

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

*****FOR IMMEDIATE RELEASE*****

On the One-Year Anniversary of Legal Aid Client Michael Tyson's Passing from COVID-19 at Rikers Island, Defenders Call on Albany to Enact the Less Is More Act Immediately

Tyson was Incarcerated on a Non-Criminal Technical Parole Violation for Failing to Report to his Parole Officer

Pending Statewide Legislation Would Eliminate Incarceration for Most Minor Non-Criminal Technical Parole Violations

(NEW YORK, NY) – The Legal Aid Society called on Albany to enact the Less Is More Act on the one-year anniversary of Legal Aid client [Michael Tyson's passing](#) from COVID-19 while he was incarcerated at Rikers Island based upon a non-criminal technical parole violation for failing to report to his parole officer.

The Less Is More Act would streamline parole supervision by eliminating incarceration for most minor non-criminal violations, requiring prompt judicial review of parole violation charges, placing caps on revocation sanctions, and providing a path to earned discharge from supervision.

“Thanks to New York’s antiquated and draconian parole laws, Mr. Tyson spent his final days confined to a cage, incarcerated on a non-criminal matter at Rikers Island,” said **Tina Luongo, Attorney-in-Charge of the Criminal Defense Practice at The Legal Aid Society**. “New York incarcerates people found to have committed technical parole violations more than any other state in the country, except for Illinois. It is time to end this practice in New York State, and we call on Albany to enact the Less Is More Act at once.”

As of March 31, 2021, [294 New Yorkers](#) were detained by the New York State Department of Corrections and Community Supervision (DOCCS) at Rikers Island on a technical parole violation.

The Less Is More Act has the support of both public defenders and [law enforcement alike](#).

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 involve the most minor infractions, such as 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.

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

Lastly, the Justice Lab at Columbia University and The Independent Commission on New York City Criminal Justice and Incarceration Reform (Lippman Commission) recently released a [report](#), The Enormous Cost of Parole Violations in New York, which revealed 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.

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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 145 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