



NEW YORK STATE SENATOR

Patrick M. Gallivan

Crime Victims Deserve Protection and Justice Under the Law

PATRICK GALLIVAN April 25, 2025

| ISSUE: **BAIL LAW; CRIMINAL JUSTICE; DISCOVERY; LAW ENFORCEMENT; CRIME VICTIMS**



Earlier this month the nation marked Crime Victims' Rights Week to raise awareness about the challenges facing individuals and families victimized by crime, and the rights and services they are entitled to under the law. Unfortunately, New York State continues to prioritize the rights of criminals over law-abiding citizens and crime victims through recently enacted reforms and proposed legislation.

Just two weeks ago, the Senate's Crime Victims, Crime and Correction Committee passed a pair of controversial bills. The first, (S.159) would dramatically change the parole process,

presuming an inmate should be released unless the Board of Parole can prove the individual is an unreasonable risk to public safety. This shift in presumption would ensure more inmates being granted parole, even if they still pose a risk to the community.

The second bill, (S.342) would allow inmates to reduce their prison sentences by up to 75 percent through good time and merit time allowances, regardless of the severity of their crimes. Under the proposal, someone convicted of a serious offense, such as rape or assault, could be released after just serving less than 7 years. The legislation also prevents the Department of Corrections and Community Supervision (DOCCS) from revoking merit time credit, even if the inmate engages in misconduct while in prison. These proposals downplay the seriousness of the crime committed, disregard our system of justice, and disrespect the rights of crime victims.

I have a similar concern with a DOCCS directive that would allow some inmates to be released early to help deal with the shortage of correction officers inside state prisons. The staffing crisis has been made worse by the decision, needlessly, to fire over 2,000 correction officers who participated in a strike over safety issues. Terminating workers under the Taylor Law is extreme and makes our facilities and communities less safe. Instead of releasing inmates, the state can immediately address the staffing concerns by re-hiring those fired correction officers who want their jobs back.

Another way to better protect victims, families and communities is to reverse some of the so-called reforms made to our criminal justice system in recent years, starting with the state's discovery law as it pertains to the exchange of evidence between the prosecution and defense. Changes implemented in 2020 have caused delays in prosecution and even automatic dismissal of criminal cases, including domestic violence, child endangerment, and violent assaults. Too often these cases are being dismissed on technicalities, allowing criminals to escape accountability and denying victims the justice they deserve.

While I am hopeful changes to the discovery law will be included in this year's budget, there appears to be little effort to revise the state's bail laws, which have allowed thousands of individuals charged with serious crimes to be released from jail, without any consideration for public safety. This includes many with prior convictions, some who went on to re-offend, continuing to victimize residents.

We must ensure our laws are fair and just for everyone, most importantly for crime victims and their families.

RELATED LEGISLATION

2025-S159

- 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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Relates to findings of the state board of parole necessary for discretionary release of incarcerated individuals on parole

December 19, 2024

In Senate Committee **Finance**

Sponsored by **Julia Salazar**

Do you support this bill?

2025-S342

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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

-

Establishes the "earned time act"

December 24, 2024

In Senate Committee [Codes](#)

Sponsored by [Jeremy Cooney](#)

Do you support this bill?