

On a Mission for the Formerly Incarcerated

On May 12, more than one hundred New Yorkers boarded two buses for the three hour ride to Albany to engage legislators in discussions to resolve many of the problems faced by those seeking to leave prison and those who have left and are trying to succeed in the outside world. This was the third annual Albany Advocacy Day, led by Gabriel Torres-Rivera, who has for the last three years spearheaded this mission – to open the doors for a better life for the formerly incarcerated.

Advocacy Day was created by the New York Reentry Roundtable, under the leadership of Torres-Rivera, Community Service Society (CSS) Director of Reentry Initiatives, who knows first-hand the barriers faced by the formerly incarcerated as they prepare to leave prison with the hope of finding employment, housing, health care and a better life than the one they left behind.

This nation's criminal justice system magnifies the problems of the poor. Poor people live in neighborhoods more frequently trolled by law enforcement; they remain in jail when they can't afford bail; and they have fewer resources to fight a criminal charge. Once convicted, they suffer decreased employability, ineligibility from public housing and educational loans, and reduced civic involvement.

In 2005, CSS formed the New York Reentry Roundtable - a monthly discussion group for community-based advocates and the formerly incarcerated - to address the obstacles faced by those who are released from prison. The Roundtable focuses on impacting systemic change at the state level through a legislative agenda.

Here are a sample of current Roundtable proposals that address costly and ineffective sentencing policies and counterproductive obstacles faced by formerly incarcerated individuals. Adopting them would not only save money, but would bring policies into line with the goal of sentencing added to the state's Penal Law in 2006: "Promotion of successful and productive reentry and reintegration into society."

Census Count

The Roundtable supports legislation that would ensure that people in prison are counted by the Census in their home communities. According to the Prison Policy Initiative, one out of every three persons who moved to upstate New York in the 1990's was actually going to a newly constructed prison. Counting these people as "residents" of prison districts where they do not benefit from services and cannot vote undermines democracy.

Such a skewing of the population count produces greater representation upstate while robbing New York City of its accurate number of representatives in Congress and the state legislature, as well as of millions in federal funds which are often distributed according to population figures. It has the effect of disenfranchising many neighborhoods of color in the city, such as Central Harlem, Bedford-Stuyvesant, the South Bronx, and Jamaica, Queens – neighborhoods which are home to many of the incarcerated.

Access to Education

The Roundtable supports expanding access to higher education for incarcerated individuals as well as for those who have returned home. New York State used to have a program where prisoners could access higher education. It was ended by Governor Pataki in the 1990's. This was a shortsighted move. Education helps to prepare an individual to develop the skills needed for a successful livelihood. Higher education programs in prisons have demonstrated that students become role models within the prison and after release. Their rates of recidivism are much lower than those released without exposure to educational programs, leading to the overall health of our communities.

Without an adequate education – and with a criminal record – there is little chance for recently released individuals to succeed in the outside world. Many are unable to secure employment and, as a result, are at-risk of engaging in activities that will result in further imprisonment. The lack of economic opportunity traps people in an endless cycle. Education is the key to opening up opportunities that can break the cycle.

Removing Job Prohibitions

The Roundtable supports removing the blanket prohibition on individuals with criminal records working in establishments with liquor licenses. Restaurants, arenas, and convention centers – all of which sell alcoholic beverages – are a source of thousands of entry-level jobs in New York State. This is just one instance of blanket prohibitions in employment that makes no sense. Employers should be allowed to consider job applicants on a case-by-case basis, and to make individualized determinations about hiring.

Merit Time

The Roundtable supports the extension of Merit Time release eligibility to domestic violence survivors incarcerated for committing violent crimes. The link between domestic violence and women’s pathways to prison is undisputed: 75 percent of incarcerated women have suffered severe physical violence by a spouse or partner. Many were convicted of violent crimes that arose directly or indirectly from the abuse they experienced. They have been punished twice – first when society failed to protect them and again when they were sent to prison. This law will extend eligibility to earn merit time release to these survivors.

There are other Roundtable legislative initiatives that Advocacy Day participants discussed in Albany. All of them are consistent with recommendations of the New York State Bar Association, the Independent Committee on Reentry & Employment, and the Coalition for Criminal Justice Reform’s *Blueprint for Criminal Justice Reform*.

Last year, three pieces of legislation that were supported by the Roundtable were passed into law. Earlier this year, the state reformed Rockefeller-era drug sentencing laws, changes that were supported by the Roundtable. We expect that its level of success will increase in the future. The winners will be not only the formerly incarcerated and their communities, but all New Yorkers who will benefit from a lower crime rate, more people gainfully employed, and the saving of millions in costs for incarceration and recidivism.

Join the discussion on how we can improve the lives of low-wage workers by making your voice heard on our Turnstile blog at <http://turnstile.cssny.org/turnstile/>.

David R. Jones is president and CEO of the Community Service Society (CSS), the leading voice on behalf of low-income New Yorkers for over 160 years. The views expressed in this column are solely those of the writer. The Urban Agenda is available on CSS’s website: www.cssny.org.

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