



NEW YORK STATE SENATOR

Catharine Young

Senator Young Bill to Allow Victim's Statements Passes Senate

CATHARINE YOUNG June 8, 2007

Image not found or type unknown



A bill to correct an unintended flaw in the statute that effectively prohibits any discretion of the judge to allow for more than one of the victims' family members to address the court sponsored by State Senator Catharine Young (R,I,C - Olean,) has passed the State Senate.

Current law prohibits the judge from considering the appropriateness of more than one member addressing the court, even if the victim is survived by close relatives, such as a spouse and parents.

"When violent criminal acts kill or maim any person, friends and family are often victims due to the pain and trauma they must endure," said Senator Young. "In our civilized society, families of victims must exercise restraint and bear the pain of their loss while the wheels of justice turn and hopefully lead to the conviction of the perpetrator of the crime."

"For the murdered victims, surviving close relatives such as a spouse, mother, father, or children, can often find some closure at the end of the trail through use of the opportunity to address their loss to the court, and make a statement on behalf of the victim who can no longer speak for him or herself."

Senator Young's bill allows a presiding judge the discretion to allow statements on behalf of a victim by an immediate family member or up to two members, on consultation with counsels for the defense and the people.

"The judge should not be forced to choose between family members of a victim as it occurred in the recent case of police officer Anthony Sanchez. This bill, if enacted, will correct the apparently unintended restriction, and give the discretion to the court where it appropriately belongs."

The bill was sent to the Assembly for consideration.