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# The Enormous Cost of Parole Violations in New York

Independent Commission on New York City  
Criminal Justice and Incarceration Reform

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# Executive Summary

**New York State sends more people to prison for parole rules violations than any other state in the country.** In 2019, 40 percent of the people sent to New York prisons were incarcerated not for a new felony conviction, but for parole violations such as not reporting to a parole officer, living at an unapproved residence, missing curfew, or failing drug or alcohol tests. Black and Latinx people are significantly more likely than white people to be incarcerated for parole violations.

**The fiscal impact on New York state and local taxpayers is enormous.** In 2019, New York's state and local governments **collectively spent \$683 million** to incarcerate people on parole for rules violations, without evidence that this massive expenditure of resources meaningfully contributed to public safety.

- New York State spent **\$319 million** in 2019 to incarcerate people for parole rule violations in state prisons
- New York counties – excluding the five counties in New York City – collectively spent **more than \$91 million** to jail people who were accused of technical violations
- New York City spent **\$273 million** to jail people accused of technical violations

**There is a growing nationwide consensus that incarcerating people for parole rules violations does little for public safety and is often counterproductive.**

Rather than continuing to devote extensive public resources to incarcerating people for parole violations, policymakers should:

- **Reduce the number of persons reincarcerated for technical parole violations** in New York and incentivize compliance with supervision
- **Reinvest correctional savings into services and opportunities** that support successful reentry from state prisons to communities, and
- **Involve communities that are heavily impacted by parole supervision** in designing and operating services, supports and opportunities in their own neighborhoods

**New York State lawmakers have an opportunity to enact meaningful parole reform.**

There is a diverse coalition calling for parole reform, including district attorneys, sheriffs, the State and New York City Bar Associations, grassroots organizations, formerly incarcerated people, and justice reformers. The **Less Is More parole reform bill** – which is supported by nearly 240 organizations across the state as well as law enforcement officials – would significantly reduce the number of people on parole who are reincarcerated at the state and county levels.

# Introduction

New York State sends more people to prison for parole rules violations than any other state in the country.<sup>1</sup> In 2019, 40 percent of the people admitted to New York prisons were imprisoned not for a new felony conviction, but rather for parole violations such as not reporting to a parole officer, living at an unapproved residence, missing curfew, or failing drug or alcohol tests.<sup>2</sup> This is nearly three times the national average.<sup>3</sup>

Parole is run by the state government, but parole violations impact every county. New Yorkers who are accused of parole violations are automatically incarcerated in local jails, such as the notorious jails on Rikers Island in New York City. They are not eligible for bail or other release while the parole allegations are resolved by state authorities, which can take months. Since 2009, New York's counties have been required to bear the entire cost of this incarceration, without reimbursement from Albany.

On a typical day in 2019, more than 5,700 people were incarcerated in county jails and state prisons across New York because they were accused of parole rule violations.<sup>4</sup>

Incarcerating so many people for parole violations does little for public safety and is often counterproductive to the success of people who are reentering society from prison. The impact falls primarily on people of color. In New York City, for example, Black and Latinx people on parole are 12 and four times more likely to be reincarcerated for technical parole violations, respectively, than white people on parole.<sup>5</sup>

The fiscal impact on New York state and local taxpayers is enormous. As this report describes, in 2019, **New York's state and local governments collectively spent \$683 million to incarcerate people on parole for rules violations**, without any evidence that this massive expenditure of resources meaningfully contributed to public safety.

This report analyzes spending at the state and county levels, finding:

- New York State spent **\$319 million** in 2019 to incarcerate people for parole rule violations in state prisons.
- New York counties – excluding the five counties in New York City – collectively spent **more than \$91 million** to jail people who were accused of technical violations.
- New York City spent **more than \$273 million** to jail people accused of technical violations.

These staggering figures do not include county spending to incarcerate another category of people on parole: those accused of lower-level criminal charges who would likely have been released at arraignment but for the fact that the criminal charge triggered a parole warrant.

**Reforms that would reduce the number of people incarcerated for parole reasons could save significant amounts of taxpayer resources that can, and should, be put to more productive uses that help people succeed when they return from prison.**

The “A Better Way” section of this report discusses the growing national consensus towards shrinking the footprint of community supervision and making it more helpful and less punitive. It also identifies a non-exhaustive list of some of the services, supports, and opportunities that could and should be made available to those reentering our communities from prison, funded by reduced spending on incarcerating people for rules violations.

There is a diverse coalition calling for parole reform in New York State, including district attorneys, sheriffs, the State and New York City Bar Associations, grassroots organizations, formerly incarcerated people, and justice reformers. The Less Is More parole reform bill – which is supported by nearly 240 organizations across the state as well as law enforcement officials – would significantly reduce the number of people on parole who are reincarcerated at the state and county levels.<sup>6</sup> It also could serve as a model for how to address this thorny problem in other states.

## Parole Supervision in New York State

There are approximately **35,000 New Yorkers under parole supervision on any given day.**<sup>7</sup>

People on parole are required to follow a set of rules – known as parole conditions – that include regular in-person check-ins with a parole officer, living at a residence approved by parole authorities, and abiding by other restrictions such as curfews, travel limitations, and drug and alcohol testing.<sup>8</sup>

Non-criminal behavior that contravenes a parole condition is commonly known as a “technical violation.” Under state law, people accused of parole violations are automatically held in a local jail on a parole warrant issued by the New York State Department of Corrections and Community Supervision (“DOCCS”) until the allegations are resolved through an administrative process. **People who are accused of a technical violation have no opportunity for release, or even the chance to post bail, while they wait for adjudication.** Since 2009, county governments have been required to cover the cost of these jail stays, without reimbursement, even though they are initiated by state authorities.

People accused of parole violations can be held in jail for up to 105 days while their cases are adjudicated, and in some cases even longer. If a DOCCS administrative judge substantiates the parole violation at the final hearing, they can send the person on parole back to prison, require the person to attend a drug treatment program behind bars, or release the person back to the community, often after imposing additional parole conditions or programming or treatment requirements.

## Parole Incarceration by the Numbers

In 2019, an average of **1,711 people were incarcerated each day in county jails** based on an alleged technical violation: 738 people in New York City jails, and another 973 people across New York State’s other 57 counties.<sup>9</sup>

Over the course of 2019, 7,223 people were re-incarcerated in state prisons for rules violations.<sup>10</sup> As of March 31, 2019, **there were 4,293 people in state prisons for these violations.**<sup>11</sup> These figures include people who were incarcerated to receive drug treatment programming.

During the COVID-19 pandemic, the number of people held in city and county jails awaiting adjudication for technical state parole violations has fallen substantially. These reductions were primarily attributable to a March 27, 2020 decision by DOCCS to lift parole warrants for approximately 650 people accused of technical parole violations to reduce the risk of transmission in county jails and pandemic-related supervision protocols that suspended the requirement that paroled people meet in-person with their parole officers and imposed additional supervisory reviews before warrants could be issued.<sup>12</sup> In recent months, however, the number of people held in local jails for technical parole violations has risen, and it is likely that after the pandemic, technical violations will reach earlier heightened levels.<sup>13</sup>

## Parole Warrants for People Facing New Criminal Charges

While they are not the focus of this report, new criminal charges are also considered a violation of parole conditions. If a person on parole is arrested and charged with a new criminal offense, parole authorities can issue a parole warrant for the same alleged conduct. As with a technical violation, a person who is subject to a parole warrant based on a new criminal charge is not eligible for release, even if the judge in the criminal case otherwise would have released them on their own recognizance or subject to supervision, or set bail.

There are many people incarcerated in jails in New York who are charged with new offenses who are being held in jail on a parole warrant issued by DOCCS, even though they would likely have been released pretrial by a judge in the criminal case. For example, on April 30, 2019, 889 people were incarcerated in New York City jails with a new criminal charge and accompanying parole warrant – approximately 500 of whom were charged with lower-level offenses such as a violation, misdemeanor, or non-violent felony that likely would have been subject to pretrial release absent the parole warrant. And as of March 1, 2021, there were 290 people incarcerated in New York City jails on new charges with a parole warrant whose bail was set below \$20, suggesting the likelihood that the arraignment judge would have released them on their own recognizance absent the parole warrant.<sup>14</sup>

## Costs of Parole Incarceration

In addition to the human impact of incarcerating people for parole violations, the financial costs are enormous. In 2019, state and local taxpayers spent \$683 million to incarcerate people for rule violations. Without systemic reform, over a ten-year period, these costs are likely to exceed \$6.8 billion in today's dollars. They are imposed on state taxpayers, as well as taxpayers in every county in the state, as our analysis indicates.<sup>15</sup>

### New York State

On March 31, 2019, **4,293 people were incarcerated in New York state prisons for parole violations**, representing more than 9 percent of the total average state prison population of 44,334 people in 2019. The budget for the state Department of Corrections and Community Supervision for calendar year 2019 was approximately **\$3.54 billion** (based on a weighted average of the FY2019 and FY2020 budgets), amounting to an average annual cost of **\$79,879 per incarcerated person**.<sup>16</sup>

## Based on these figures, **New York State spent approximately \$319,516,000 to incarcerate people for parole rule violations in 2019.**

(To account for the possibility that the average number of people incarcerated for parole violations was lower than the March 31 “snapshot” of 4,293 people, we assume an average of 4,000 people incarcerated for parole rules violations for this calculation.)

### **Marginal Savings vs. Average Costs**

Parole reforms would likely keep thousands of people out of prison, leading to significant cost savings. The figures described above are the average cost of incarceration calculated by dividing annual spending by the average daily number of incarcerated people. Because of the fixed costs involved in operating jails and prisons (including personnel, overhead, and administration), the marginal savings from reducing incarceration are lower than the average cost of incarceration. In other words, reducing the jail or prison population by one person will reduce spending by less than the average cost of incarcerating one person.

The marginal savings from reducing incarceration increase as fewer people are incarcerated, and the savings from closing entire facilities are particularly significant.

Recent figures released by DOCCS suggest that reducing prison capacity by 1,200 beds is expected to reduce spending by \$35 million, resulting in marginal savings of \$29,000 per bed.<sup>17</sup> These figures are consistent with previous DOCCS statements that eliminating 6,650 prison beds since 2011 saves \$193 million annually.<sup>18</sup>

Using these calculations, parole reforms that reduce state prison by 2,000 people, for instance, would be expected to save more than \$58 million per year, and well over half a billion dollars over the next decade. The Vera Institute of Justice recently created an online tool to model the decarcerative impact of various parole reforms.<sup>19</sup>

## New York Counties (excluding New York City)

Each county in New York operates its own local jail, with the exception of the five counties that make up New York City, which share a combined jail system. These county jails are the initial stop for people accused of parole violations, who are incarcerated in the local jails until their parole charges are resolved by the State, without the opportunity to obtain pre-adjudication release or even to post bail.

**In 2019, the 57 non-New York City counties collectively spent more than \$91 million on incarcerating people alleged to have committed technical violations,**

based on figures from the Vera Institute of Justice derived from New York State Comptroller data.<sup>20</sup>

Albany, Nassau, Onondaga, Suffolk, and Westchester Counties spent either nearly or more than \$4 million each, while Erie spent almost \$10 million and Monroe spent \$12 million on the incarceration of people for technical state parole violations. In sum, twenty counties spent over a million dollars incarcerating people for technical state parole violations. The figures for each county are broken out in the chart below.

County	Jail Spending (Jan-Dec 2019)	Avg. Daily Alleged Parole Violators	Annual Cost Per Incarcerated Person	Cost of Jail Alleged Parole Violations
Albany	\$34,820,722	44	\$83,703	\$3,682,960
Allegany	\$6,129,257	1	\$72,967	\$72,967
Broome	\$27,691,406	13	\$62,792	\$816,299
Cattaraugus	\$7,588,529	9	\$56,211	\$505,901
Cayuga	\$9,968,187	8	\$68,746	\$549,968
Chautauqua	\$11,798,009	15	\$49,991	\$749,873
Chemung	\$9,277,682	10	\$70,285	\$702,854
Chenango	\$7,074,481	3	\$81,315	\$243,947
Clinton	\$10,300,627	15	\$58,526	\$877,894
Columbia	\$4,537,935	6	\$66,734	\$400,406
Cortland	\$7,257,521	4	\$95,493	\$381,974
Delaware	\$4,772,737	3	\$82,288	\$246,865
Dutchess	\$30,227,810	18	\$96,574	\$1,738,340
Erie	\$5,681,359	88	\$113,073	\$9,950,451
Essex	\$6,611,228	2	\$80,019	\$160,038
Franklin	\$6,188,766	6	\$81,620	\$489,720
Fulton	\$5,282,109	8	\$75,472	\$603,782



County	Jail Spending (Jan-Dec 2019)	Avg. Daily Alleged Parole Violators	Annual Cost Per Incarcerated Person	Cost of Jail Alleged Tech. Parole Violations
Genesee	\$5,282,109	7	\$50,789	\$355,526
Greene	\$4,093,133	0	\$116,946	-
Hamilton	\$6,129,257	0	\$215,939	-
Herkimer	\$27,691,406	2	\$579,349	\$1,158,699
Jefferson	\$8,269,070	12	\$64,101	\$769,215
Lewis	\$2,304,969	5	\$67,793	\$338,966
Livingston	\$7,018,813	8	\$57,531	\$460,250
Madison	\$6,458,476	6	\$71,760	\$430,565
Monroe	\$77,179,708	156	\$79,896	\$12,463,803
Montgomery	\$4,190,081	6	\$41,079	\$246,475
Nassau	\$212,664,000	34	\$207,477	\$7,054,220
Niagara	\$20,015,141	14	\$57,847	\$809,861
Oneida	\$23,624,363	35	\$68,278	\$2,389,747
Onondaga	\$71,052,447	77	\$90,628	\$6,978,365
Ontario	\$13,650,904	17	\$98,207	\$1,669,535
Orange	\$52,438,596	37	\$84,852	\$3,139,527
Orleans	\$3,347,561	6	\$57,716	\$346,299
Oswego	\$7,142,710	19	\$52,908	\$1,005,270
Otsego	\$4,712,452	4	\$87,267	\$349,070
Putnam	\$10,623,179	2	\$171,341	\$342,683
Rensselaer	\$22,846,067	28	\$75,399	\$2,111,187
Rockland	\$33,799,910	10	\$252,238	\$2,522,381
Saratoga	\$11,425,400	19	\$63,123	\$1,199,351
Schenectady	\$17,414,725	28	\$76,380	\$2,138,650
Schoharie	\$1,652,930	0	\$91,829	-
Schuyler	\$1,585,286	2	\$105,685	\$211,371
Seneca	\$5,385,975	4	\$89,766	\$359,065
St. Lawrence	\$7,610,197	7	\$63,951	\$447,658
Steuben	\$9,562,338	10	\$58,306	\$583,069
Suffolk	\$137,230,230	56	\$126,596	\$7,089,384
Sullivan	\$14,500,552	16	\$96,670	\$1,546,725
Tioga	\$4,868,221	3	\$86,932	\$260,797
Tompkins	\$5,660,953	6	\$92,802	\$556,815
Ulster	\$22,676,486	17	\$106,964	\$1,818,397
Warren	\$10,100,649	10	\$96,196	\$961,966
Washington	\$6,514,140	11	\$93,059	\$1,023,650
Wayne	\$8,179,069	7	\$120,280	\$841,962
Westchester	\$130,174,259	33	\$141,802	\$4,679,466
Wyoming	\$4,618,060	2	\$109,953	\$219,907
Yates	\$3,787,565	2	\$88,082	\$176,165
<b>TOTAL</b>	<b>\$1,310,483,516</b>	<b>972</b>	<b>\$82,288</b>	<b>\$91,230,308</b>

As the chart on the previous page shows, New York counties devote a significant amount of resources to jailing people accused of technical violations. But these figures are almost certainly a significant undercount of county spending on technical violations, because for many of the counties, the Comptroller's data does not reflect spending on healthcare, pension, and other benefits for jail personnel.

For example, the Westchester County figures in the chart above do not account for \$55 million in spending on fringe benefits and pension for corrections personnel that is reflected in the county budget.<sup>21</sup> Including these additional funds, Westchester spent over \$6.6 million to incarcerate people accused of technical parole violations in 2019 – two million dollars more than indicated in the Comptroller's figures.

And, importantly, these figures do not account for people who are locked up for parole warrants based on new charges, many of whom likely would be released at arraignment if not for the parole warrant. If these people were included in the calculations, they likely would account for tens of millions in additional spending on county jails.

## New York City

In the five counties that make up New York City, people accused of parole violations are incarcerated at the massive jail complex on Rikers Island. The cost of these jails is enormous. In 2019, the City spent **approximately \$2.67 billion to operate its jails**, for an average **annual cost per incarcerated person of \$370,000**.<sup>22</sup> That same year, an average of **738 people – more than 10 percent of New York City's average daily jail population – were locked up in City jails for alleged technical parole violations**.<sup>23</sup> While the overall population of New York City's jails declined by more than half from 2014 to the beginning of 2020, the number of people held in city jails for technical parole violations increased by more than a third (up 35 percent) during this same period.<sup>24</sup>

**Using these figures, New York City spent approximately \$273 million incarcerating people for technical parole violations in 2019.**

# A Better Way: Reinvesting in Community Needs

Despite the massive resources that New York’s state and local governments expend on incarcerating people on parole, the New York State Bar Association recently concluded that “there is little to no evidence that the current revocation process for persons accused of technical parole violations in New York actually enhances public safety or reduces recidivism as intended.”<sup>25</sup> Meanwhile, incarcerating people for parole violations can disrupt the process of rejoining the workforce and community, subject them to the health and safety risks of jail and prison, and exacerbate existing racial inequities.<sup>26</sup>

Rather than continuing to devote extensive public resources to incarcerating people for parole violations, policymakers should:

- Reduce the number of persons reincarcerated for technical parole violations in New York and incentivize compliance with supervision
- Reinvest correctional savings into services and opportunities that support successful reentry from state prisons to communities, and
- Involve communities that are heavily impacted by parole supervision in designing and operating services, supports and opportunities in their own neighborhoods

## Reducing Incarceration for Technical Parole Violations

A nationwide consensus is developing around the importance of reducing the footprint and punitiveness of parole supervision. In 2017, the Harvard Kennedy School of Government’s Executive Session on Community Corrections – a group of current and former law enforcement and community supervision officials, social service providers, formerly incarcerated people, and researchers – concluded that:

Rather than serving as an alternative to, or release valve from, imprisonment, community corrections has become a contributing factor to incarceration’s growth... Major changes are needed to make our system smaller and more focused, less punitive, more humane, and more widely guided by best practices.<sup>27</sup>

Similarly, a group of nearly 100 parole and probation commissioners called *EXiT: Executives Transforming Probation and Parole* recently issued a series of recommendations intended to make community supervision “substantially downsized, less punitive, and more hopeful, equitable, and restorative.”<sup>28</sup>

Closer to home, in November 2019, the New York State Bar Association’s Task Force on the Parole System called on state policymakers to “reduce the costs associated with the parole process by reducing the number of individuals on parole who are needlessly reincarcerated” and “devote more resources and focus to the individuals under [parole] supervision who are most in need of supervision.”<sup>29</sup>

New York lawmakers currently have an opportunity to address the overuse and high costs of incarceration for parole violations. The Less Is More Act, sponsored by Senator Brian Benjamin and Assemblymember Phara Souffrant Forrest, is supported by nearly 240 community organizations as well as district attorneys and current and former law enforcement officials.<sup>30</sup> Less Is More would allow people to remain living and working in the community while they resolve charges of technical parole violations, and reduce the types of technical violations for which people could be incarcerated and how long they could be locked up for violations. It also would incentivize good behavior by allowing people to earn good time credits that would reduce their term of supervision by 30 days for every 30 days they remain violation-free.

## Reinvesting in Services, Supports, and Opportunities

Community-based programs and services for people returning from prison can be cost effective and produce significant benefits to community well-being and safety, whereas research suggests that incarceration fails to support rehabilitation, has little relationship to crime rates, and may increase the likelihood of recidivism.<sup>31</sup> Below, as a point of comparison to New York’s spending on parole incarceration, we provide a non-exhaustive set of examples of investments that could address barriers and resource gaps faced by people returning from prison.

## Housing

Stable housing is a critical component of successful community reentry, and expanding access to housing is a key recommendation of recent reports by New York State Bar Association Taskforce on Parole and the Brennan Center for Justice.<sup>32</sup> Having a place to call home establishes a secure foundation from which to pursue employment opportunities, seek out health care, and reintegrate into the social fabric of the community.<sup>33</sup>

The annual cost of holistic wraparound services and housing at the Fortune Society's Fortune Academy ("The Castle") program in New York City, which assists people returning from jail and prison, is approximately \$50,000 per person.<sup>34</sup> Using these figures, New York State, City, and counties could provide fully supportive housing for over 13,000 people annually for the current cost of incarcerating people for parole violations. For people coming home who may not need such intensive services but do need housing, a recent analysis by the Vera Institute of Justice indicates that, **for the \$91 million they collectively spend on jailing people for technical parole violations, the 57 counties outside of New York City could cover at least a year of fair market rent for over 7,500 people.**<sup>35</sup>

Another lower cost, innovative housing alternative for people reentering communities from New York prisons – known as Kinship Reentry – was launched in 2021 by the Osborne Association with funding from the District Attorney of New York and Trinity Church Wall Street. More than half (4,122 out of 7,603) of all people returning to New York City from prison in 2017 were placed in the city's homeless shelters.<sup>36</sup> To seek to address this problem, Kinship Reentry provides direct financial support, along with counseling, case management and peer supports, to families with limited means whose loved ones are returning home from prison. In doing so, the program makes use of existing housing stock as an alternative to post-prison shelter placements. Because Kinship Reentry costs \$10,000 per person, for \$41.2 million, about one-sixth of what city taxpayers spent on incarcerating people for technical violations in 2019, **New York City could house every single person that the state paroled to shelters in 2017 in supportive Kinship Care**, while simultaneously infusing supportive resources to their families and communities.<sup>37</sup>

## Employment and Workforce Development

Another key area of support is employment and workforce development. A study by the Brookings Institution found that only 55 percent of formerly incarcerated people reported any earnings in the first year after their release, with median earnings barely exceeding \$10,000.<sup>38</sup> Investments in community-based employment and economic development initiatives can help mitigate structural barriers to promote economic security and facilitate meaningful job opportunities for justice-involved individuals. The net cost of providing wraparound employment services through the New York-based (but now national)<sup>39</sup> nonprofit Center for Employment Opportunities is estimated at \$5,540 per person, with an estimated \$3.30 return on investment for every dollar spent, a 25 percent reduction in new crime, and 52 percent increase in employment rates after one year.<sup>40</sup> **If one-third of the \$683 million currently spent on incarcerating people for parole violations were redirected toward such supports, New York could provide wraparound employment services to every person on parole.**<sup>41</sup>

## Education

In a national survey of people being released from prison, more than 90 percent of all respondents reported education as a key area of need to aid their reentry.<sup>42</sup> Programs such as College Initiative Upstate, in Tompkins County, provide a supportive learning community for court-involved and formerly incarcerated people, including free resources for college preparation, college enrollment, and community leadership, as well as academic, personal, and material support.<sup>43</sup> With an estimated annual cost per student served of \$3,650 for the College Initiative Upstate program,<sup>44</sup> and average direct costs for Associates Degree programs within State University of New York system at \$9,690 per year,<sup>45</sup> **the 57 counties outside of New York City could collectively fund wraparound services and full tuition and fees for 6,800 people for less than the cost of incarcerating people for parole violations.**

## Mental Health Services

National survey results indicate that access to mental health services is especially important to people coming home from prison, and especially for women, yet community-based mental health access remains a key challenge in many communities.<sup>46</sup> For example, a recent statewide review of county spending found that the 57 non-New York City counties spent a collective \$107,456,797 on mental health in 2019, suggesting that for less than half of the \$319 million currently spent at the State level on incarcerating people for parole violations, counties could more than double their spending on community-based mental health services.<sup>47</sup>

The concepts described above are only a small subset of community programs and services towards which reduced spending on parole incarceration could be redirected. They point the way towards a system that is less punitive, more focused on supporting success, and more responsive to community leadership and needs.

## Partnering with Communities

The communities most impacted by the justice system – especially low-income, communities of color – are often excluded from the decision-making processes that dictate their safety. Yet neighborhood residents are best positioned to identify concerns and formulate solutions that are responsive to community needs. In this time of racial reckoning, and to cultivate strategies that repair historical harm and promote community wellbeing, state and local governments should look to participatory approaches to public safety that empower community members.

Communities are more likely to advance their own safety and well-being when they have neighborhood-based and resident-led institutions that support basic needs and exert informal social control.<sup>48</sup> For instance, extensive research has shown that the creation of informal social networks helps promote desistance from crime without reliance on arrests, criminal convictions, and incarceration.<sup>49</sup> Similarly, a recent study from Princeton's Patrick Sharkey and his colleagues found that every 10 additional non-profit organizations devoted to community development or violence prevention in a city with 100,000 residents led to a 9 percent drop in the murder rate and a 6 percent drop in violent crime. New York City was a strong example of Sharkey's research: between 1990 and 2013, the city added 25 non-profits for every 100,000 residents and experienced significant declines in crime, incarceration, and supervision.<sup>50</sup> Localities in New York and across the country are already developing visions for public safety that prioritize the needs and expertise of justice-impacted individuals and their communities.<sup>51</sup>

The text box below highlights promising examples from Colorado. Along these lines, **decision-making about the allocation of savings generated through parole reforms should prioritize the expertise of people impacted by prison and parole in determining what investments are needed to assist reentry and improve well-being.**

### Colorado's Community-Driven Justice Reinvestment Process

Colorado provides an example of a community-driven approach to justice reinvestment of savings from parole reform. The Colorado Criminal Justice Reform Coalition (CCJRC),<sup>52</sup> which comprises people convicted of crime, survivors of crime, and the families and allies of both, pioneered a community reinvestment strategy to guide the state legislature in reallocating \$80 million in savings from parole reforms into projects like the ones below that advance community health and safety.

#### Transforming Safety Project

The Transforming Safety Project was created by the Colorado State Legislature in 2017 with the goal of preventing crime by focusing on economic and community development in areas most affected by justice system involvement. The project reinvests savings to two target communities to support local-identified safety strategies and expand small business lending. In each community, local planning teams of community members determine public safety priorities that inform investment guidelines.<sup>53</sup> Local foundations manage the grantmaking to community organizations, while community development financial institutions manage the small business lending.

#### Work and Gain Education and Employment Skills (WAGEES)

WAGEES is a grant program that redirects dollars saved by reducing the number of people in Colorado prisons to community-based organizations that support individuals returning from incarceration. WAGEES community partners<sup>54</sup> work in tandem with the Colorado Department of Corrections to facilitate successful reentry by providing an array of workforce development and housing opportunities and services. Approximately 60 percent of WAGEES staff are formerly incarcerated. Between 2015 and 2017, 62 percent of program participants obtained employment and 76 percent earned a credential, while fewer than 3 percent returned to jail or prison.<sup>55</sup>



# Conclusion

New York incarcerates more of its residents for parole violations than any other state and does so at nearly three times the national average – costing taxpayers at the state, county, and city level over \$680 million in 2019. This money could be better spent assisting people to safely return home from prison with decency and in a more equitable manner. There are a host of proven and promising approaches to do so that are being experimented with within New York and nationally.

In this year characterized by steep budget deficits and demands for racial reckoning, lawmakers have a rare opportunity to make real progress in redressing parole's costly, racially disproportionate, and ineffective approach to reentry. The first step is to enact legislation like the Less Is More Act to reduce parole incarceration. The second step involves redirecting the cost savings to services, supports, and opportunities that can help address the barriers and resource gaps faced by people returning from prison, working with communities that are heavily impacted by parole supervision.

## Author's Note

This report is authored by Tyler Nims, Executive Director of the Independent Commission on New York City Criminal Justice and Incarceration Reform; Kendra Bradner, Director of the Probation and Parole Reform Project at the Columbia Justice Lab; Johnna Margalotti, Graduate Research Assistant at the Columbia Justice Lab; Zachary Katznelson, Policy Director of the Independent Commission on New York City Criminal Justice and Incarceration Reform; and Vincent Schiraldi, co-director of the Columbia Justice Lab and Senior Research Scientist at the Columbia School of Social Work. The authors are grateful to Dahlia Chacon, Graduate Research Assistant at the Columbia Justice Lab, for her excellent research assistance, and MacKenzie Schroeder for her graphic design assistance.

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Views are those of the authors alone.

## Endnotes

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3. According to a recent report from the Council of State Governments, 14% of those entering prisons nationally were incarcerated for technical parole violations. Council of State Governments Justice Center. 2019. *Confined and Costly*, at 1. Available: <https://csgjusticecenter.org/wp-content/uploads/2020/01/confined-and-costly.pdf>.
4. NYS Division of Criminal Justice Services. 2021. *Annual Jail Population Trends 2010-2020*, at 2. Available: [https://www.criminaljustice.ny.gov/crimnet/ojsa/jail\\_pop\\_y.pdf](https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf) (providing annual data for local jail populations); NY Department of Corrections and Community Supervision. *Open Data Inmates Under Custody: Beginning 2008*. Available: <https://data.ny.gov/Public-Safety/Inmates-Under-Custody-Beginning-2008/55zc-sp6m> (providing a yearly snapshot of the prison population as of March 31).
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7. There are several types of community supervision in New York state, one of which is parole, which technically refers to people serving indeterminate sentences who are released by the parole board. For simplicity and to match common usage, we use “parole” to refer to all forms of community supervision applicable to people subject to supervision upon leaving state prison. For the number of people on parole, see NY Department of Corrections and Community Supervision. *DOCCS Fact Sheet (Dec. 1, 2020)*, at 1. Available: <https://doccs.ny.gov/system/files/documents/2020/12/doccs-fact-sheet-december-2020.pdf>.
8. See 9 NYCRR § 8003.
9. NY Division of Criminal Justice Services, *Annual Jail Population Trends 2010-2020*, at 2-3, *supra* note 4.
10. Carson, *Prisoners in 2019*, at 14, *supra* note 2; see also NY Department of Corrections and Community Supervision. *Open Data Prison Admissions: Beginning 2008*. Available: <https://data.ny.gov/Public-Safety/Prison-Admissions-Beginning-2008/m2rg-xjan> (showing 7,227 “returned parole violators” admitted to prison in 2019).
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12. See Hart, Stephen. 2021. *Policy Brief: Poor Implementation Puts Health at Risk*, at 4. Partnership for the Public Good. Available: [https://ppgbuffalo.org/files/documents/criminal-justice/post-incarceration/poor\\_implementation\\_puts\\_health\\_at\\_risk\\_an\\_evaluation\\_of\\_the\\_ny\\_release\\_program.pdf](https://ppgbuffalo.org/files/documents/criminal-justice/post-incarceration/poor_implementation_puts_health_at_risk_an_evaluation_of_the_ny_release_program.pdf) (estimating 648 people were released due to the March 27, 2020 order); see also Schiraldi, Vincent. 2020. *Research Brief: Two Months Later: Outcomes of the March 27th order to release people jailed for technical violations during the pandemic*. Columbia University Justice Lab. Available: <https://justicelab.columbia.edu/two-months-later>. For a description of changing parole visitation policies in response to COVID-19, see NY Department of Corrections and Community Supervision. *Suspensions, Restrictions & Cancellations In Response to COVID-19: Community Supervision Restrictions for Office Visits*. Available: <https://doccs.ny.gov/suspensions-restrictions-cancellations-response-covid-19>.
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15. We chose to use calendar year 2019 because that was the period for which the most recent budget and incarceration data were available for the State, the counties, and New York City. Calendar year 2020 also saw unprecedented disruptions across society due to COVID-19, and the parole system was no exception, and thus it is likely that 2019 data provides better insight into parole operations than 2020 data. While the long-term impacts of COVID-era changes are impossible to project with certainty, it is likely that the parole system will revert to pre-COVID practices absent systemic reform.
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51. For numerous examples of community-driven public safety investments, see Sakala, Leah, Samantha Harvell, and Chelsea Thomson, 2018. *Public Investment in Community-Driven Safety Initiatives*. Available: [https://www.urban.org/sites/default/files/publication/99262/public\\_investment\\_in\\_community-driven\\_safety\\_initiatives.pdf](https://www.urban.org/sites/default/files/publication/99262/public_investment_in_community-driven_safety_initiatives.pdf). As one example, the #CLOSErikers campaign in New York City calls not just for decarceration, but also for the reinvestment of correctional dollars into impacted communities, and the related #buildCOMMUNITIES platform offers a framework for these reinvestments developed through a community-driven participatory process. See JustLeadershipUSA, 2020. *#buildCOMMUNITIES Platform 2.0*, <https://jlusa.org/wp-content/uploads/2020/02/buildcommunities-platform-2.pdf>.
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