



NEW YORK STATE SENATOR

Joseph A. Griffo

Senate Passes Bill To Give Parole Board More Discretion Over Its Worst Criminals

JOSEPH A. GRIFFO May 7, 2014

| ISSUE: **CRIME, RAPE, CRIMINAL, MURDER OR HOMICIDE**

Legislation prompted by Utica woman's murder at the hands of a paroled rapist

ALBANY – The State Senate today passed a bill that would allow the State Board of Parole to require a violent felony offender serve his or her maximum term if there's clear and convincing evidence the inmate's release would pose an imminent threat to society.

Senator Joseph A. Griffo, R-Rome, introduced the bill ([S.3871](#)) in response to the sexual assault and murder of 68-year-old Linda Turner of Utica. The state Board of Parole had no legal authority to prohibit Robert Blainey, a career rapist, from being released early due even though Blainey admitted, "Society is safer with me in prison." Soon after his release, Blainey sexually assaulted and murdered Turner.

"Linda Turner's unfortunate death brought to light real problems with the early-release system," said Griffo, R-Rome. "I promised I would do everything I could to protect New York families from these violent offenders. This bill would allow the state Board of Parole to use its discretion when deciding whether certain inmates should be allowed early release due to 'good time,' which will keep our communities safer."

Blainey was required to serve only two-thirds of his indeterminate sentence of 12 ½ to 25 years, due to the merit time he accumulated for being well behaved in prison. Under current state law, the state Parole Board had no option to hold him as long as Blainey signed the terms for his conditional release, even though he warned the board he may re-offend back in Oneida County.

Assemblyman Anthony Brindisi is the lead sponsor of the companion bill ([A.2618](#)), which now awaits action in the Assembly.