



NEW YORK STATE SENATOR

John J. Flanagan

## Senate Republicans Unveil Victims' Justice Agenda

JOHN J. FLANAGAN April 30, 2019

| ISSUE: **VICTIMS' JUSTICE AGENDA, CRIMINAL JUSTICE, JUDITH CLARK, LAW ENFORCEMENT**



In the wake of so-called “reforms” made unilaterally by Democrats that favor criminals – and Democrats applauding the recent high-profile parole of radical left-wing, domestic terrorist Judith Clark who participated in the Brinks heist that left two police officers and a security guard dead – the **New York State Senate Republican Conference** today stood up for victims, their families, and every New Yorker impacted by crime with the unveiling of its “**Victims’ Justice Agenda.**”

Please [click here](#) to view April 30th press conference on this important issue.

The **Victims' Justice Agenda**, a comprehensive package of Senate Republican sponsored legislation, aims to reform the parole system to keep violent criminals behind bars without parole and ease the parole process for suffering victims, families and the public.

The so-called "reforms" made to the justice system have been panned by law enforcement, prosecutors, and justice experts who were cut out of the decision making process by Democrats, who adopted bail, speedy trial, and discovery reforms without input. Senate Democrats intend to move further and are pushing legislation to grant parole hearings for inmates who have served 15 years once they reach their 55th birthday, regardless of what crime the individual committed.

The sponsor of the bill stated, "There are so many more Judith Clarks out there."

For every Judith Clark and for every criminal, there are far more victims who suffer for years and possibly for a lifetime because of criminal actions. Restoring balance to the justice system means addressing the lingering wounds inflicted on those impacted by serious, violent crime.

"Thanks to Democrats who earlier this year passed a Criminal Bill of Rights, Justice is turning a blind eye to crime victims. It is unconscionable that Democrats celebrate, while district attorneys, law enforcement officers and experts, who were not even consulted, warn of dangers. It is downright despicable to see Democrats cheer about the Parole Board's decisions to free cop-killers and now a radical left-wing terrorist. These heinous crimes are not without victims, and unfortunately those victims will never speak again. But their grieving mothers and fathers, their spouses, their relatives, and all the lives they touched will have to grieve far longer than a murderer's prison sentence – and there is something wrong with that. Senate Republicans will fight to restore justice to the people actually hurt by crime," **said Senate Republican Leader John J. Flanagan.**

“We hear a lot in Albany about ‘justice,’ but where’s the justice for victims of crime and their families? Senate Democrats’ actions this year have been a slap in the face to law enforcement and those who have already lost their loved ones and childhoods at the hands of criminal offenders. On the heels of a state budget that was basically a criminals’ bill of rights, our voices are more important than ever. We need to make them heard so we can send a loud and clear message to Albany that we stand with law enforcement and victims of crime,” **said Senator Pamela Helming.**

“I cannot imagine the horror that MaryEllen Monroe, a constituent of mine, confronted when she discovered the lifeless bodies of her daughter, Crystal, and granddaughter, Lilly, on the kitchen floor of their home. Crystal, 33-years-old, and 4-year-old Lilly were intentionally and brutally murdered. There is no second chance for them, but there will be for their killer when he is up for parole. Murder in the first degree does not warrant leniency. It calls for the most severe penalty possible, life without parole. Last year, we passed this legislation in the Senate. I am asking my Democratic colleagues to stand up for victims, for their families, and for justice by helping us pass this legislation again,” **said Senator Betty Little.**

“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 and ensure when it comes to granting parole that their voices are given much greater prominence. So far this year, the legislature has gone over the cliff in tipping the scales of justice toward putting the rights of law-breakers and violent felons above and beyond the rights of honest, hard-working, law-abiding citizens. It’s time we bring balance back and deliver justice for crime victims and their families,” **said Senator Jim Tedisco.**

“As someone who has spent much of my life in law enforcement, I am very concerned about some of the criminal justice changes advocated by many of my Legislative colleagues. One of the most important responsibilities we have as elected officials is to keep New York residents

safe and to ensure our laws hold perpetrators who commit violent crime responsible for their actions and provide justice for crime victims and their families. Any changes to our criminal justice system must be carefully examined and balanced to include tougher penalties for repeat offenders and to protect the rights of crime victims,” **said Senator Patrick M. Gallivan.**

“Unfortunately, the legislative actions this session have been seriously misguided by enabling violent offenders to be released and by restricting prosecutor’s abilities to keep criminals off our streets. The people we really need to protect are the law-abiding citizens and especially victims and their families. Families of the victims suffer immensely from the crimes alone; it is then greatly compounded when they need to prepare and testify at the Parole Hearing. These families are faced with incredible anguish. My legislation, designated as “Lorraine’s Law” (S4354), would allow a more sensible approach be taken by the Parole Board when scheduling reviews. The legislation should be approved immediately to lessen the unnecessary toll upon the victims’ families. Communities rely on the protection of their children by enforcing state and local laws and regulations regarding homes of registered sex offenders. Currently, offenders are released to temporary shelters or other residences that cannot ensure compliance with applicable laws and regulations. My legislation (S3734) would require the parolees to secure an acceptable permanent residence prior to release, thereby providing an additional measure to support compliance,” **said Senator Ken LaValle.**

“In the past year alone, the Parole Board voted on two different occasions to release an individual who killed or was directly involved in the killing of four police officers. The release of individuals convicted of serious crimes who showed no regard for the value of human life, demonstrates a blatant disregard for the victims and their families. This is why I support this common sense criminal justice reform package,” **said Senator Bob Antonacci.**

## **VICTIMS’ JUSTICE AGENDA**

**S1995 - Little** - Provides that the sentence for murder in the first degree shall be life imprisonment without parole.

**S357 - Tedisco** - Authorizes imposition of life imprisonment without parole sentence for persistent violent felony offenders upon conviction of a violent felony offense when such person has previously been subjected to two or more predicate violent felony convictions.

**S1410 - Ritchie** - Requires that all comments and testimony made by a third party either in support or opposition in a parole hearing shall be considered when coming to a decision; adds provisions relating to confidentiality of victim statements.

**S4127 - Tedisco** - Requires that all victim impact statements in New York state be video recorded; requires that the members of the parole board review all relevant victim impact statements prior to the conduct of a parole hearing

**S1745 - Gallivan** - Provides that any person interested in the grant or denial of discretionary release shall have the right to submit a written statement of views in support of or in opposition to the granting of discretionary release which the parole board may consider.

**S5320 - Antonacci** - Requires unanimous consent of the Parole Board to release an inmate on parole.

**S3734 - LaValle** - Requires inmates to have an acceptable residence to qualify for parole.

**S4354 - LaValle** - Enacts "Lorraine's Law"; increases from twenty-four to sixty months, the time for which reconsideration for parole for a violent felony offense shall be determined.

**S3268 - Lanza** - Enacts "Cesar's law" to require the retaking of parolees, who abscond from the supervision of the state board of parole.

**S4644 - Helming** - Enacts "The Domestic Violence Protection Act - Brittany's Law" requiring registration of violent felony offenders; sets forth duties of the division of criminal justice services; establishes a special telephone number; requires the division to maintain a subdirectory of violent predators.

**S1406 - Helming** - "Clara's Law" Requires health care facilities to report incidents of a sexual offense to the departments of health and education.

---

#### RELATED LEGISLATION

---

### 2019-S1995

---

- 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

- Provides that the sentence for murder in the first degree shall be life imprisonment without parole; repealer

January 18, 2019

In Senate Committee [Codes](#)

Sponsored by [Betty Little](#)

Do you support this bill?

---

## 2019-S357

---

- 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

- 

Authorizes imposition of life imprisonment without parole sentence for persistent violent felony offenders; repealer

January 03, 2019

In Senate Committee [Codes](#)

Sponsored by [James Tedisco](#)

Do you support this bill?

---

## 2019-S1410

---

- 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



- 

Relates to testimonies in parole hearings

January 14, 2019

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Patty Ritchie](#)

Do you support this bill?

---

## 2019-S4127

---

- 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
-

Requires that all victim impact statements in New York state be video recorded; requires that the members of the parole board review all relevant victim impact statements prior to the conduct of a parole hearing

March 01, 2019

In Senate Committee [Codes](#)

Sponsored by [James Tedisco](#)

Do you support this bill?

---

## 2019-S1745

---

- 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

- 

Relates to third party statements to the parole board

January 16, 2019

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Patrick M. Gallivan](#)

Do you support this bill?

---

## 2019-S5320

---

- 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
- 

[Requires unanimous agreement by the parole board to release an inmate on parole](#)

---

April 25, 2019

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Robert Antonacci](#)

Do you support this bill?

---

## 2019-S3734

---

- 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
- 

[Requires inmates to have an acceptable residence to qualify for parole](#)

February 13, 2019

---

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Kenneth P. LaValle](#)

Do you support this bill?

---

## 2019-S4354

---

- 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
  
- 

[Increases from twenty-four to sixty months, the time for which reconsideration for parole for a violent felony offense shall be determined](#)

March 08, 2019

---

In Senate Committee [Crime Victims, Crime and Correction](#)

---

## 2019-S3268

---

- 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
  
- 

Enacts "Cesar's law" to require the retaking of parolees who abscond from the supervision of the state board of parole

February 05, 2019

In Senate Committee [Crime Victims, Crime and Correction](#)

Sponsored by [Andrew J. Lanza](#)

---

---

## 2019-S4644

---

- 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
  
- 

Enacts "The Domestic Violence Protection Act - Brittany's Law" requiring registration of violent felony offenders

March 19, 2019

Stricken

Sponsored by [Pamela Helming](#)

---

## 2019-S1406

---

- 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
- 

Relates to requiring health care facilities to report incidents of a sexual offense to the departments of both health and education

January 14, 2019

In Senate Committee [Health](#)

Sponsored by [Pamela Helming](#)

Do you support this bill?

---