



NEW YORK STATE SENATOR

Susan Serino

JUSTICE FOR THE WONDERLY'S: SIX YEARS LATER LOCAL LAWMAKERS AND FAMILY CONTINUE THE FIGHT

SUSAN SERINO August 1, 2018

| ISSUE: **PUBLIC PROTECTION, LET THE PUNISHMENT FIT THE CRIME**



POUGHKEEPSIE, NY—On August 1, 2012, Shawn and Patricia Wonderly's family vehicle was struck in the City of Poughkeepsie by a felon actively running from police. While thankfully, their two young children survived the horrific accident, Shawn and Patricia Wonderly tragically did not. During the trial, the perpetrator plead guilty to two counts of second-degree murder and received two, 6 ½ to 13 year sentences, however, under current New York State Law, the killer must serve those sentences concurrently, effectively robbing one lost

life of the justice it deserves. The Wonderly's killer—and the man responsible for orphaning their two children—could be released on parole as soon as next year.

Six years after the tragedy, members of their family—including the Wonderly's surviving daughter, Abigail—and local lawmakers came together today at a press conference to honor their legacies by continuing their ongoing fight to pass legislation that would hold those individuals who repeatedly endanger the public accountable for their despicable actions.

Senator Serino said, "I am shocked, and angry, that six years after the Wonderlys passed so tragically, we are still standing here pleading with the State to fix its broken system of justice. Passing legislation to address this critical issue is 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. The NYS Assembly needs to know that we are not going to stop fighting until we pass legislation that truly allows for justice to be served—we owe it to the Wonderlys, we owe it to their incredible children and to our friend, Frank Skartados, and we owe it to all New Yorkers."

Since 2015, Senator Sue Serino and Assemblymen Frank Skartados and Kieran Lalor have actively fought for the passage of legislation that would allow presiding judges 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. Their legislation has come to be known as the "Let the Punishment Fit the Crime" bill (S. 2159) and it has passed the Senate with few 'no' votes multiple times, but year after year, it fails to make it out of the Assembly Codes Committee—a legislative committee notorious for failing to move bills that would strengthen penalties against perpetrators.

In April of this year, the victims' family lost a fierce champion for this legislation when Assemblyman Frank Skartados passed away unexpectedly from advanced stage pancreatic cancer. Following the Assemblyman's passing, both Senator Serino and Assemblyman Lalor committed to carrying on the cause and have worked to secure a new sponsor for the bill in the Assembly Majority. Their efforts have thus far been met with resistance despite repeated

requests to come to the table to reach any sort of agreement.

As a result, in an extreme effort to get the bill to move in the State Assembly, Senator Serino introduced a much more narrowly tailored version of the bill. The new bill, (S. 8540) would grant judges the discretion to authorize homicide offenses against more than one person that are committed in a single act while the perpetrator was on probation or parole—like the Wonderly's killer was. To date, no member of the Assembly Majority has expressed interest in the bill.

Today, the lawmakers and members of Shawn and Patricia's family urged a member of the Assembly Majority Conference to come forward and take up this cause to ensure that no other New York family is robbed of justice the way that the Wonderly's have been.

Assemblyman Kieran Lalor said, "Six years ago today, Shawn and Patricia Wonderly were tragically killed in front of their children. One month from today, their killer will stand before the New York State Parole Board for his initial parole hearing. He could be released as early as January 2019, based on the fact he only served time for one of the lives he took in accordance with a deeply-flawed state law. The Wonderly and DeSantola families never got justice for the two beautiful lives that were taken. But the legislature can stop this injustice from repeating over and over around our state.

Our bill has passed in the Senate. Despite diligent efforts from our late friend and colleague Assemblyman Frank Skartados, it never passed the Assembly. We need another member of the Assembly majority to join members of the Assembly minority to champion this bill to make sure killers are punished for each life taken."

Patricia's brother and longtime advocate for this bill, Richard DeSantola said, "For five long years, through five legislative sessions, we have labored to prevent any other family from seeing the person responsible for taking their loved one's lives go under-punished due to New York's archaic sentencing guidelines which seem to count the taking of one life or multiple lives in a criminal act as worthy of the same degree of punishment. The legislation we have backed, which the NYS Senate has had no problem passing every year; and which most citizens consider commonsense, has consistently been blocked in the Assembly by the Assembly Codes committee, from ever getting an up or down vote on the floor. Now with the untimely death of the late Assemblyman Frank Skartados, we have been unable to find a single

member of the majority to sponsor and fight for this bill. We call upon the Assembly to once and for all take up this bill when it is introduced in January, and allow a speedy floor vote so it can be sent to the Governor for his signature into law. In this way, the tragic death of Patricia and Shawn Wonderly will not have been in vain."

***Dutchess County Executive Marc Molinaro said,** "The criminal justice system is designed to punish convicted offenders, unfortunately, because of the structures of the law, too often the punishment does not fit the severity of the crime. I applaud the New York State Senate, Senator Serino and Assemblyman Kieran Lalor, for their efforts to bring meaningful change to New York's justice system and I encourage the New York State Assembly to pass this important piece of legislation. Victims and their families deserve the peace of knowing justice has been served."*

Present at the press conference to show support for the initiative were **Dutchess County Sheriff Butch Anderson; City of Poughkeepsie Police Chief Thomas Pape; Matt Weishaupt, Chief Assistant to the Dutchess County District Attorney; Chief Investigator Gary Leigh of the Dutchess County District Attorney's Office; Lt. Matt Damf, and Detective Sergeant Jason Mark of the Dutchess County Sheriff's Office.**

Senator Sue Serino and Assemblyman Kieran Lalor have launched a petition in support of the effort to get this bill passed. Residents of the community who wish to sign the petition can do so by [clicking here](#).