



NEW YORK STATE SENATOR

Frank Padavan

Padavan Calls For Immediate Repeal of Law That Allows Convicted Murders, Rapists, Sex Criminals To Petition For Non-Terminal Medical Release

FRANK PADAVAN | October 8, 2009

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New York State Senator Frank Padavan (Queens) today called for the immediate repeal of a dangerous new law that allows convicted murderers, rapists and sex criminals currently serving life sentences to seek non-terminal medical release and be freed from prison.

Democrats slipped the provision into the State Budget at the eleventh hour after negotiating the spending plan in unprecedented secrecy and behind closed doors. Senate Republicans sharply criticized the change and voted against it during the floor debate on the budget, but Democrats rammed it through anyway.

“It’s no wonder Democrats crafted the budget in secret and shut out the public, the media, and even Republican lawmakers from the process. The budget Democrats concocted spent too much and taxed too much, and even more alarmingly it put the safety of law-abiding New Yorkers at risk,” Senator Padavan said

The New York Daily News recently dubbed the change imposed by Democrats “Khadafy’s Law,” and likened it to Scotland’s much-criticized decision to free the Libyan terrorist

convicted in the 1988 Pan Am 103 bombing over Lockerbie, Scotland, based on reports that he may be dying.

Under the “Khadafy’s Law,” those convicted of murder, rape or a myriad of sex offenses could now petition for medical release and immediately become eligible for parole. Shockingly, these criminals wouldn’t have to prove they are suffering from a terminal illness, only that they have become disabled and are therefore unlikely to be a threat. Meanwhile, medical records which detail the convicted criminal’s medical examination would remain private.

“The troubling impact of the 2009-2010 Democratic budget continues to linger and leaves New Yorkers vulnerable to criminals who keep getting a free pass with the soft on crime approach embraced by the Democrats. Like a majority of the reckless and irresponsible provisions tucked secretly into the budget back in April, this has certainly caught the attention and outrage of New Yorkers. It’s up to State Democrats to wake up and realize the error of their ways and repeal this and a myriad of other dangerous provisions contained in the 2009-2010 State Budget,” Padavan said.

The provision is the latest effort by the State Legislative Democrats to weaken the State’s criminal justice laws at the expense of law-abiding New Yorkers. As part of the budget, Democrats also approved overturning the State’s longstanding drug laws, allowing more than a thousand serious drug offenders to be released from New York’s jails.

Under the drug law changes, offenders are being released this week from prisons around the State. In addition, the record of their crimes has been erased, preventing potential employers such as school districts or nursing homes from accessing the information for necessary background checks.