



**SENATE STANDING COMMITTEE ON CRIME VICTIMS,  
CRIME AND CORRECTIONS  
SENATE STANDING JUDICIARY COMMITTEE**

**Parole Justice: How the Elder Parole and Fair & Timely Parole Bills Will Improve  
Parole Release Laws and Public Safety in New York State  
Wednesday, December 7, 2022**

Thank you Chair, Senator Salazar and Chair, Senator Hoylman and members of the Senate Standing Committee on Crime Victims, Crime and Corrections and the Senate Standing Judiciary Committee for hosting today's important hearing. JASA welcomes the opportunity to focus on the Elder Parole Bill and the Fair and Timely Parole Act and stands firmly in solidarity with the broad coalition of leaders, organizations, advocates, and others, who seek to pass them.

As a leading not-for-profit aging services organization founded more than 50 years ago, JASA is driven by our values. We honor older New Yorkers as vital members of society, providing services that support aging with purpose. Our more than 1,325 incredibly caring staff people spend their days supporting the health and welfare of nearly 40,000 older New Yorkers. We offer affordable senior housing, home care, and a wide range of social and legal services, which include case management, older adult centers, NORC supportive services, home delivered meals, caregiver support, mental health, advocacy, legal services, and adult protective and guardianship services. Together with our sister agencies in the aging services network, JASA builds stronger communities for all.

We are proud New Yorkers because we believe that New York shares these values to honor older New Yorkers. The Governor began her recent executive order establishing a master plan on aging with the words: "New York has demonstrated its commitment to an age-friendly environment to ensure that all New Yorkers can age with dignity and independence through policies that promote the value of healthy, meaningful aging"

The experience of older adults in prison, however, tells us that we need to implement policy change to bring this commitment to incarcerated older adults. The number of incarcerated people aged 55 and older has increased at an alarming rate and makes up a significant portion of the prison population, principally Black and Brown men. However, there is no public safety reason to keep the majority of the aging people that these bills target in prison. Indeed, research shows that paroled older adults are unlikely to return to prison for new crimes. So keeping them incarcerated undermines equity, justice, and compassion. And worse, it is effectively capital punishment.

Today, the average age of death by natural causes in prisons is 58 years old. This should shock all of us -- especially as New York ranked the third-highest average life expectancy in the country at 80.7 years. Those who have died in custody over the last 45 years have largely been Black people, and particularly in the last decade, older people and people serving sentences of 15 years or more.

So why is an aging services organization here testifying today about parole bills? Because of our values -- the same values that drive us to serve our communities. JASA's work with older New Yorkers from all backgrounds is built on the belief that with support, older adults can be vital contributors to their families and to building strong communities. Older adults who have served their time also deserve this opportunity.

Prisons are poorly equipped to house older people and are the cause of "accelerated aging" -- adults in prison have disease and disability equivalent to people 10-15 years older who live in the community. So being 55 in prison is like being 70 on the outside. And the cost of incarcerating older adults completely outstrips what care in the community would cost.

Almost all people over 55 have already served 15 or more years. Many were imprisoned as teens or young adults. Many are parole-eligible but have been denied because of their crime of conviction. The Elder Parole bill would give incarcerated individuals who are 55 years and older and who have already served 15 years in prison a chance to go before a parole board. The Fair and Timely Parole bill would change the standards of parole, centering release on a person's rehabilitation while incarcerated, not on the original crime.

These bills do not automatically set people free. Instead, they will simply ensure that older adults in prison have the opportunity to demonstrate their personal transformation before the Parole Board and earn release based on their rehabilitation and readiness to return to the community.

Today, we are not here asking for money. We are asking for justice. We do not want to live in a State that effectively imposes a death penalty on older adults in prison. Please. The Elder Parole Bill and the Fair and Timely Parole Act need to be passed.

Thank you for the opportunity to testify today.

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