

STATEMENT IN SUPPORT OF PROXIMITY BILL S724A/A6710A BECOMING LAW
Bringing Children and Their Incarcerated Parents Closer Together

July 31, 2020

Dear Governor Cuomo,

Representing diverse organizations, groups, and faith-based communities providing services and advocacy throughout New York State, we ask that you sign into law **Proximity bill S724A/A6710A** (Senator Montgomery, Assemblymember Rozic) that would require the New York State Department of Corrections and Community Supervision (DOCCS) to place incarcerated parents in facilities close to their children. For most children, visiting reduces trauma and supports their well-being and is also associated with benefits for corrections, incarcerated individuals, and public safety. This bill was passed by large margins in both the Senate (49-11) and Assembly (136-6), and tens of thousands of children are counting on you to sign the bill into law.

An estimated 80,000 children have parents in New York state prisons. Most of these children want and need contact with their parents during the period of incarceration. Yet distance is the most frequently stated barrier to visiting among children, caregivers, and child welfare staff. A majority of New York's prisons are in remote areas and inaccessible by public transportation. Current placement policy includes bringing an incarcerated person closer to home only as he or she nears his or her release date—a practice that runs counter to research demonstrating that **maintaining or strengthening ties between incarcerated parents and their children is critical in preventing recidivism, promoting lasting reentry, and improving parent-child relationships post-release.**

The proximity legislation does not involve a new budget allocation; in fact, it offers potential cost savings to DOCCS and other state agencies. This means that over time, the nominal costs incurred by DOCCS associated with transferring currently incarcerated parents would be more than offset by the financial benefits that would result from reduced recidivism rates that are associated with visiting.¹ Additionally, DOCCS transports thousands of individuals, who often stay in local jails at the State's cost (jails have a higher daily rate than prisons), to Family Court hearings that take place in the family's county of origin. These are costly and preventable practices. Further, local Departments of Social Services are legally mandated to facilitate visits between many children in foster care and their parents – incurring unnecessary costs when parents are placed in prisons far from a family's county of origin. By improving children's access to their parents, thereby mitigating trauma, potential cost savings are anticipated for state and local agencies that provide health, mental health, special education, child welfare, and juvenile justice services.² The bill allows DOCCS one full year to implement so compliance will not be burdensome.

The Proximity bill originated with a young woman named April who shared with Senator Montgomery that she could not see her mom due to distance, hundreds of miles and a 10 hour drive. This was 9 years ago. April and so many children have been waiting a long time for this bill to become law. Signing this bill into law promotes efficient, sound and cost-effective re-entry and public safety policy while also supporting the well-being of April and tens of thousands of other children whose parents are in NY State prisons. Visiting is a lifeline for children and families and we call on you to show your support and sign bill S724A/A6710A immediately.

¹ Duwe, G. & Clark, V. (2013). Blessed Be the Social Tie That Binds: The Effects of Prison Visitation on Offender Recidivism. Criminal Justice Policy Review.

² Parental incarceration is an “adverse childhood experience” (ACE), a measure of childhood trauma developed by the Centers for Disease Control and Prevention. Exposure to multiple ACEs is associated with long-term negative health outcomes.

Thank you for your consideration, *[We've included orgs who signed onto previous letters of support for this bill. If you do NOT wish to be on this letter, please contact Allison at ahollihan@osborneny.org ASAP. If we don't hear from you we will assume you wish to sign onto this letter.]*

1. Alliance of Families for Justice
2. Beacon Prison Rides/Beacon Prison Action
3. Bronx Defenders
4. Brooklyn Defender Services
5. Bronx Clergy Criminal Justice Roundtable
6. Bronx Christian Fellowship
7. Buffalo Urban League
8. Capital Area Against Mass Incarceration, Albany
9. Center for Alternative Sentencing and Employment Services, CASES
10. Center for Community Alternatives, NYC and Syracuse
11. Center for Employment Opportunities
12. Center for Family Representation
13. Challenging Incarceration
14. Child Center of NY
15. Children's Defense Fund-New York
16. Children's Haven, Bronx
17. Citizen Action of New York
18. Coalition for Women Prisoners
19. Concerned Clergy for Choice
20. Council of Family and Child Caring Agencies, NYS
21. College and Community Fellowship
22. Common Justice
23. Community Health Center of Buffalo
24. Community Service Society
25. Community Connections for Youth
26. Correctional Association
27. EAC Network
28. Echoes of Incarceration
29. Exalt Youth
30. Families, Fathers, and Children
31. Fortune Society
32. Gods Battalion of Prayer, Brooklyn
33. Graham Windham
34. Greater Hudson Initiative for Children of Incarcerated Parents
35. Greater Hudson Promise Neighborhood
36. Greenburger Center for Social and Criminal Justice
37. Hindu Temple Society of North America
38. Hour Children
39. HousingPlus
40. JCCA
41. Just Leadership USA
42. Justice and Unity for the Southern Tier
43. Lawyers for Children
44. Legal Action Center
45. The Legal Aid Society
46. Mott Haven Children of Incarcerated Parents Initiative
47. Mental Health Association of NYS
48. Mt. Vernon Heights Congregational Church
49. New Hope Christian Fellowship, Brooklyn
50. New Hour, Long Island
51. New York Board of Rabbis
52. NYCLU Capital Region Chapter
53. New York Civil Liberties Union (NYCLU)
54. New York Initiative for Children of Incarcerated Parents
55. New York State Council of Churches
56. New York State Permanent Judicial Commission on Justice for Children
57. New York State Prisoner Justice Network, Albany
58. New York State Zero to Three Network
59. Not On My Watch NYC
60. The Osborne Association
61. Prison Action Network
62. Prisoners Are People Too
63. Project Attica
64. Release Aging People in Prison
65. Repair the World
66. Speak Ya' Truth
67. St. James' Church, NYC
68. STEPS to End Family Violence
69. Unchained, Syracuse

70. Unitarian Universalist Congregation
at Shelter Rock, Manhasset
71. Urban Justice Center
72. VOCAL NY
73. Volunteers of Legal Service (VOLS)
74. We Got Us Now
75. Western New York Peace Center,
Buffalo
76. Women 4 Women
77. Women's Community Justice
Association
78. Women and Justice Project
79. WORTH (Women on the Rise Telling
HerStory)
80. Youth Represent
81. Worth Rises