.

Further, the bill sets new procedures and new evidentiary standards for the violation hearing process. Violators are entitled to multiple hearings, in a trial court, with attorney representation (private attorneys, public defenders and 18-b lawyers). The bill makes no mention of who will be paying for the thousands of hearings that will occur or how our already overcrowded courts will handle the influx of parole cases.

This bill, while well intentioned, is certainly not well thought out. We urge the sponsors to meet with all of the stakeholders to craft a product that will better serve parole officers, parolees, and communities in which they work and live.

For these reasons, the Public Employees Federation urges you to oppose this legislation.

For more information, please contact:
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