

The Release of Aging People in Prison (**RAPP**) Campaign

SUMMARY

The Release of Aging People in Prison (**RAPP**) Campaign is an independent organizing and policy project that aims to establish a parole process in New York that is transparent, all inclusive, and fair, in which the state bases its parole decisions on legitimate public safety risk and individuals' demonstrated personal growth while in prison. Led by Mujahid Farid, a 2013 *Soros Justice Fellow* who was incarcerated for 33 years in New York before his release in 2011, the **RAPP** Campaign focuses on the rapidly growing population of aging people in prison—many of whom are long-termers convicted of serious crimes. Many of these human beings have taken responsibility for their crimes, have transformed their lives and developed skills and abilities they lacked before incarceration, and could be released from prison with no threat to public safety. Yet many are denied release, often for political reasons, and needlessly remain imprisoned into old age.

Our campaign will seek fair and objective hearings for all individuals who come before the Parole Board. Significantly, our approach will not seek expanded release opportunities for certain classes of offenses by denying opportunities for others. In contrast, we will insist that decisions be made on a person's individual merits and experiences inside. This operating principle not only makes the **RAPP** Campaign unique, but also allows it to challenge a fundamental pillar of the mass incarceration crisis: *the reliance on a system of permanent punishment, a culture of retribution and revenge rather than rehabilitation and healing.*

The **RAPP** Campaign is mobilizing currently and formerly incarcerated individuals, their families, and other concerned community members in efforts designed to increase parole release rates for aging people in prison who pose no risk to public safety. **RAPP** is also partnering with the Drop the Rock Coalition, which previously helped lead efforts to reform NY's infamous Rockefeller Drug Laws, and is reaching out to other prison justice groups to join in carrying out this work. From this united base, we will work to (1) raise public awareness about the destructiveness of mass incarceration and the benefits to society in releasing aging people, including those convicted of violent crimes who do not pose a risk to public safety and (2) promote the use of key mechanisms for releasing elderly people including parole decisions, compassionate release, and policy changes.

BACKGROUND

For 40 years the prison population in the United States has been increasing to where it has become an international embarrassment. While this has been acknowledged by federal and state governments, legislators, policymakers, and prison administrators (who face rising administrative costs amidst serious budget crises), and where incremental steps reduced some prison populations, there remains a strong reluctance to utilize available downsizing options as

they apply to certain categories of people confined.¹ The prison population will not be substantially reduced unless such options are used.

This project will seek to address mass incarceration through the “back end” of the criminal justice system, promoting the release of low-risk groups—especially aging people in prison, who make up a rapidly growing portion of the prison population. A recent Human Rights Watch report shows that between 1995 and 2010, the number of state and federal prisoners aged 55 and over nearly quadrupled to 124,400, while the prison population as a whole grew by 42%. The explanation for this can be found in sentencing policies adopted during the past 25 years (*Old Behind Bars: The Aging Prison Population in the United States*, 2012), but also in the failure of correctional and parole systems to utilize existing release mechanisms. Current conditions don’t suggest improvement. The ACLU’s report, “At America’s Expense: The Mass Incarceration of the Elderly,” finds that by 2030 there will be more than 400,000 older people behind bars, a 4,400 percent increase from 1981 when only 8,853 state and federal prisoners were elderly.

New York State presents an even sharper example. Over the past 11 years, the New York State prison population has decreased by 21%—from 71,466 in 2000 to 56,315 in 2011. At the same time the population of prisoners aged 50 and over increased by 64%—from 5,111 in 2000 to 8,392 in 2011 (*Correctional Association* statistical sheet, “Elderly Prisoners and Parole Reform”).

Prison administrators know that older people who have served long sentences frequently serve as role models, facilitate most prison rehabilitation programs, and provide leadership, having found meaning in life through service to others. Moreover, the vast majority of released prisoners over 50 do not return to prison. Those who do return generally do so because of a technical parole violation (failure to report to a parole officer, missing work, or missing curfew). New York State policymakers are realizing that there are alternatives to costly, unproductive incarceration when such violations occur (*2007 Releases: Three Year Post Release Follow-up*, NYSDOCCS). Consistently, the return rate of long-termers convicted of murder (most commonly people of advanced age) is the lowest (6.6%) system-wide, with only 1.3% returning for a new commitment (id).

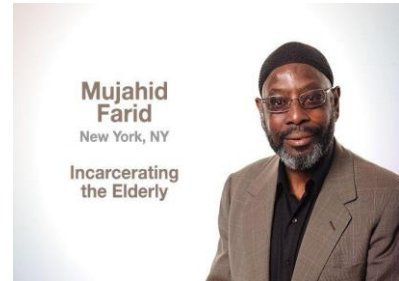
Despite low recidivism rates, ample evidence of personal transformation, and the significant cost savings that could be realized, political considerations too often prevent administrators from using available release mechanisms. The **RAPP** Campaign will utilize the voices of the key population of formerly incarcerated women and men and currently incarcerated elderly to show that they can and should be released with no threat to public safety. It will build a public base to encourage policy-makers, parole commissioners and correctional officials to accelerate release of the elderly through both new and existing mechanisms for release.

¹ In 2011, after years of struggle over boilerplate denials to violent offenders, New York’s Executive Law was amended requiring the parole board to create new procedures that “incorporate risk and needs principles” to measure decision-making. The board adopted the widely used evidence-based “Correctional Offender Management Profiling for Alternative Sanction” (COMPAS) assessment tool. But the board has remained resistant to change and continues to issue boilerplates denying release based on the “nature of the crime.” This is one example of an already-existing mechanism that could be used for release of aging prisoners.

WHO WE ARE

Mujahid Farid, **RAPP** Campaign Organizer

In 1978 at age 28 I entered prison. In 2011 I was released approaching 62. The closer I got to my release date, the more I looked around at the men I would be leaving behind—many of whom had, like me, been incarcerated since their teens and twenties, and who were now, like me, more than 60 or 70 years old. I became more sharply aware of the increasing infirmities they face, the frailties of age, and the illnesses affecting them. Like me, they had spent their entire adult lives in prison, and most were different from the person who had first entered the system. Unlike me, they were not going home. As a result of many years behind the walls of New York State prisons, I gained valuable insight into the various mechanisms responsible for mass incarceration, and I have been an advocate for systemic change, using community education and challenging the accepted social constructs that lend support to the carceral spirit.



During my incarceration, I maintained a practice of working on criminal justice issues, and the project proposed here is consistent with my activities over the past thirty-five years. I played a major role in creating programs that helped the prison population deal with social crises. One of my most noted accomplishments was being a founder of the Prisoners' AIDS Counseling & Education (PACE) program, still in existence within NYSDOCCS. I organized and instructed courses for New York Theological Seminary, allowing other prisoners to earn college-credited certificates to initiate their journey into structured higher learning.

Since my release I initiated a collective of small business startups to address the issue of mass incarceration. These small business initiators have agreed to operate under principles of "social entrepreneurship" to provide formerly incarcerated persons, as well as disadvantaged community members, with employment opportunities and the ability to assist in building economic institutions in the community. Our agreement entails providing mutual assistance to make each business successful, and to generate collaborative relationships between for-profit start-ups and community non-profits/social services agencies. Finally, our agreement entails building support in the established business community.

With the encouragement of many people I left behind in prison and with whom I maintain contact, I have also proposed to various organizations to undertake the issue of aging in prison. I was met with much sympathy and concern over the issue, but have been unable to find any organization willing to undertake a major project as described herein. Community-driven projects advocating on behalf of aging and persons usually excluded from ameliorative legislation, policies, and practices are crucial now due to the volume of reports, studies, and commentaries published on this issue in the past two years. The time to harness public consciousness on these issues is now. So, I have undertaken this task.

This project arises from my commitment and belief that this situation can and must be altered, that release mechanisms for aging people confined must either be created or, where they exist, utilized. I feel blessed and fortunate to be out, knowing that the tribulation of perennial incarceration could still be happening to me as it is to others. As someone personally affected, I

care deeply about those I left behind, and I remain committed to doing my part in bringing forth solutions.

Correctional Association of New York

The **RAPP** Campaign is located at and hosted by the Correctional Association of New York (CANY), an independent, non-profit prison reform organization. CANY was founded by concerned citizens in 1844 and granted unique authority by the New York State Legislature to inspect prisons and to report its findings and recommendations to the legislature and to the public. Through monitoring, research, public education and policy recommendations, the Correctional Association strives to make the administration of justice in New York State more fair, efficient and humane.

HOW TO GET INVOLVED

To get more information, offer your story, or join our efforts, please contact:

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