



NEW YORK STATE SENATOR

Kenneth P. LaValle

## Senator LaValle and Assemblyman Thiele Urge Legislature To Pass Measure To Increase Time Between Violent Felon Parole Hearings

KENNETH P. LAVALLE June 2, 2015

| ISSUE: **CRIMINAL**

Albany, June 2, 2015 – Senator Ken LaValle, (R-Port Jefferson) and Assemblyman Fred W. Thiele, Jr. (I, D, WF-Sag Harbor) were joined yesterday by Senator Thomas O'Mara (R, I, C-Big Flats), Assemblyman Philip A. Palmesano (R, I, C-Corning), Assemblyman Gary D. Finch (R,C,I- Springport), Ranking Minority Member of the Assembly Corrections Committee Joseph M. Giglio (R, C, I- Gowanda), along with families of murder victims to urge the State Legislature to pass their bill to increase time between parole hearings for violent felons.

LaValle and Thiele, the main sponsors of the legislation ([S.1483/A.1680](#)) say the measure would increase the parole reconsideration time for a violent felony from twenty-four to sixty months to help ease the mental and physical anguish family members face when they appear before the Parole Board.

Currently, parole hearings can be scheduled every twenty-four months. In many cases, especially those involving heinous acts of violence, parole will be denied numerous times. Each time an inmate is considered for parole, the victim and his/her family is required to testify before the Parole Board, pleading for parole denial and reliving the horror. The Legislators feel strongly that in instances where the Parole Board is confident that parole will not be granted for a period of five years, that

they should have the discretion to set parole hearings for any date within those five years. This legislation would still allow for an earlier reconsideration, if warranted.

“We need to consider the immense toll that is placed upon these families every time they need to attend a Parole Hearing with the violent felon, who took the life of their loved one.” said Senator Ken LaValle. He continued, “Our bill enables the Parole Board to establish a more sensible schedule for these reviews, which would lessen the families anguish somewhat. The Legislature and the Governor should act to make this measure State Law now.”

“In cases where parole is likely to be denied consistently every two years, there is no reason why we should further disrupt the lives of victims and their families. Having to testify and relive often disturbing, graphic and highly emotional occurrences every two years is unnecessary”, said Assemblyman Thiele.

Senator Tom O'Mara, co-sponsor of the bill, said, "There's no sense of justice in putting these families through the anguish, pain and suffering of repeatedly having to make sure that the heinous, violent felon who took the life of their son or daughter, sister or brother, any loved one, won't ever see the outside of a prison cell again."

Assemblyman Phil Palmesano, also a co-sponsor, said, “Every time there's another parole hearing for one of these violent criminals, throughout the days and weeks leading up to the hearing, the families of the victims have to relive the horror of the crimes that took the lives they cherished. No family should have to go through that nightmare every two years. That's just not fair."

Joining the Legislators were family members of murder victims Jenna Grieshaber, Lorraine Miranda, and Derrick Robie.

Jenna Grieshaber's murder case inspired the New York State Legislature to pass “Jenna's Law,” which took effect in September 1998 and requires defendants convicted of violent

felonies the first time serve about eighty-five percent of their maximum sentences before being eligible for parole. Jenna was murdered by her neighbor, Nicholas Pryor, a paroled violent felon who had only served two-thirds of his sentence. Janice Geddes, mother of Jenna Grieshaber stated, "Our loss is unimaginable. Reliving the details of Jenna's tragic death every two years is an agonizing prospect, and certainly not a legacy we want to pass on to our living children. Enactment of this legislation is necessary to lessen the frequency of this tormenting burden."

Margaret and Joe Hennessey, originally from Shirley, Long Island were there to tell the story of Margaret's daughter, Lorraine, who was violently strangled and mutilated by her fiancé, Chris Patterson in 1988. Mr. Patterson has been denied parole six times since sentencing and is eligible to re-apply for parole in August 2015. Margaret said, "The agony of reliving my daughter's death every 24 months is unbearable for me and my family. I suffer from cardiac arrhythmia, have a pace maker and I have been diagnosed with post-traumatic stress syndrome. I pray that this legislation becomes a law to give grieving parents and families a chance to recover before the next parole hearings begin."

Margaret Hennessey's husband, Joseph, stated, "The pain and agony of frequent parole hearings, I believe, is inhumane. My wife must relive the grief and of that terrible day every 24 months. I feel that the enactment of this legislation may alleviate the continuous suffering of grieving families who must endure the most heinous acts of murder."

Dale and Doreen Robie, constituents of Senator O'Mara and Assemblyman Palmesano, from Savona, NY shared the story of their four year old son, Derrick, who was lured into a nearby field, and killed by Eric Smith in 1993. Mr. Smith's parole has been denied seven times thus far. Derrick's parents shared, "We are in total support of this important legislation and appreciate the efforts being made by state legislators to have it become law. We are committed to working with them to secure its enactment in Derrick's memory and so that

other families like ours, whose lives have been forever changed by a violent criminal, do not have to relive their ordeal every two years."

The Senate bill (S.1483) was reported from the Senate Rules Committee on June 1<sup>st</sup> and is expected to be taken up on the floor shortly. The Assembly companion bill (A.1680) is currently under the review of the Assembly Crime Victims, Crime and Correction Committee.