



NEW YORK STATE SENATOR

James Tedisco

## Tedisco, Sheriff Zurlo, District Attorney Heggen, Parents of Chris Stewart Call for Passage of Parole Reform Legislation

SENATOR JIM TEDISCO July 24, 2018

Senator Jim Tedisco (R,C,I,REF-Glenville) today called for parole reform legislation to keep sexual predators who are civilly confined from voting, and the worst-of-the-worst violent felons in prison to protect our communities. Tedisco joined with Saratoga County Sheriff Michael Zurlo, Saratoga County District Attorney Karen Heggen, representatives from the NYS Correctional Officers & Police Benevolent Association, and Regina and Michael Stewart, parents of the late Christopher F. Stewart, who was tragically killed in 2012, along with Deanna Rivers, by a drunk and drugged driver. Stewart and Rivers were 17 years-old and Shenendehowa High School students.

The New York State Parole Board has recently paroled convicted [NYPD cop killers Hermann Bell and Robert Hayes, along with Jose Diaz](#), who gunned down an assistant prosecutor. Last week, it was announced that convicted baby killer Mary Beth Tinning from Schenectady would soon be paroled. Meanwhile, the [NY Daily News](#) has uncovered that the Governor is issuing conditional pardons and voting rights privileges to at least 77 sexual predators who are being civilly confined – the offenders who are most likely to re-offend.

While Dennis Drue, the individual who killed Christopher Stewart and Deanna Rivers, was recently denied parole, he will be up for another parole hearing in two years causing further

anguish for the Stewart and Rivers families who will have to go through the process again.

Tedisco, Zurlo, Heggen and the Stewart family called for several parole reform bills including legislation to ensure family members of crime victims are able to make impact statements to three parole board members instead of just one, which is currently required under law; extending the waiting period between parole hearings from 24 to 60 months; and life without parole for first-degree murder, killing a first responder and for persistent violent offenders. These measures have all passed the state Senate, but not the Assembly. Tedisco also announced new legislation he is drafting to keep civilly confined dangerous sex predators from voting.

“We can be compassionate for people who have made mistakes, done their time and are trying to turn their lives around, but first and foremost, we need justice and compassion for crime victims. No more get-out-of-jail-free cards for the worst-of-the-worst offenders whose crimes are so heinous they should never see the light of day, let alone be paroled, pardoned and given the same level of rights and benefits as hard-working, honest, law-abiding citizens,” said Senator Jim Tedisco. “The Senate has done its job by passing a holistic package of bills to protect our communities and be a voice for victims and their families. It’s time for the Assembly and Governor to pass parole reform that makes it a victim-centered process and keeps the worst offenders behind bars.”

Parole reform legislation that passed with bi-partisan support in the NYS Senate includes:

- Authorizing the imposition of life imprisonment without parole for persistent violent felony offenders (S.4036-Tedisco).
- Requiring a sentence of life imprisonment without parole for a murder in the first degree involving killing of a first responder (S.7976-Murphy).

- Providing that the sentence for murder in the first degree shall be life imprisonment without parole (S.7370-Little).
- Providing for family members of a crime victim and interested parties to make statements to members of the State Parole Board, which would include all three board members instead of the one currently required under law (S.6200A-Lanza).
- Enacting “Lorraine’s Law,” which would extend the waiting period between parole hearings from 24 to 60 months in cases where the inmate applying for parole was sentenced for a violent crime (S2997A-LaValle).

Tedisco also is drafting legislation to prohibit civilly confined sex offenders from voting.

“On October 30<sup>th</sup>, 1976, my friend and partner Patrolman Paul Luther was shot and killed in the line of duty while on patrol in the City of Mechanicville. Every two years, I have attended a parole hearing along with the family of Paul Luther anguishing through victim impact statements to keep the person responsible for this heinous act in prison. It’s time to stop putting victims’ families through this pain every two years and extend the parole hearings to five years. I want to thank Senator Tedisco and his Senate colleagues for championing this legislation to reform the parole process and protect the rights of victims,” said Saratoga County Sheriff Michael Zurlo.

“My office is proud to work each day to achieve justice for crime victims and their families by helping them navigate the criminal justice system from arrest, trial, conviction and parole hearing. Each of these proceedings can often cause the pain of the original crime to re-emerge. Changes to our criminal justice system, such as extending the time period for parole consideration, would be a positive step in support of victims of crime,” said Saratoga County District Attorney Karen Heggen.

“Allowing sex offenders to enter our schools, community centers and other places we deem safe for our children, families and seniors is unacceptable,” said Michael Powers, president of the New York State Correctional Officers & Police Benevolent Association. “The Governor must take steps to immediately reform our parole system and prevent dangerous predators from infiltrating these civic institutions. NYSCOPBA stands with Senator Tedisco, Sheriff Zurlo and District Attorney Heggen in advocating for strong public safety and applauds them for supporting law enforcement’s work to protect New Yorkers.”

“Having no knowledge as to how the state’s judicial system worked from the victim side, it was overwhelming to learn about it first-hand after losing our son Christopher Stewart to a drunk/high driver. The frustrations have been many through the parole process which is not sensitive to suffering families. Of utmost concern was having to pour our heartfelt emotions out to one parole board member who may or may not have attended the parole hearing. We were left hoping that our message got conveyed to the rest of the Parole Board. And now that parole for Dennis Drue has been denied, we will be subjected to this heartache again in two years. This is too much for families to have to endure and must be a tremendous expense to the state. Parole Board hearings after five years rather than two would ease this burden on the state and at the same time give the heartbroken families the time they need and deserve to rest and keep the felon in jail where they belong,” said Regina Stewart.

“Our family first had to endure the devastating loss of our son Christopher. After over a year of reliving the events of that evening and the long, detailed investigation that took place, a sentence was handed down on December 5<sup>th</sup>, 2013 to Dennis Drue being a minimum of 5 years and a maximum of 15 years in prison. Less than six months later, our family received a letter saying that his initial Parole Board hearing would be taking place in July 2018. And so, barely into Drue’s sentencing the judicial system had already established a date for his parole hearing and potential release. We knew that even if we were successful in presenting

our case to the Parole Board, the most Drue would potentially receive is another 2 years behind bars. Our family must now start up the same process again in June of 2020 to fight for Christopher with the hope that parole might not be granted at that time. How fair is that? We get to relive the details once again. This 2-year maximum needs to be extended to a 5-year period! Our family has suffered enough!" said Michael Stewart.

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#### RELATED LEGISLATION

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### 2017-S4036

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- Introduced
  
- ◦ In Committee Assembly
  - In Committee Senate
  
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ◦ Passed Assembly
  - Passed Senate
  
- Delivered to Governor
  
- Signed By Governor
  
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Authorizes imposition of life imprisonment without parole sentence for persistent violent felony offenders; repealer

February 02, 2017

In Assembly Committee

Sponsored by **James Tedisco**

Do you support this bill?