

NEW YORK STATE CRIMINAL JUSTICE LAWS

Elected officials make decisions that affect criminal justice issues. By voting, you can have a say in who's making those decisions.

<p>1994 Federal Three Strikes Law Mandatory life sentence with three federal convictions for serious violent felonies or crime related to drug trafficking</p>	<p><i>U.S. Senate and House of Representatives</i> voted for and President Bill Clinton signed</p>
<p>1994 New York State Law Mandatory life sentence without possibility of parole when convicted four times for a crime of violence</p>	<p><i>NYS Senate and Assembly</i> voted for and Governor Mario Cuomo signed</p>
<p>2015 New York City – ‘Ban the Box’ Fair Chance Lawⁱ Prohibits employers from asking about criminal history or conducting a background check until a conditional job offer is made</p>	<p><i>NYC Council</i> voted for and Mayor Bill De Blasio signed</p>
<p>2017 New York State Raise the Ageⁱⁱ 16 and 17 year olds no longer automatically prosecuted as adults</p>	<p><i>NYS Senate and Assembly</i> voted for and Governor Andrew Cuomo signed</p>
<p>2019 New York State Bail Reformⁱⁱⁱ Money bail and pretrial detention eliminated for nearly all misdemeanor and nonviolent felony cases New York State Decriminalization of Marijuana^{iv} Possession is illegal: under 2 ounces is a violation and over 2 ounces is a misdemeanor</p>	
<p>2020 Pending Legislation^v <u>Increase Protections for Juveniles Interrogated by Police:</u> Require those arrested under 18 to consult with a lawyer before being interrogated by law enforcement <u>Expand Youthful Offender Protections to Age 21:</u> A youthful offender's (16-19) record is automatically sealed and does not have to be reported on college or job applications. <u>Elder Parole:</u> Incarcerated people 55 years old immediately eligible for parole if they have served at least 15 years in prison <u>Fair and Timely Parole:</u> Change standard for parole from the original crime to center on rehabilitation while in custody <u>Restoring Voting Rights:</u> Allow people incarcerated in NYS to vote in elections in the city, town or county they lived in before their arrest <u>End Lifetime Felony Ban on Jury Duty:</u> Allow convicted felons who served their entire sentences, parole or supervision to participate in jury duty</p>	<p><u>Required Steps</u> Agree on bill language by NYS Senate and Assembly Vote by majority of members of the NYS Senate and Assembly Sign into law by the Governor</p>

Other Youth Justice Issues^{vi}

End Prosecution of Children Under 12: Change the law that allows children as young as 7 to be arrested and prosecuted as juvenile delinquents in NYS and children under 12 subject to police questioning, pre-trial detention, probation and mandatory confinement.

Solitary Confinement for Youth: Change the law that allows sentenced youth to be held in isolation for 18 to 22 hours a day.

Expand Protections for Young Adults: Expand young adult offender status to age 25 allowing the opportunity to not have a lifelong criminal record and mandatory prison sentences.

End the Adult Incarceration of Youth: Change the law so adolescent offenders can be sentenced to secure Office Of Children and Family Services facilities not a prison for adults.

Requires advocacy: talking to legislators, asking for public hearings and pushing for legislation to amend existing criminal justice law.

ⁱ <https://cjei.cornell.edu/legal-rights/ban-box-laws/new-york-new-york-city-ban-box-law>

ⁱⁱ <http://ww2.nycourts.gov/ip/oji/raisetheage.shtml>

ⁱⁱⁱ <https://www.courtinnovation.org/publications/bail-reform-NYS>

^{iv} <https://www1.nyc.gov/site/nypd/about/about-nypd/policy/marijuana-law.page>

^v <https://brooklyneagle.com/articles/2020/01/01/what-to-look-for-in-criminal-justice-reform-in-new-york-in-2020/>

^{vi} <https://raisetheagency.org/whats-next-for-new-york/>