



NEW YORK STATE SENATOR

Susan Serino

## SERINO CALLS ON ASSEMBLY TO MAKE JUSTICE A PRIORITY

SUSAN SERINO March 2, 2017

| ISSUE: **JUSTICE**



ALBANY—Senator Sue Serino (R, C, I—Hyde Park) today announced that her bill authorizing judges to impose consecutive sentences when two or more lives are lost as a result of a single criminal act passed in the Senate—for the third consecutive year.

*“While I am proud that this bill has once again passed the Senate, the lack of progress in the Assembly has been endlessly frustrating.” said Senator Serino. “Despite having active partners in Assemblymen Frank Skartados and Kieran Lalor, the Assembly has failed to act on this bill time and again. Today I call on our colleagues in the Assembly to put justice ahead of politics, close this glaring loophole and pass this important legislation.*

Under current law, regardless of the number of victims killed during a single act, sentencing must run concurrently, instead of consecutively, even if a judge issues an opinion to the contrary. The legislation (S. 2159) aims to ensure that justice is served for each life lost by giving judges presiding over a case the authority to hand down consecutive sentences for homicide offenses against more than one person that are committed in a single act.

The bill was brought to Senator Serino in January of 2015 by Richard DeSantola whose sister, Patti, and brother-in-law, Shawn, were killed in 2012 when their family vehicle was struck in the City of Poughkeepsie by a felon actively running from police. Their two young children, thankfully, survived the horrific accident.

The perpetrator received two 6 ½ to 13 year sentences after pleading guilty to two counts of manslaughter. Under current state law, the judge was mandated to allow the perpetrator to serve both sentences at the same time—despite his stated opinion to the contrary—essentially allowing him to get off easy.

The bill has passed in the Senate each year since, yet the Assembly has failed to move it beyond their Codes Committee time and again.

*Assemblyman Frank Skartados, who has sponsored the bill in the Assembly said, “Our belief as American’s has always been that the punishment should match the crime. Somehow that tenet of justice is subverted when in some cases, a single act results in multiple deaths. The Ryan family deserves better. Senator Serino, Assemblyman Lalor and I are working to bring justice back to the system.”*

*Assemblyman Kieran Lalor said, “It’s time to make sure the punishment fits the crime. The Wonderly and DeSantola families have fought hard to see this bill through. They’ve fought so that future killers will receive the full punishments they deserve. The bill would give judges the discretion to give criminals tougher sentences when appropriate. It’s a law New York needs.”*

*Richard DeSantola said, “The family of Shawn and Patricia Wonderly, especially their now 11 and 13 year old children, wish to thank Sen. Serino and the NYS Senate for once again passing this bill to correct a terrible loophole in the sentencing laws in New York. This is the 3rd time this bill has been introduced*

*and passed in the senate. In the same period, the bill was introduced and failed to pass the NYS Assembly, largely for political reasons. We call upon the Assembly speaker Heastie to get this bill through committee and voted on, and for Gov. Cuomo to sign it into law before the end of the legislative session in June."*