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Committee Assignment: Senate Freedom 1

Bill #:SF-04

Sponsors: Paris Lyons and Conor Kimlicko

An Act To Add subsection e to Section 9.33, Article 9, Title B of New York State Mental Hygiene Law to mandate that an advocate be a required and filled position at all New York State correctional facilities.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose To mandate that one advocate is provided at all New York State correctional facilities for the purpose of providing information to and on behalf of mentally ill inmates.

Summary of Provisions

Section 1

Advocate: A qualified Mental Health Counselor that supports mentally ill inmates hired through New York State.

Mental illness: An affliction with a mental disease or mental condition which is manifested by a disorder or disturbance in behavior, feeling, thinking, or judgment to such an extent that the person afflicted requires care and treatment.

Section 2

§ 9.33 Court authorization to retain an involuntary patient.

(e) Advocate shall be a required and filled position at all New York State correctional facilities.

Justification

Advocates give mentally ill inmates the opportunity to consult with a qualified person that will ensure they are heard and provided with multiple options regarding their specific needs and rights when incarcerated. Mental illnesses can cause an inmate to misunderstand their situation and their rights. However, with the help of an advocate, mentally ill inmates are able to have a better awareness of their mental health and rights. Making this position a requirement for all correctional facilities will improve conditions for mentally ill inmates and ensure they have the help they need.

Fiscal Implications

The average annual salary of an advocate is \$55,000. New York State has 52 correctional facilities, meaning that \$2,860,000 would be allocated from the New York State budget. This would cause an increase of less than one percent of the Mental Hygiene budget.

Environmental Implications

This bill will have no effect on New York State wildlife.

Effective Date

This bill will go into effect one year after passage.