



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan Joins Colleagues in Unveiling Parole Reform Bills

JIM RANNEY June 4, 2021

| ISSUE: **PAROLE, BOARD OF PAROLE, PAROLE REFORM**



Senator Patrick M. Gallivan (R-C-I, Elma) and members of the Senate Minority Conference have unveiled a Parole Reform package designed to protect crime victims and keep violent criminals behind bars. While many legislators continue to advance policies that could release New York's most dangerous criminals, Senator Gallivan and others stood unified in their latest, ongoing push to restore common sense and public safety throughout the state.

"As crime rates rise in many communities across New York State, we need to reject proposed changes to our parole system," Senator Gallivan said. "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.”

Keynotes of the Parole Reform Package include:

S.2261 - Sponsored by Senator Gallivan, the bill 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.2046 - Co-sponsored by Senator Gallivan, the bill 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.3716 – Co-sponsored by Senator Gallivan, it 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.2663 - 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.4197 - 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 - 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 - Enacts "Lorraine's Law" which increases from twenty-four to sixty months, the time for which reconsideration for parole for a violent felony offense shall be determined.

S.6249 - 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 recent proposals such as so-called "Elder Parole" and the "Fair and Timely Parole Act," even more would be eligible for release.

Furthermore, under current 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.

RELATED LEGISLATION

2021-S2261

- 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 20, 2021

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

Sponsored by [Patrick M. Gallivan](#)

Do you support this bill?

2021-S2046

- 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](#)

January 19, 2021

In Senate Committee [Codes](#)

Sponsored by [James Tedisco](#)

Do you support this bill?

2021-S3716

- 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 the state board of parole membership, interviews with inmates, and determination of parole](#)

January 30, 2021

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

Sponsored by **Robert G. Ortt**

Do you support this bill?

2021-S2663

- 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 22, 2021

In Senate Committee **Crime Victims, Crime and Correction**

Sponsored by **Patty Ritchie**

Do you support this bill?

NAY

2021-S4197

- 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 the state board of parole to require a violent felony offender to serve his or her maximum term, if release would pose an imminent threat to society

February 02, 2021

In Senate Committee [Codes](#)

Sponsored by [Joseph A. Griffo](#)

Do you support this bill?

2021-S4649

- 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 the parole board to make a verbatim record of each parole release interview and revocation hearing within forty-five days after such interview or hearing

February 08, 2021

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

Sponsored by [Fred Akshar](#)

Do you support this bill?

2021-S5175

- 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

February 25, 2021

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

Sponsored by [Anthony H. Palumbo](#)

Do you support this bill?

2021-S6249

- 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 19, 2021

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

Sponsored by [Daphne Jordan](#)

Do you support this bill?