



Legislation Details (With Text)

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Int. No. 393

By Council Members Ulrich, Brannan and Holden

A Local Law in relation to creating a taskforce to study veterans in the criminal justice system

Be it enacted by the Council as follows:

Section 1. a. For purposes of this section, the term “veteran” means a person who has served in the active military of the United States or the reserves component, or who served in active military service of the United States as a member of the army national guard, air national guard, New York guard or New York naval militia, regardless of the type of such person’s discharge.

b. There is hereby established a task force to study the causes of entry into and the needs of veterans in the city’s criminal justice system, and to make recommendations as to how the city can limit the involvement of veterans in the criminal justice system and address the needs of those veterans who have been arrested or incarcerated.

c. Such task force shall consist of:

1. the commissioner of the department of veterans' services;
2. the coordinator of criminal justice;
3. the commissioner of the department of correction, or the designee thereof;
4. the commissioner of the department of probation, or the designee thereof;
5. the commissioner of the police department, or the designee thereof;
6. two members appointed by the mayor, provided that at least one such member shall be a veteran;
7. two members appointed by the speaker of the council, provided that at least one such member shall be a veteran and at least one such member shall be a member, employee or director of, or otherwise affiliated with, an organization engaged in providing legal representation to veterans.

d. The task force shall:

1. hold at least one meeting every four months;
2. issue a report which shall include, but not be limited to, the following:
 - (a) An analysis of the causes of entry by veterans into the criminal justice system;
 - (b) An analysis of trends of veteran involvement in the criminal justice system in the city;
 - (c) A discussion of the characteristics of arrested and incarcerated veterans, including gender, race, service era, and discharge status;
 - (d) A discussion of the needs of veterans in the criminal justice system, including housing, employment and health concerns;
 - (e) A discussion of existing public and private programs available to assist veterans with criminal justice issues, and an analysis of whether such programs are sufficient to meet the needs of veterans in the city;
 - (f) An analysis of the effectiveness of existing rehabilitation methods and programs, including, but not limited to, veterans treatment courts;
 - (g) A discussion of the challenges facing female and lesbian, gay, bisexual, and transgender veterans in the criminal justice system;

(h) Recommendations on how the city can address the needs of veterans in new york city to limit their involvement in the criminal justice system, how the city can assist veterans transitioning out of the criminal justice system, how the city can expand available legal assistance to veterans, and any other such recommendations as the task force deems appropriate.

3. make a good faith effort to procure from the state office of court administration, or any other agency or organization that may possess such information, and, to the extent made available, to include in the report required by paragraph 2 of this subdivision: (i) the number of veterans arrested in the city, disaggregated by type of offense; (ii) the number of veterans referred to a local department of veterans affairs office by the new york city criminal justice agency prior to arraignment; (iii) the number of veterans referred to a veterans treatment court program, disaggregated by borough; and (iv) the number of veterans who have successfully completed a veterans treatment court program, disaggregated by borough. Such information shall further be disaggregated by: (i) age, in years, disaggregated as follows: 18-25, 26-40, 41-60, 61-70, 70 or older; (ii) gender; (iii) race; and (iv) military discharge status.

e. The department of correction shall provide the task force with certain information, to the extent practicable, related to the population of veterans incarcerated in city jails for the prior year, and the task force shall include such information in the report required by subdivision d of this section. Such information shall include the total population of veterans who are inmates in the department's custody, disaggregated by (i) age, in years, disaggregated as follows: 18-25, 26-40, 41-60, 61-70, 70 or older; (ii) gender; (iii) race; (iv) the borough in which the inmate was arrested; and (v) military discharge status.

f. The report and accompanying recommendations required by subdivisions d and e of this section shall be provided to the mayor, council, commissioner of veterans' services, and veterans' advisory board, and shall be posted on the website of the coordinator of criminal justice, no later than July 1, 2019.

g. The task force shall dissolve upon submission of the report required by this section.

§ 2. This local law takes effect immediately.

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