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Letter in Support of New York State Bill A9543/S7633

February 24, 2020

To Whom It May Concern:

The Prisoner Reentry Institute writes in support of A9543/S7633, which would allow the Merit Board to grant merit time to people who earn at least eighteen credits from an accredited higher education degree-granting institution while incarcerated. Currently, the Correction Law inadvertently disincentivizes college learning by allowing merit time for a variety of other activities, but not for significant higher education activity. This disproportionately impacts incarcerated women. The modest proposed changes would be a significant and meaningful improvement to the Law, amending it to include higher education in the Merit Board Eligibility criteria.

Under current New York State Law, there are two general ways that people can earn time off of their sentence: 1) Merit Board determinations, for which people with non-violent convictions are eligible, and 2) Limited Credit Time Allowance, for which people with violent convictions are eligible. Currently, participation in a college program is not included as part of the criteria that makes an incarcerated person Merit Board eligible. However, it is included in the criteria for Limited Credit Time Allowance eligibility. This discrepancy calls for immediate reconciliation, particularly because it disproportionately impacts women because they are more likely to be incarcerated for non-violent offenses.

The discrepancy also disincentivizes participation in higher education while incarcerated, in favor of activities that are eligible for merit time. Higher education reduces recidivism and gives people valuable experience that can translate into increased employment upon release. A 2018 RAND meta-analysis of research on the impact of higher education on recidivism [found](#) that incarcerated people "participating in correctional education programs were 28% less likely to recidivate when compared with inmates who did not participate in correctional education programs."

The Prisoner Reentry Institute's mission is to create opportunities for people to live successfully in the community after involvement with the criminal legal system. As a provider of college courses in prison, through our Prison-to-College Pipeline program at Otisville correctional facility, we understand the value of higher education in prison in transforming lives and creating opportunity for success upon release.

We respectfully request your support of A9543/S7633, which would fix the discrepancy in the eligibility for sentence reductions for people who participate in significant higher education courses while incarcerated. Please contact me at awilkey@jjay.cuny.edu if you have any questions.

Sincerely,

Alison Wilkey, Esq.
Director of Public Policy