

THE LEGAL AID SOCIETY

Justice in Every Borough.

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Contact:

Redmond Haskins
The Legal Aid Society
(929) 441-2384
rhaskins@legal-aid.org

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After Bombshell Report Detailing Extraordinary, Unnecessary Costs of Incarcerating New Yorkers on Non-Criminal Technical Parole Violations, Legal Aid Calls on Albany to Enact the Less Is More Act Immediately

(NEW YORK, NY) – The Legal Aid Society, in response to a bombshell [report](#) issued today by the Justice Lab at Columbia University and The Independent Commission on New York City Criminal Justice and Incarceration Reform (Lippman [Commission](#)) [detailing the enormous costs](#) of incarcerating New Yorkers on non-criminal technical parole violations, called on Albany to enact the Less Is More Act. This critical legislation would streamline parole supervision by eliminating incarceration for most minor noncriminal violations, requiring prompt judicial review of parole violation charges, placing caps on revocation sanctions, and providing a path to earned discharge from supervision.

The report, The Enormous Cost of Parole Violations in New York, reveals that incarcerating people for technical parole violations costs New York taxpayers over \$680 million — \$319 million of which is paid by the state, \$91 million by New York counties, and \$273 million by New York City — without meaningfully contributing to public safety.

The report also calls on Albany lawmakers to pass this session the Less Is More Act, which is backed by seven District Attorneys, the New York State Association of Counties, and over 220 organizations throughout New York State.

“Every year, thousands of Black and Latinx New Yorkers are sent back to prison for technical violations of parole. Their lives are upended, their families are torn apart and they face serious risk of contracting COVID-19 in prison, all because they missed an office report or tested positive for

marijuana,” said **Lorraine Mc Evilly, Director of the Parole Revocation Defense Unit at The Legal Aid Society.** “This does absolutely nothing to further public safety, only perpetuating the cycle of reincarnation while costing our cash-strapped state almost \$700 million in the process. The Legal Aid Society calls on Governor Cuomo, Senate Majority Leader Stewart-Cousins and Assembly Speaker Heastie to enact the Less Is More Act now.”

Background

New York State incarcerates people found to have committed technical parole violations more than any other state in the country, except for Illinois. Such violations often include failing to report to a parole officer, failing to update contact information with parole, and failing a marijuana test, among other non-criminal acts.

Unlike in the criminal court context, where bail is available following arrest, when someone is charged with committing a technical parole violation, their incarceration is mandatory and they’re held in jail until their parole revocation hearing takes place.

This often leaves Legal Aid clients incarcerated at Rikers Island or another City jail for weeks and months at a time. This mandatory detention tears clients from their families, their homes, their employment and community-based health care. Three New Yorkers incarcerated locally have succumbed to the virus since March.

Two of those persons were incarcerated for technical parole violations. According to a recent report from Columbia University, while the number of New Yorkers incarcerated pretrial and on City sentences have declined in recent years, the number of people incarcerated on technical parole violations remains stubbornly high.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org