



For Immediate Release: 9/21/2015

GOVERNOR ANDREW M. CUOMO

**GOVERNOR CUOMO ANNOUNCES EXECUTIVE ACTIONS TO REDUCE
BARRIERS FOR NEW YORKERS WITH CRIMINAL CONVICTIONS**

Governor Accepts and Adopts Recommendations from Council on Community Re-Entry That Improve Access to Employment, Housing, and Health Care for New Yorkers with Criminal Histories

Recommendations Tailored to Support Successful Reintegration, Reduce Reliance on Public Assistance and Reduce Rates of Recidivism, Saving Taxpayers Thousands of Dollars and Helping New Yorkers Get Back on their Feet

Governor Andrew M. Cuomo today announced that 12 recommendations made by the Council on Community Re-Entry and Reintegration, which remove barriers faced by New Yorkers with criminal convictions when attempting to re-enter their communities, will be fully implemented by his administration. The recommendations address issues ranging from employment to housing to health care, and make New York State a leader in the nationwide movement to successfully transition individuals who have served their time back into society, which saves taxpayers dollars and supports public safety.

“New York is a state of opportunity, where individuals from all backgrounds and circumstances are given a fair chance to pursue their goals,” **Governor Cuomo said.** “The work of this Council increases the ability of our fellow citizens with criminal convictions to contribute positively to their families and communities, which creates a fairer and safer New York.”

Governor Cuomo created the Council on Community Re-Entry and Reintegration in July

2014 and tasked them with identifying barriers formerly incarcerated people face and making recommendations for change. On average, New York State releases more than 25,000 people from prison each year and research shows that without successful re-entry policies, that there is a higher rate of re-convictions. On average, New York spends \$60,000 to house an incarcerated individual per year.

Today, Governor Cuomo has accepted all twelve recommendations of the Council and committed to full compliance, implementation and enforcement by the State. [New Yorkers with criminal convictions and representatives from the public safety and advocacy communities](#) are greeting the Council's recommendations and Governor's actions with enthusiasm.

1. Adopt New Anti-Discrimination Guidance for New York-financed Housing

New guidance will forbid discrimination based on a conviction alone, and require operators to make an individualized assessment of applicants based on factors such as the seriousness of the offense, the time since the offense, the age of the applicant at the time of the crime and evidence of an applicant's rehabilitation. The Division of Homes and Community Renewal will work with local agencies to ensure full compliance.

Prior to this reform, individuals could be turned away from housing based solely on their conviction, with no consideration of rehabilitation or whether they are an actual danger to their neighbors.

The guidance will cover state-funded public housing, federal Section 8 rental assistance administered by state agencies, and affordable housing financed by the Housing Finance Agency.

2. Set uniform guidelines that evaluate qualified applicants for state occupational licenses.

New guidelines will apply to applications for licenses, including those for barbers, paramedics and real estate brokers, among others, with a presumption towards granting a license, unless an individualized consideration of an applicant's criminal record under New York's anti-discrimination statute governing licensing and employment weighs against it. Before these guidelines, there was an uneven approach to reviewing applications for occupational licenses for several different occupational licenses.

3. Adopt "fair chance hiring" for New York State agencies.

Applicants for competitive positions with New York State agencies will not be required to discuss or disclose information about prior convictions until and unless the agency has interviewed the candidate and is interested in hiring him or her. This is because

employers unfortunately often do not look further at an applicant once they learn that the individual has a criminal conviction. As a consequence, many qualified New Yorkers are denied the opportunity to contribute in the job market, including in state service.

4. Amend 10 New York State licensing and employment regulations.

New regulations will reduce barriers for people with criminal convictions to serve in licensed occupations. Changes have been advanced in the Departments of Health, State, and Environmental Conservation. Previous regulations created stricter barriers for people with convictions than required by statute. With these changes, formerly incarcerated men and women can obtain licenses subject to the existing rigorous statutory scheme, and by not face absolute bans not set in law.

5. Include the formerly incarcerated as a target population for supportive housing.

Homeless individuals leaving incarceration will now be one of the targeted populations that can be served by supportive housing projects funded by New York State. Many people with special needs leaving prison or jail now are in need of housing with services on site after release. Housing these individuals and providing services should lead to fewer arrests and reduced use of the shelter system.

6. Streamline the application process for documents creating a presumption of rehabilitation.

Certificates of Relief from Disabilities and Certificates of Good Conduct are helpful documents that create a presumption of rehabilitation for eligible people. New, more accessible processes to obtain these documents will be implemented. The process of applying for these certificates has historically been burdensome and slow.

7. Provide a path to Obtaining Department of Motor Vehicles-issued ID for people exiting state prison.

Individuals exiting state facilities will be allowed to obtain forms of identification including driver's licenses and learner's permits, where eligible, if they have a state prison-issued ID, release papers, original birth certificates and social security cards. This change addresses the present reality that everyone needs state-issued ID. Prior data showed only 29 percent of people released from state facilities had such ID six months from release. Early reports from this new process indicate that 45 percent of people now have this ID in the same time frame; a 50 percent increase.

8. Launch a job search effort aided by new technology donated by Apploi Corp.

This new kiosk-based system will allow job-seekers with criminal convictions to overcome negative pre-conceptions by marketing themselves on video to potential

employers. Without these innovations, job seekers can struggle to make a case for what they can contribute, slowed by formal applications and layers of bureaucracy.

9. Give individuals in State prison the ability to save more money to use after release.

New guidelines are being introduced and implemented that will divert less of the money sent to individuals from outside sources towards paying fees other than restitution. Before this reform, 100 percent of the money coming to incarcerated individuals from families and other outside sources went to paying fines, leaving nothing for individuals to save for release. Even with these new guidelines, though, restitution remains the first and principal obligation of all convicted individuals and restitution will be paid in full.

10. Create new housing and treatment capacity for mentally ill people leaving state prison.

Capacity will be increased through a Department of Mental Health solicitation for supported housing units for seriously mentally ill individuals returning to New York City. This supportive housing will help keep seriously mentally ill people in treatment and off the streets.

11. Increase the number of individuals leaving prison who are enrolled in health care coverage.

New Medicaid enrollment efforts will be fully rolled out, led by the Department of Health and the Department of Corrections and Community Supervision. Close to 400 people a month have been enrolled thus far. This coverage is needed because people leaving prison and jail have high medical needs, including for treatment of substance abuse disorders and chronic conditions such as diabetes and hypertension. Without medical coverage, they end up costing all of New York more through expensive emergency room visits.

12. Allow individuals returning home to live with spouses and partners.

Recognizing that returning to families and loved ones is the most affordable and humane route to reduce homelessness and increase stability after release, people will now be able to live with spouses and partners as long as an individualized determination finds no indices of domestic violence involving those partners. A prior administrative policy made it unintentionally difficult for some people to live with partners with whom there was no history of abuse.

Alphonso David, Counsel to the Governor, said, “When people are released from incarceration or have a criminal record, they are burdened with obstacles that greatly hurt their chances at working, living with their families, and staying healthy. From its

inception, this Council has worked diligently with state agencies not just to identify unnecessary barriers placed on people with convictions but to reduce them, consistent with public safety. In only one year, this Council has already taken great strides in this endeavor.”

Council Chair Rossana Rosado said, “We accomplished our goals this year but our work is far from over. As we look to address many more of the systemic barriers encountered in re-entry, we will not lose sight of New York's role as a leader in combating the devastating impact and stigma of second class citizenship that so many of our fellow New Yorkers face, especially men of color.”

The Council will continue to build on this successful first year by promoting a range of educational opportunities to improve chances of employment, addressing barriers to health care, seeking to reduce the potential for extortion from public exposure of criminal records and continuing to seek solutions to housing people with criminal convictions consistent with fairness and public safety.

Members of the Council on Community Re-Entry and Reintegration are listed below in alphabetical order:

Robert Burns, Monroe County Office of Probation, Chief Probation Officer

Alphonso David, Counsel to the Governor

Soffiyah Elijah, Correctional Association of New York, Executive Director

Elizabeth Gaynes, The Osborne Association, Executive Director

Elizabeth Glazer, New York City Office of Criminal Justice, Director

Ann Jacobs, Prisoner Reentry Initiative at John Jay College, Director

Seymour James, Legal Aid Society, Attorney-in-Charge of the Criminal Practice

Angela Jimenez, Special Advisor

Rick Jones, Neighborhood Defender Service of Harlem, Executive Director

Max Kenner, Bard Prison Initiative, Founder and Executive Director

Mary Kornman, Westchester County District Attorney's Office, Chief of the Bureau of Strategic Planning and Crime Control

Georgia Lerner, Women's Prison Association, Executive Director

Glenn Martin, Just Leadership USA, Founder and President

George McDonald, DOE Fund, Founder and President

Brenda McDuffie, Buffalo Urban League, President and CEO

Julio Medina, Exodus Transitional Community, Founder, Executive Director and CEO

JoAnne Page, The Fortune Society, President and CEO

Chauncey Parker, Manhattan District Attorney's Office, Executive Assistant District Attorney for Crime Prevention Strategies

Sean Pica, Hudson Link, Executive Director

Rossana Rosado, John Jay College of Criminal Justice, Board of Trustees Member (Chair)

Jessica Roth, Cardozo Law School, Assistant Professor and National Center for Access to Justice, Board Member

Paul Samuels, Legal Action Center, Director and President

Sam Schaeffer, Center For Employment Opportunities, CEO/Executive Director

Joanne Schlang, Treatment Alternatives for Safer Communities, Executive Director

Danielle Sered, Vera Institute of Justice, Director, Common Justice

Anthony Thompson, New York University School of Law, Professor

Chris Watler, Center for Court Innovation, Harlem Community Justice Center Project Director

Marsha Weissman, Center For Community Alternatives, Executive Director

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