



NEW YORK STATE SENATOR

Susan Serino

ANNIVERSARY OF TRAGIC ACCIDENT SPURS RENEWED CALLS FOR JUSTICE

SUSAN SERINO August 1, 2016

| ISSUE: **CONSECUTIVE SENTENCING, PUBLIC SAFETY, JUSTICE**



POUGHKEEPSIE, NY—Four years after the tragic deaths of Shawn and Patricia Wonderly, members of the Wonderly family and local lawmakers came together at a press conference in the City of Poughkeepsie to honor their legacies by pushing for the passage of legislation that would give judges the authority they need to level punishments that more accurately fit the crime.

On August 1, 2012, Shawn and Patricia Wonderly were killed when their family vehicle was struck in the City of Poughkeepsie by a felon actively running from police. Thankfully, their two young children survived the horrific accident.

The perpetrator received two 6 ½ to 13 year sentences after pleading guilty to two counts of second-degree manslaughter.

Although, he believed a much stricter sentence was appropriate, Dutchess County Court Judge Stephen Greller could not impose one as current law requires the sentencing for the two separate manslaughter charges to run concurrently when they are caused by one act—regardless of the number of victims killed. Essentially, the concurrent sentence allows the perpetrator to serve less jail time than is deserved, effectively watering down the punishment and robbing one lost life of the retribution it deserves.

Senator Sue Serino and Assemblyman Frank Skartados sponsor legislation ([S. 3694A/A. 317](#)) that would allow judges presiding over a case to authorize consecutive sentences for homicide offenses against more than one person that are committed in a single act, thereby ensuring that justice is served for each life lost. Assemblyman Kieran Lalor co-sponsors the bill in the Assembly and the three have actively been championing its passage. The bill has passed the State Senate twice, but has repeatedly stalled in the Assembly Codes Committee.

Standing at the intersection of the Eastbound Arterial and Worrall Avenue—where the accident took place—the lawmakers, along with Patricia’s brother, Richard DeSantola, called on the NYS Assembly to make justice a priority by finally passing the ‘Let the Punishment Fit the Crime’ bill.

Senator Serino said, “There are issues that simply transcend politics and this is one of them. Passing this bill is about justice; it’s about restoring the public’s trust in the law and holding perpetrators accountable so that no New York family has to suffer in the way that the Wonderlys have. This bill has passed in the Senate multiple times with widespread, bi-partisan support. It is time for the Assembly to lay their partisan

politics aside and make this bill a priority.”

Assemblyman Frank Skartados said, *“We are all fighting to change legislation so that justice can be served when a person is convicted of killing two or more people, but is sentenced for only one death. The innocent victims, their families and society deserve to have criminals serve time for each life they have ended, anything less is a travesty.”*

Assemblyman Kieran Lalor said, *“The Let the Punishment Fit the Crime bill would give judges the discretion to sentence killers to consecutive terms in cases like the Wonderly deaths. The bill has passed the State Senate twice, but has repeatedly stalled in the Assembly. The bill represents a common sense reform and has bipartisan support. We are going to keep fighting for it until we get it passed and signed into law.”*

Richard DeSantola drove these points home saying, *“The archaic provision in New York law that forces a judge's hand in applying a concurrent sentence in this case and others like it, denied our family and society of seeing the perpetrator justly sentenced for taking two lives. Every day for the last four years, we have fought to honor the memory of my sister and brother-in-law, Shawn and Patricia Wonderly, by working to ensure that no other family has to live through the nightmare we've experienced. Today, on the 4th anniversary of their death, we are coming together to keep their memory alive by continuing to push for justice and to make it clear to the NYS Assembly that we will not allow this issue to continue to languish in some committee. With the help of our local lawmakers on both sides of the aisle, we will continue to fight until New York State law finally lets the punishment fit the crime.”*