
Summary. The Less Is More Act would reform New York State’s parole supervision system, boosting the chance of success when people leave jail and prison, reducing the number of people locked up for non-criminal “technical” parole violations, and saving hundreds of millions of dollars. By reducing the churn of people through New York’s jails and prisons, the legislation also would help stem the spread of COVID-19 in these institutions. Less Is More is supported by a unique coalition of district attorneys, current and former law enforcement officials, judges, directly impacted people, and advocates.

We project that Less Is More would reduce the New York City jail population by at least 400 people who are accused only of non-criminal, technical parole violations.

Rikers Island. As of 3/1/2020, there were 687 people in City jails—one out every eight people in jail—were incarcerated solely for allegations of non-criminal, technical violations of parole conditions such as missing appointments with a parole officer, or being late for curfew. Most are jailed in the massive and dysfunctional jails on Rikers Island. Black people are locked up for alleged technical violations in NYC at 12x the rate of white people.

Statewide. Another 1,000+ people around the state are jailed for alleged technical parole violations. Approximately 4,500 more people are locked up in state prisons for these violations.

There is virtually no evidence that incarceration for technical violations helps public safety, but significant evidence that it severely disrupts stability and re-entry.

COVID-19. Jails are notorious incubators of contagion due to close quarters, unsanitary conditions, substandard health care, and lack of access to hand washing. Nearly 100 people who are 55 or older are locked up in City jails for technical violations—a group at particular risk from COVID-19. In total, as of March 1, there were 515 people aged 55 and older in NYC jails.

Less Is More. The Less Is More Act would (1) permit paroled people to earn good time credits, incentivizing positive behavior and reducing caseloads for parole officers; (2) end mandatory jailing on parole warrants and instead ensure that everyone accused of a parole violation would get a due process hearing in front of a judge before being sent to jail; and (3) limit the amount of time that someone can be incarcerated for a technical parole violation up to a maximum of 30 days, and remove incarceration as a possible sanction for certain technical violations.

Projections. We project that Less Is More would reduce the number of people in Rikers for technical parole violations by roughly 65 percent, if not more, resulting in a reduction of at least 436 people. We conservatively estimate that 1/3 of technical cases will avoid detention because of enhanced due process or because they are ineligible for jail. Additionally, the average length of stay for people awaiting resolution of a technical violation is currently 55 days. The bill caps incarceration at 30 days, which would reduce the overall length of stay by 45 percent at a minimum, bringing the population numbers even lower.1

1 Less Is More would also permit judges to release paroled people accused of new charges (often lower-level charges that are not otherwise eligible for jail), which could lower the NYC jail population by an additional 300 people.