



NEW YORK STATE SENATOR

Kevin S. Parker

## Senator Kevin Parker Statement on the Vote to Expel Senator Monserrate

KEVIN S. PARKER February 17, 2010



### SENATOR KEVIN PARKER STATEMENT ON THE VOTE TO EXPEL SENATOR MONSERRATE

“Today, I voted against the expulsion of Senator Monserrate from this Chamber.”

“Expulsion from this body, which reverses the decision of the voters who send a

representative to the Senate, is an extraordinary event, and I fear we may be making a popular, but imprudent choice.”

“Historically, I have stood with women’s groups and groups fighting against domestic violence, and for women’s issues. I am a member of the Majority Task Force on Domestic Violence, and I have introduced several bills aiding victims of domestic violence, including one that provides victims of domestic violence with anonymous telephone listings, so their batterers will not be able to track them down through the telephone book.”

“That bill passed the Senate last year, and will do so again this year and hopefully become law.”

“I, too, agree with the passion of my colleagues about the need for the Senate to send a strong signal about domestic violence, and to aid the countless thousands who have been battered. Today, however, despite my commitment to end domestic violence, and despite the fact I have always stood with the women’s groups who fight for this cause, I feel I must vote to uphold the principle of due process, no matter how much I wish to stand shoulder to shoulder today with those groups, and against domestic violence, as I have always done.”

“Senator Monserrate was tried, convicted and sentenced by the courts. His case has been adjudicated, but he is appealing his conviction. I feel it is inappropriate of us to substitute the will of this body for the carefully reasoned and dispassionate ruling of the Trial Court – a constitutionally separate branch of government.”

“Senator Monserrate has the right to appeal his conviction, and I feel our action today should have at least waited until Senator Monserrate had received all the due process to which he is

entitled under the law.”

“The voters of Senator Monserrate’s district have a right to have the representative of their choice, represent them. Therefore, even though I disagree with my colleagues’ decision, I call upon Governor Paterson to call a Special Election immediately so that the citizens in Senator Monserrate’s district will not be without representation:

- during the Budget Process
- during what will most likely be another MTA crisis
- during our fight to save our schools from budget cuts
- and during our fight to preserve health care

“My vote is not about Hiram Monserrate, or his case. My vote is about making sure before we take such an extraordinary step, we make certain to respect the rule of law and the Constitutional right to due process. We should not substitute our judgment for that of the Courts out of passion, no matter how much we oppose domestic violence, as I have done throughout my career.