



The David Rothenberg Center for Public Policy (DRCPP) Policy and Advocacy Platform 2009-2011

The Fortune Society's mission is to support successful re-entry from prison and promote alternatives to incarceration, thus strengthening the fabric of our communities. We do this by:

- ♦ **BELIEVING** in the power of individuals to change,
- ♦ **BUILDING LIVES** through service programs shaped by the needs and experience of our clients,
- ♦ **CHANGING MINDS** through education and advocacy that work to rectify unjust and brutal criminal justice policies.

While Fortune has engaged in advocacy and community education since its founding, the agency launched the **David Rothenberg Center for Public Policy (DRCPP)** to institutionalize and advance its technical assistance, training, policy development, advocacy, and community education initiatives.

DRCPP's Policy and Advocacy Priorities for 2009-2011:

A. Increase the Systemic Utilization of Alternatives to Incarceration (ATI) and Close "Surplus" Correctional Facilities

It is not a coincidence that New York State has the largest network of ATI programs in the country, and—unlike other large states such as California and Texas—has seen crime and incarceration rates plummet simultaneously, improving public safety and saving much-needed revenue. However, New York's promising results should not come as a surprise; decades worth of research documents the fact that people in low-income, minority communities are at greater risk of entering the criminal justice system due to the scarcity of prevention programs, early intervention programs, and alternatives to incarceration.¹

New York's outcome challenges the notion that our society can incarcerate its way to public safety. However, four prisons—all exorbitantly expensive to maintain despite being virtually empty—remain open in upstate New York, depleting much-needed resources from the state budget at a time of severe economic crisis. ATI programs save money, and help to most effectively and efficiently rebuild lives and communities by meeting the needs (education, career development, drug and alcohol treatment, housing, etc.) of the men and women they serve. Further expansion of such programs in New York City and other jurisdictions, paired with the closure of underutilized, "surplus," prisons in upstate New York, will allow the state to realize further savings while ensuring that it provides a greater number of New Yorkers with the services and support they so urgently need.

To increase the availability of and access to ATI programs in New York State, DRCPP will:

- Advocate for the creation of new ATI programs and the expansion of existing ones throughout New York City—where the majority of people are arrested and processed through the criminal justice system—as well as in upstate communities

¹ http://www.sentencingproject.org/Admin%5CDocuments%5Cpublications%5Cwill_overall%20response.pdf

- Advocate for the closure of underutilized New York State correctional facilities that deplete our limited state resources in tandem with educating local and state level policymakers and other key stakeholders on the benefits of taking existing ATI efforts to scale across the state. An important aspect of this work includes partnering with advocates who have a vision for addressing the void in labor market opportunities created by the elimination of prisons in rural upstate communities
- Advocate for the formation of initiatives that will create unique partnerships between myriad criminal justice stakeholders—defense attorneys, community based organizations, prosecutors, Correction, Parole and Probation officers, etc.—and efforts to mobilize families and communities as agents of successful re-entry and reintegration

B. Remove Counterproductive Barriers to Employment facing People with Criminal Records

Upon return to the community after criminal justice system involvement, individuals are expected to find and maintain steady employment. As critical as employment is to successful reintegration, curbing of recidivism, and the overall promotion of public safety, many counterproductive barriers exist that undermine the best efforts of these individuals to participate in the labor market.

To help support labor market participation and remove counterproductive barriers faced by job seekers with criminal records, DRCPP will:

- Advocate for the comprehensive implementation of the Employer Education Act—the first bill introduced by DRCPP and signed into law by Governor Paterson in August 2008—which requires employers to: 1) provide a copy of Article 23-A, New York State’s anti-discrimination law relating to job seekers with criminal records, to applicants when they run commercial background checks; and 2) post Article 23-A conspicuously in the workplace
- Advocate for the comprehensive implementation of S4956-A/A07847-A, which protects employers who hire qualified individuals with criminal records in compliance with the New York State Human Rights Law from negligent hiring lawsuits
- Advocate for policies that would create a tax credit and subsidies for employers who hire qualified job seekers with criminal records
- Advocate for policies that would compel the Division of Criminal Justice Services and the Office of Court Administration to include a copy of New York State’s anti-discrimination law relating to job seekers with criminal records on all criminal record reports

C. Expand the Voting Franchise

New Yorkers with felony convictions are currently eligible to vote unless they are in prison or on parole. Citizens sentenced to probation maintain their eligibility to vote. However, surveys conducted in 2003 and 2005 of New York’s 62 County Boards of Election showed that roughly half the Boards are confused about the terms of voter eligibility and thus have enacted groundless policies—e.g., improperly requesting unnecessary or non-existent documentation—that have resulted in the *de facto* disenfranchisement of eligible voters with criminal records.

To increase civic engagement among New Yorkers with criminal justice system involvement and expand the voting franchise in New York State, DRCPP will:

- Advocate for an Executive Order, issued by Governor Paterson, to return voting rights to people on parole supervision
- Advocate for a more permanent shift in state policy to allow anyone who is not in a state correctional facility to be able to register and vote
- Provide technical assistance to eradicate the *de facto* disfranchisement of qualified voters with criminal records

D. Increase Access to Affordable Housing for People with Criminal Records

The Fortune Society's efforts to house people with criminal records returning to society from prison and jail has demonstrated that access to decent, stable, affordable housing is a critical component of successful reintegration. However, local housing authorities have created numerous bans based on criminal convictions which do not allow for meaningful individualized consideration of applicants, particularly those trying to reunite with family members post-incarceration.

To help expand opportunities for people with criminal records to access affordable housing in New York City, DRCPP will:

- Create a broad coalition of advocates, community groups, community service providers, and other key stakeholders to advocate for more effective, better-informed public housing policies to facilitate successful reintegration of people with criminal records, reunify families, and promote public safety
- Work to increase free legal assistance for people with criminal records through strategic partnerships that can build the capacity of existing initiatives
- Advocate for more standardized, transparent methods to determine what qualifies as evidence of rehabilitation to lift bars on housing eligibility for people with criminal records