

Testimony by Kenneth Foy, DIN: 02A5354

New York State Senate Committee on Crime Victims, Crime & Correction Hearing on how the Elder Parole and Fair & Timely Parole Bills Will Improve Parole Release Laws & Public Safety in NY State.

The recidivism rate of incarcerated individuals 55 years and older supports the Elder Parole (S.15A-Hoylman/A8855-Davila) and Fair and Timely Parole (S.7514-Salazar/A4231A-Weprin) bills with statistics and facts.

I support these bills wholeheartedly to give us elders hope in a fair system and a second chance at life. The individual institutional record overall with family ties, immediate housing, and health should also be taken into consideration when considering someone's release from prison.

My personal experience with the parole board: I'm a 56 year old resident at Sullivan Correctional Facility and was denied parole at my initial parole board hearing in May, 2022. I did not find out that the parole board had mixed up my petition with someone else's case until my attorney, Ms. Kathy Manley filed an article 78 appeal detailing the facts that the parole board used when reaching its conclusion to deny my release and it was based on someone else's case. I now had a dilemma, forgo my next parole board hearing in April 2023 and put in an appeal or do not appeal these factual errors and go to my next parole hearing. I decided to go to my next hearing in April 2023.

I have been married now for 16 years and participate in the Family Reunion Program with my wife. I recently had total knee replacement surgery, my fifth surgery on my right knee. I walk with the aid of a cane, and am hearing impaired. I am hard of hearing with hearing aids in my left and right ear. I also have T.T.Y. reasonable accommodations.

My last disciplinary ticket was on March 12, 2012. I have enrolled in SUNY Sullivan College Via Hudson Link college program since August 30, 2021. I have 4 tickets out of my 20 years incarcerated, including three (3) tier II and one (1) tier III. I have numerous accomplishments over the years and plan to live with my wife if released to parole and work for the Exponents Inc. in New York. In regards to substance abuse, anger management, and various training, I have been in contact and have a letter of commitment from the organizations that I received years ago.

The Elder Parole and Fair & Timely Parole bills can help balance out some of the parole board's unprofessional and biased tactics. There's nothing that can be done to change the history of one's crime, but that person can change themselves in a positive manner.

What would the world be like if people had to pay for their sins for the rest of their lives? Very sad. I, Kenneth Foy, humbly submit this testimony in truth and sincerity.

Thank you,
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