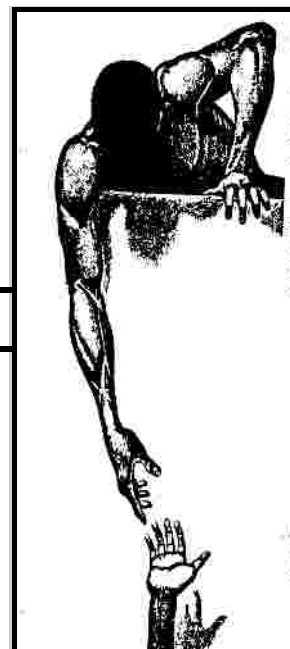


CURE-NY *Newsletter*

To Reduce Crime and Uplift Society

Summer, 2009

Published by the New York Chapter of CURE, *Citizens United for the Rehabilitation of Errants*
Po Box 1314, Wappingers Falls, 12590 cureny@bestweb.net, www.bestweb.net/~cureny



“He Ain’t Heavy”
by Gilbert Young

The Beginning of the End of the Rockefeller Drug Laws

On Friday, March 27, Governor David Paterson, Senate Majority Leader Malcolm Smith, and Assembly Speaker Sheldon Silver announced a deal to significantly reform the harsh Rockefeller Drug Laws.

This law will restore judicial discretion for broad categories of first and second time drug offenders and is expected to allocate \$70 million in additional funding for alternatives to incarceration and drug treatment programs in prison and in the community.

The Correctional Association’s decades of work on the issue were central in bringing about these proposed reforms. This deal comes less than three weeks after the CA’s Drop the Rock Advocacy Day in Albany—where advocates delivered 30,000 petitions calling for repeal to Paterson, Silver and Smith—and only two days after a rally calling for the end of the Rockefeller Drug Laws outside of the Governor’s New York City office. Sources tell us that the night before the recent demonstration, members of Governor Paterson’s staff were asking legislative negotiators “Can we make a deal before the rally?”

This agreement represents a breach in the mandatory sentencing wall and marks the beginning of the end of the Rockefeller Drug Laws. It is a significant victory for the CA and other advocates and for justice. But our work is not done: Mandatory sentencing provisions remain on the books that will continue to catch in their net large numbers of low-level drug offenders who will face

lengthy prison terms. The main criterion for guilt remains the weight of drugs found on people at the point of arrest, not their role in the transaction, a provision that will likely perpetuate the disproportionate policing of New York’s low-income communities of color, where drugs are generally dealt on the street and it is easier to make arrests. Only about 1,500 of the nearly 12,000 people currently incarcerated under the laws would be eligible for retroactive resentencing.

The C A’s Drop the Rock campaign will continue to organize, educate New Yorkers, and use public pressure to urge Governor Paterson and legislative leaders to restore individualized justice in all drug cases.

Second Chance Act Prisoner Reentry Initiative

Grants under the Second Chance Act, finally funding the creation of more reentry services, will soon be awarded, creating more reentry services.

The Second Chance Act of 2007 provides a comprehensive response to the increasing number of people who are released from prison and jail and returning to communities. There are currently over 2.3 million individuals serving time in our federal and state prisons, and millions of people cycling through local jails every year. Ninety-five percent of all prisoners incarcerated today will eventually be released and will return to communities. The Second Chance Act will

help ensure the transition individuals make from prison or jail to the community is safe and successful. Section 101 of the Act authorizes grants to state and local governments and federally recognized Indian tribes that may be used for demonstration projects to promote the safe and successful reintegration into the community of individuals who have been incarcerated.

Allowable uses of funds to enhance a successful transition from incarceration to the community may include pre-release assessment and case planning, mentorship, housing, education, substance abuse treatment, mental health treatment, services to enhance family reunification, job training and readiness, and post-release case management and supervision. As required by the Second Chance Act, demonstration projects must have as a goal the reduction of recidivism by 50 percent within a five-year period.

Target Population

The target population for the initiative must be of individuals aged 18 and older, convicted as an adult and imprisoned in a state, local, or tribal prison or jail. Applicants must identify and define the specific subset of offenders, or combination of subsets, that are proposed to be the target population. Priority consideration will be given to grant applications that:

Focus their program on geographic areas with a disproportionate population of offenders released from prisons or jails.

Include input from nonprofit organizations, in any case where relevant input is available and appropriate, consultation with crime victims and offenders who are released from prisons and jails and coordination with families of offenders.

Use validated and dynamic assessment tools at intake to determine the risk and needs of offenders, demonstrate effective case assessment and management abilities to provide a comprehensive and continuous reentry process, including, but not limited to,

planning while offenders are incarcerated, pre-release transition housing, establishing pre-release planning procedures to ensure eligibility of an offender for federal or state benefits upon release, ensuring that offenders obtain all necessary referrals for reentry services, and delivery of continuous and appropriate drug treatment, medical care, job training and placement, educational services, or any other service or support needed for successful reentry.

Provides for a review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison or jail, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law).

Provides for an independent evaluation of the reentry process.

Target high-risk offenders for participation in the reentry process through validated assessment tools.

Amount and Length of Awards

Awards under the initiative will be for a period of 12 months. A grantee may be eligible for continued funding for an additional two years contingent upon the availability of funds and demonstration of adequate progress toward meeting established goals of the program. Contingent upon the availability of funds and the number of offenders projected to be served, awards of up to \$750,000 will be made.

Merit Time Effort Strengthens

Debbie Bozydaj

This is to inform all interested organizations, individuals, and families with loved ones incarcerated in the NYS DOCS, that we of CRJ (Citizens for Restorative Justice), have retained Ed Wassermann to lobby for Merit

Time legislation that includes most lifers, long-termers and all others who complete department programs and maintain a good institutional record, with up to 1/3 off their minimum sentences.

As president of CRJ, I will be in contact with Mr. Wassermann as to the status of Merit Time legislation. As I receive information from him, I will share it with you. We will follow his lead as to when and who we should contact as far as legislators go. Many of you already know Ed or at least know of the work he's done, especially with 259J. We need a united front. We have been advised that breaking into small groups is counter-productive and confusing to those in Albany. If you have issues or suggestions, forward them to me and I will bring them up with Ed.

There is no crystal ball to tell us the outcome of our efforts, but this is the best chance of finally getting real Merit Time reform for most lifers and long-termers. We have retained Ed for a four month period beginning June 1st.

If you know of any organizations or individuals that should be on this with us, please forward this information to them. Also, if you have any questions or concerns, please contact me at the address below.

If you would like to make a contribution to help in our efforts please send your donation to:

CRJ, P.O. Box 581, New Paltz, NY 12561

We look forward to working together on Merit Time reform. Thanks to all.

Life Without Parole

Michael Amuso

In the last decade the number of prisoners doing life has doubled. People who are sentenced to "life without parole", like myself, will be incarcerated for the rest of their natural lives with the only way out being in a coffin.

The law-makers tell people that they have done away with the death penalty, however that is exactly what life without parole is...an in-house death sentence. Prisons are supposed to be for rehabilitation, not to condemn people for the rest of their lives. Nobody knows if or when a person will change their life and their ways. Give us a chance and a reason to be motivated enough to better ourselves. If we know that we will have a chance to re-enter society, we will prepare ourselves for a productive life. Don't just lock us up, throw away the key and forget about us.

The organization "Campaign to End the Death Penalty" is trying to raise awareness and get people to sign a petition to fight these harsh sentences. If you are interested, please contact them at C.E.D.P., St. Mary's Church, 521 W. 126th St., New York, NY, 10027. We need your support.

Remember, if you don't stand for something, you will fall for anything. Peace!

Data show minority juveniles arrested more often

From a story By MICHAEL VIRTANEN. AP

With data showing black and Hispanic juveniles in New York arrested, detained and confined to custody far more often than whites, state officials are looking for ways to reduce that disproportion.

Data show minority children statewide are arrested almost twice as often as whites, are six times likelier to be detained awaiting trial and are five times likelier to be confined to custody afterward, according to New York's Division of Criminal Justice Services

The disparity is larger in New York City, the state Office of Children and Family Services said 6,984 black and 3,966 Hispanic youths were arrested in 2006, compared with 966 white juveniles.

At the symposium, Barry Krisberg of the

CURE-NY
The New York Chapter of National CURE
Citizens United for the Rehabilitation of Errants
PO Box 1314.
Wappingers Falls, NY 12590

Non Profit
Organization
US Postage
PAID
Albany, NY
Permit No.
217

Please fill in and mail this membership application to: CURE-NY, PO Box 1314, Wappingers Falls, NY 12590.

Yours Name _____
Address _____
City, State & Zip Code _____
Phone _____
E-mail _____
Fax _____

Please check type of membership and Annual Dues.

Incarcerated person	\$ 2.00	Sustaining	\$ 50.00
Basic	\$ 10.00	Life	\$ 100.00
Family	\$ 20.00	Benefactor	\$ 500.00

National Council on Crime and Delinquency said subtle, unrecognized bias is part of the problem.

Civil rights advocates called earlier for more detailed collection and public disclosure of data from every public agency in New York, including police and courts, on juvenile arrests and processing with information on race, gender, geography and offense.

"Our white client base is almost none," said Tamara Steckler, attorney with the Legal Aid Society's Juvenile Rights Practice in New York City. She said family court was once meant to divert youths from the criminal justice system, calling it now "a social experiment that has failed miserably."

The most common charges on which minority juveniles are arrested are misdemeanors like shoplifting, graffiti,

school fights and trespassing, where police have discretion not to make arrests, said Mishi Faruqi, director of the Youth Justice Program for the Children's Defense Fund-NY. "It's very much about police practices," she said.