Legislation Details (With Text)

File #:	Res 0586-2015	**Version:**	*	**Name:**	Correctional authorities the discretion to allow incarcerated women who give birth while in custody to return home on temporary supervised release for the first three weeks after they give birth.
Type:	Resolution			**Status:**	Filed (End of Session)
				In control:	Committee on Fire and Criminal Justice Services
On agenda:	2/26/2015				
Enactment date:				**Enactment #:**	

Title: Resolution calling on the New York State Legislature to pass and the Governor to sign, legislation to give correctional authorities the discretion to allow incarcerated women who give birth while in custody to return home on temporary supervised release for the first three weeks after they give birth.

Sponsors:

Indexes:

Attachments: 1. February 26, 2015 - Stated Meeting Agenda with Links to Files

Date	Ver.	Action By	Action	Result
2/26/2015	*	City Council	Introduced by Council	
2/26/2015	*	City Council	Referred to Comm by Council	
12/31/2017	*	City Council	Filed (End of Session)	

Res. No. 586

Resolution calling on the New York State Legislature to pass and the Governor to sign, legislation to give correctional authorities the discretion to allow incarcerated women who give birth while in custody to return home on temporary supervised release for the first three weeks after they give birth.

By Council Members Cumbo, Gibson, Chin, Rose and Menchaca

Whereas, Many women arrive at Rikers Island and other local and State correctional facilities pregnant and many give birth while in custody; and

Whereas, New York State Correction Law Section 611 requires that incarcerated pregnant women be taken to a local hospital to give birth, and allows the mother to care for their baby while in custody for up to one year; and

Whereas, However, New York State Correction Law Section 611 also requires that women return to their correctional facilities as soon as possible after the birth of her child; and

Whereas, Studies published in Parenting Magazine show that the bonding between a mother and child

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immediately after birth is critically important for the child's physical and emotional health; and

Whereas, This critical mother-child bonding can be more meaningfully accomplished at the mother's home and not in the restrictive environment of a prison or jail; and

Whereas, A child should not be physically disadvantaged for the rest of their lives because their mother was incarcerated when they were born; and

Whereas, New York State's Department of Corrections and Community Supervision already provides for the monitoring of 45,000 parolees and those placed on post-release supervision in New York State, and could provide equivalent monitoring for new mothers for the first three weeks after they give birth; and

Whereas, New York State Correction Law Sections 113 and 509 already allow inmates in State or local correctional facilities to leave their facilities to attend the funeral of a close relative or visit them before their imminent death, and these laws give the correctional authorities the discretion to grant such leave; and

Whereas, The State could give correctional authorities similar discretion to grant leave for new mothers to establish a meaningful bond with their newborn children; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass and the Governor to sign, legislation to give correctional authorities the discretion to allow incarcerated women who give birth while in custody to return home on temporary supervised release for the first three weeks after they give birth.

LS#3500
BC
12/19/14