



**New York State**

**Division of Parole:**

**Department of Correctional Services:**

**June 30, 2004**

**Scott E. Steinhardt (518) 486-4631**

**James B. Flateau (518) 457-8182**

---

### **Fact sheet on Joel Steinberg (89-A-2941)**

- Steinberg was sentenced on March 24, 1989, to 8 $\frac{1}{3}$ -25 years imprisonment for first-degree manslaughter. Under the law at that time, Steinberg became eligible for discretionary release by a vote of a Board of Parole on March 1, 1996, upon the completion of his 8 $\frac{1}{3}$ -year minimum sentence. But the law required his release, over any objection by parole or the prison system, on his conditional release date (two-thirds of his maximum-sentence, which occurs today) unless his prison misconduct rose to a level that allowed a reduction of “good time.” Lastly, even with loss of “good time,” the law mandated his unsupervised release upon completion of his maximum sentence on October 30, 2012.
- Steinberg received the maximum “hit” of two more years’ incarceration when he first came up for parole in 1996, and the same action by Boards of Parole in 1998, 2000, 2002 and 2004. His next parole appearance was scheduled for January 2006. Thus, Parole Board decisions have kept Steinberg in prison more than eight years longer than the minimum 8 $\frac{1}{3}$ -year term imposed by the sentencing court. But the “conditional release” law now requires his release.
- Had Governor Pataki’s Sentencing Reform Act of 1995 been in place when Steinberg was sentenced, he would not have become eligible for release until 2009. (Rationale: Given the public’s outrage at Steinberg’s crime, it seems safe to assume the judge that gave Steinberg the maximum of 25 years under 1989 laws would have meted out the same maximum sentence under the Governor’s 1995 reform. But instead of the indeterminate range of 8 $\frac{1}{3}$ -25 years that existed in 1989, the jurist could have imposed the Governor’s determinate sentence of a flat 25 years. That would have required Steinberg to serve six-sevenths of the 25-year sentence before becoming eligible for parole. Under that scenario, Steinberg could not have been released, at the earliest, until April 2, 2009 – after almost another five years in prison.)
- As Steinberg approached today’s conditional release date, his institutional record and program involvement came in to play to determine if he should lose “good time” and be held past today’s conditional release date. His half-dozen disciplinary offenses are in the minor categories of smoking where he isn’t supposed to, being out of place, possession of unauthorized property, etc. None of these infractions rise to a level that allows “good time” to be taken away. He has also participated positively in his assigned programs. He has completed a mandated Alternatives to Violence program. Steinberg has been assigned as an inmate paralegal since May 1991, for which he was paid \$21.70 weekly.
- Steinberg is scheduled to leave prison today by private transport with \$104 in earnings in his inmate account. He will be wearing state-issued denim jeans, a light brown sweatshirt and sneakers.
- Steinberg’s approved residence is in the New York City metropolitan area, where he will be seeking employment. The special conditions placed on his release by the Division of Parole include, but are not limited to, requirements that Steinberg (1) must not have contact with the victims of his crime, meaning that he will not attempt to meet the person, communicate by letter, telephone or electronic device, or make contact through a third person; (2) must not have contact with anyone under the age of 18 without written approval from the Division of Parole; (3) must attend a drug treatment program; (4) must attend an anger management program; (5) must comply with parole officers’ instruction, if given, to participate in counseling programs that are deemed appropriate; (6) must observe a 9 p.m. to 7 a.m. curfew; (7) must refrain from consuming alcohol, (8) must refrain from operating any motor vehicle or applying for or possessing a driver’s license unless written permission is obtained from the Division of Parole, and (9) must not participate in any on-line computer services without the authorization of the Division of Parole.