



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senate approves parole reform legislation O'Mara co-sponsors to enact 'Lorraine's Law': O'Mara and Palmesano recently joined parents of murder victim Derrick Robie of Steuben County to renew call for reform

THOMAS F. O'MARA May 24, 2017

| ISSUE: **PAROLE REFORM**



We are continuing to call on the Assembly leadership to recognize the decency and fairness behind this action for the sake of the families of murder victims.

Albany, N.Y., May 24—The New York State Senate today approved legislation co-sponsored by Senator Tom O'Mara (R,C,I-Big Flats) that would extend the time period that certain

convicted murderers have to wait to apply for a parole hearing.

The Senate approved the legislation ([S.2997/A.2350](#)) by a vote of 43 to 18.

Earlier this month in Albany, O'Mara and Assemblyman Phil Palmesano (R,C,I-Corning) joined legislative colleagues and family members of murder victims, including the parents of Derrick Robie of Savona (Steuben County), to call for the law's approval.

Lawmakers and families held a news conference at the Capitol as part of an annual advocacy effort to fight for the enactment of what's now known as "Lorraine's Law" in memory of Lorraine Miranda, who was 24 years old when she was murdered by her fiancée in their State Island apartment in December 1988. Her killer, Chris Patterson, has been denied parole every other year since 2003. Members of Miranda's family were also in Albany on May 9.

O'Mara and Palmesano co-sponsor the measure, which has consistently received Senate approval but not from the Assembly leadership.

In a joint statement, O'Mara and Palmesano said, "We're not going to go away and we're going to keep standing with Dale and Dori Robie and other families until 'Lorraine's Law' becomes law. We are continuing to call on the Assembly leadership to recognize the decency and fairness behind this action for the sake of the families of murder victims. Dale and Dori Robie and so many other families have to go on, every other year, reliving the pain and the horror of the crimes that took the lives they cherished. We need to finally show some compassion for these families. It's time for Assembly leaders to act."

Derrick Robie's parents, Dale and Dori, said, "We are in total support of 'Lorraine's Law' 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."

Under existing law, the state Parole Board is required to allow inmates to request a parole hearing every two years. The legislation O'Mara and Palmesano co-sponsor would allow the Parole Board to extend the time period between parole hearings from two to five years for offenders convicted of the Class A-1 felonies of murder in the first or second degrees, or aggravated murder, where a sentence other than life imprisonment without parole is imposed. The board would still have the option to permit an earlier hearing.

"Lorraine's Law" is sponsored by Senator Kenneth P. LaValle (R-Port Jefferson) and Assemblyman Fred W. Thiele, Jr. (I,D,WF-Sag Harbor). It has strong bipartisan support in the Assembly with a total of 53 sponsors, including the entire Assembly Republican conference.

Sponsors and supporters of the measure, including the Robies, argue that the longer time frame would help spare the families of victims from having to repeatedly, every two years, relive the events that took the lives of their loved ones -- as well as to further help prevent any chance that a heinous criminal will be granted an unwarranted, early release from prison. They have been critical of the leadership of the Democrat-controlled Assembly for not allowing the legislation to be voted on by the full Assembly.

Derrick Robie was four years old in August 1993 when he was killed by Eric Smith, then 13, in a wooded area near Robie's home in Savona. Smith was convicted of second-degree murder in 1994 and sentenced to nine years to life in prison. He's currently incarcerated at the maximum-security Collins Correctional Facility outside Buffalo.

Smith first became eligible for parole in 2002 and has been denied parole eight times, including last April. Under current law, he's eligible for another parole hearing in April 2018.

In addition to the Robies and Mirandas, the May 9 news conference in Albany was also attended by the family members of Jenna Grieshaber of Camillus, who was a 22-year-old

nursing student on the eve of graduation from Russell Sage College in Albany when she was murdered in her apartment by a paroled violent felon, who was a neighbor, on November 6, 1997. Grieshaber's killer, Nicholas Pryor, had served just two-thirds of his sentence. Jenna's death led the state Legislature and then-Governor George Pataki to enact "The Sentencing Reform Act of 1998," commonly known as "Jenna's Law," to establish determinate sentences for first-time violent felony offenders and require their incarceration for longer periods of time.