



NEW YORK STATE SENATOR

Michael F. Nozzolio

Senator Nozzolio Calls for Immediate Action In Light of Recent Tragedies

MICHAEL F. NOZZOLIO September 15, 2014

New York State Senator Mike Nozzolio today called for immediate action to change current law and policy, in light of recent horrific acts of violence in Rochester, and renewed his commitment to enacting tougher sentencing laws and more severe punishment for violent felons.

“As the State Senator representing the Greater Finger Lakes region, as well as Chairman of the Senate Codes Committee, I am truly saddened by two recent, heinous violent crimes that took place in Rochester. The fatal shooting of Rochester Police Officer Daryl Pierson and the rape and sexual assault of a teenage girl are crimes that make us, as a community, stop, take notice, and realize much more must be done to protect the public”, said Senator Nozzolio. “Especially disturbing about these violent crimes is the fact the alleged perpetrators each had a history of violent crime, and both were just released on parole from State prison,” Senator Nozzolio continued.

Senator Nozzolio serves as Chairman of the New York State Senate Codes Committee, with broad based criminal justice responsibilities, and for many years served as the Chairman of the Crime Victims, Crime and Corrections Committee. He has continually sought to strengthen New York laws to establish a zero tolerance for violence, make parole much more transparent to crime victims and the general public, and protect our citizens by preventing dangerous, violent criminals from being released from prison too soon. “It is unconscionable that these and many other horrific crimes could have been prevented if violent criminals were required to serve their full terms of imprisonment”, said Senator Nozzolio.

Senator Nozzolio was a major sponsor of Jenna’s law, which enacted some of the strictest sentencing for violent felons in the Nation. As a result of this law, all violent felony offenders sentenced to state prison were required to serve virtually all of their court-imposed sentence before being released. These and other laws allowed New York State to experience the largest

decline in violent crime of any other state in our Nation's history. Although Jenna's law resulted in a significant reduction in violent crime, there have been subsequent changes in policy that have weakened the law and allowed inmates with the potential for violence to be released on parole. In 2010 the New York City Democrats controlled the State Senate and enacted legislation which allowed additional credit time allowances for inmates and provided earlier releases from prison. The recent tragedies in Rochester prove that changes in law and parole policy have created fundamental loopholes in the manner the parole and early release statutes are administered.

“Convicted felons that exhibit a propensity for violence must not be released back into our communities where they can once again threaten the lives and safety of innocent people. By releasing these dangerous criminals, the Department of Correctional Services and Community Supervision place every single New Yorker at risk. Throughout my tenure, I have been committed to enacting tougher sentencing laws and more severe punishment for violent felons, and yet I believe we still need to do more.” continued Nozzolio.

Senator Nozzolio is currently supporting a number of measures and new initiatives to toughen New York's parole system, including:

- *Authorizing the New York State Board of Parole to require a violent felony offender to serve his or her maximum term, if release would pose an imminent threat to society (S.3871);*
- *Requiring unanimous agreement by the parole board before granting a violent inmate release on parole (S.4133);*
- *Authorizes the parole board to increase the number of months that an inmate, who was previously denied parole for having committed a violent felony offense, can become eligible for a parole hearing from twenty four (24) to sixty (60) months. This additional time will give the victim and his or her family a greater sense of peace before the next possible parole reconsideration. (S.2486A);*
- *Providing for family members of a crime victim and interested parties to make statements to members of the parole board. A convict has the ability to plead their case before all 3 members of the parole board, this measure provides family members of crime victims the same opportunity (s.4153);*
- *Making offenders convicted of violent crimes ineligible for time off their sentences for good behavior (S.4342);*
- *Requires that websites providing inmate information be searchable by the inmate's name, former name or alias to assist victims who are unaware an inmate has changed their name (S.1209);*
- *Requires inmates to have an acceptable residence to qualify for parole. An acceptable residence must be a permanent residence and not a temporary shelter, including, but not limited to a homeless shelter, motel/hotel, or trailer, and shall allow the inmate to comply with all state and local laws and regulations regarding placement of registered sex offenders (S.1854);*

- *Eliminating the 24 hour time period inmates have from release of prison to first check in with parole officers, inmates must check in immediately upon release;*
- *Increase funding to aid officers and absconder search units to locate parole violators and take them off the street before they create new victims, and for parole violator units which administers parole violations.*

Senator Nozzolio is also sponsoring legislation (S.1850) known as Brittany's Law, which would help prevent senseless crimes such as the two which recently occurred. The measure would create a registry accessible to the public of convicted violent felons throughout New York State. Brittany's Law has been passed by the New York State Senate four years in row, but has never even been taken up by the State Assembly.

"By putting new measures in place to track violent offenders and keeping our communities informed of their whereabouts, Brittany's Law will save lives," said Senator Nozzolio.

"During this tragic time, my heartfelt condolences go out to Officer Pierson's family and his colleagues in the Rochester Police Department. We must be sure to remember his bravery and sacrifice. My thoughts are also with the teenage rape victim and her family at this very difficult time," said Senator Nozzolio.