



NEW YORK STATE SENATOR

Robert G. Ortt

## Senate Republicans Unveil Parole Reform Package

ROBERT G. ORTT June 1, 2021

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ALBANY, NY -- Senate Republican Leader Rob Ortt, along with Senators Fred Akshar, Dan Stec, Alexis Weik, and members of the Senate Republican Conference today unveiled a Parole Reform package designed to protect crime victims by fixing the Governor's out-of-control Parole Board and keeping violent criminals behind bars. As Democrats in Albany continue to advance policies that could release New York's most dangerous criminals, Senate Republicans stood unified in their latest, ongoing push to restore common sense and public safety throughout the state.

“Herman Bell. Anthony Bottom. Richard Rivera. The list of cop-killers released by Andrew Cuomo’s out-of-control Parole Board in the past few years goes on and on. As if that weren’t bad enough, radicals in the One-Party-ruled Legislature are now planning to spring New York’s most dangerous criminals loose with their latest “reforms.” Spree killers. Serial killers. Child killers. Even the Son of Sam and Mark David Chapman could be eligible to be released under Democrats’ dangerous proposals. To be clear, their proposals aren’t reform -- they are utter madness, especially at a time when crime rates in major metro areas all across the state are on the rise. It’s time for our colleagues on the other side of the aisle to reject this unsafe path, and join us in our efforts to restore common sense and public safety in New York,” said Senate Republican Leader Rob Ortt.

“The Governor’s appointed Parole Board is out of touch and simply out of control. When our state’s Parole Board consistently gives more consideration to vicious murderers than to the families of their victims, time and time again, it’s clear that their priorities are completely out of touch with what New Yorkers deserve from their government. It’s not enough to shine a light on the failures of the Parole Board. We must do something to fix it. I’m asking the people of this state to join us and call on legislators from both sides of the aisle to work together to finally restore sanity and common-sense to the Parole Board,” said Senator Fred Akshar.

“There’s no question that the agenda that has been pushed by far-left Democrats and Governor Cuomo, including the so-called bail reform law, has emboldened criminals. The already challenging and dangerous job of policing has been made much more difficult. As a result, communities are becoming less and less safe. These are stressful times. Public safety has to be a priority. We need to stand up for law-abiding New Yorkers and we especially need to stand up for crime victims and their families,” said Senator Dan Stec.

“Under one party control in Albany, we first had a pro-criminal agenda which eliminated cash bail for violent offenders. Then we saw an anti-law enforcement agenda with the repeal of 50-a. Now, we are seeing an anti-victim agenda, with mandatory eligibility for parole for any 55-year-old criminal—regardless of the crime or number of victims—with 15 years of prison time. These are bad policies that I strongly oppose. Our conference is instead taking up a pro-victim agenda, advancing legislation to hold criminals accountable and to ensure the rights of victims are protected and their voices heard. I proudly stand with my Senate Republican colleagues in advancing our parole reform agenda,” said Senator Alexis Weik.

Keynotes of the Republican Parole Reform Package include:

S.2046 (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.

S.2261 (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.

S.2663 (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.

S.3716 (Ortt) - Allows for the removal of members of the state board of parole by a majority vote in the senate and the assembly, requires three or more members of such board personally interview potential parolees; requires that the determination to parole an inmate be unanimous.

S.4197 (Griffo) - Authorizes the state board of parole to require a violent felony offender to serve his or her maximum term, if, by clear and convincing evidence, release would pose an imminent threat to society; authorizes the withholding of good behavior allowances of violent felony offenders by the state board of parole upon such a finding.

S.4649 (Akshar) - Requires that the parole board provide for the making of a verbatim record of each parole release interview and each preliminary or final revocation hearing within forty-five days after such interview or hearing; removes certain exceptions.

S.5175 (Palumbo) - 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.

S.6249 (Jordan) - Requires unanimous agreement by the parole board to release an inmate on parole.

Since 2017, the state Parole Board has released at least 20 cop-killers, according to the Police Benevolent Association of New York. Under Democratic proposals such as so-called "Elder Parole" and the "Fair and Timely Parole Act," even more notorious cop-killers would be eligible for release.

Furthermore, under Democrats' proposals, New York's most dangerous criminals could automatically be eligible for parole, regardless of the severity of the crime or prior sentencing. Some of these names include:

David Berkowitz, aka the "Son of Sam" - murdered six people and wounded seven others in a spree of shootings that occurred in 1976 and 1977 in New York City - sentenced 25 years to life.

Mark David Chapman - murdered John Lennon in 1980 - sentenced 20 years to life. Lennon's widow Yoko Ono has previously urged the Parole Board to keep Chapman in prison.

Colin Ferguson - murdered six people and wounded 19 others in a shooting rampage on the Long Island Railroad in December 1993 - sentenced to 315 years to life in prison.

Joel Rifkin - murdered at least nine women in New York City and Long Island, but is suspected of killing 17 women total between 1989 and 1993 - sentenced to 203 years to life in prison.

"As crime rates rise in many communities across New York State, we need to reject these recent so-called reforms. We must hold those who commit violent crimes accountable for their actions and protect the rights of crime victims and law-abiding citizens. As a former Sheriff and member of the Parole Board, I believe this package of legislation restores our focus on public safety, where it belongs," said Senator Patrick M. Gallivan.

"Individuals who have proven that they are capable of hurting other people and/or those who have admitted they would likely undertake violent actions again should not be allowed back on the street without serving their full prison sentence. Victims of a future crime don't want to hear that, despite every warning the perpetrator would strike again, a dangerous criminal was allowed to walk free before their prison time was complete," said Senator Joe Griffo.

"Governor Cuomo's Parole Board is an unmitigated disaster and a public safety threat to all New Yorkers. By considering cop killers, serial killers, child killers, and notorious, remorseless killers like the Son of Sam and Mark David Chapman to be eligible for release, the Parole Board would further Cuomo and the Albany Democrats' reckless, disturbing, and insane policy of coddling criminals and giving early release to the worst of the worst. We need top-

to-bottom reform of NY's broken Parole Board that will tip the scales of justice back in favor of victims, law enforcement, and society. The constant shootings and assaults in New York City prove that stupid Democratic policies of defunding the police and empowering criminals are an abysmal failure that have cost lives and made our state less safe," said Senator Daphne Jordan.

"The insane push to release dangerous felons, murderers and cop killers from New York's prisons is the latest example of Albany's tone-deaf approach to criminal justice reform. These misguided efforts will result in the rights of victims and their families being trampled on, while making New York's crime epidemic worse. The early release of dangerous felons and policies like cashless bail will inevitably make the state less safe for all New Yorkers," said Senator Anthony Palumbo.

"We need to bring common sense back to our parole system by ensuring that people who come forward to testify at parole hearings are heard and their testimony considered, regardless of whether they speak on behalf of the victim or the person seeking parole. Their testimony should be kept confidential so they are not victimized or harassed for speaking out," said Senator Patty Ritchie.

"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. Currently, if a victim or their family goes before the Parole Board to provide a victim's impact statement, they only talk to one Parole Board commissioner with no guarantee that individual will be on the panel who will be deciding whether to grant parole or not. My parole reform legislation would require all victim impact statements given in person be video recorded and viewed by all state Parole Board members prior to deciding whether to release a convicted criminal so panels can witness the emotional toll these crimes

have taken on the victims and their loved ones,” said Senator Jim Tedisco.

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