



NEW YORK STATE SENATOR

Martin J. Golden

## Senate Republicans Join WITH Police Organizations to Call for Stronger Parole Laws

MARTIN J. GOLDEN June 8, 2010

### Recent Actions by NYS Parole Board Let Dangerous Cop Killers Back on the Streets

In the wake of the decision last week by the New York State Parole Board to release a dangerous cop killer onto the streets, and as they consider the release of yet another cop killer today, Senate Republican Leader Dean Skelos, Senator Marty Golden and members of the Republican Conference today joined with representatives of police organizations from throughout the state to call for stronger parole laws to keep violent criminals behind bars where they belong.

Last week, the Parole Board voted 2-1 to grant parole to cop killer Shuaib Raheem. Raheem was involved in a botched armed robbery in Williamsburg, NY in 1973, which resulted in the death of Patrolman Stephen Gilroy and injured Patrolman Frank Carpentier.

The Parole Board is scheduled to meet today at the Woodbourne Correctional Facility in Sullivan County to consider the parole of John MacKenzie, who opened fire during a burglary in West Hempstead in 1975, killing Nassau County Police Officer Matthew Giglio.

"It is wrong to parole anyone who has murdered a police officer and clearly, the State Parole Board cannot be trusted to keep dangerous criminals where they belong – behind bars," said

Senator Golden. “By allowing this to happen, we are sending criminals, and police officers, the wrong message and doing a disservice to the men and women who put their lives on the line to keep our communities safe. We need to send a message that if you kill a police officer, your punishment will be swift, certain, and severe.”

“The heinous actions of Mr. MacKenzie and every individual who murders a police officer make them a continued threat to the safety and well-being of our communities, as well as the officers charged with protecting our families from harm,” said Senate Republican Leader Dean G. Skelos. “The duty of government is to protect our citizens – we can’t do that when dangerous criminals and cop killers are being let back out onto our streets.”

Senator Golden plans to introduce legislation that would give police chiefs the right to give an impact statement, much like the victim’s family is allowed, at a parole hearing.

“When an police officer is killed, his fellow officers suffer a tremendous loss along with the family and loved ones, and their voice deserves to be heard if the Parole Board is considering letting them back on the streets where they can put another officer and our communities in danger,” said Senator Golden.

“Last week, the New York State Parole Board made a decision to release Shuaib Raheem, a dangerous criminal who murdered an NYPD detective in cold blood, and seriously injured another,” said Louis Mattarazzo, Legislative Director, NYPD Detectives and past-President of the NYPD PBA. “Cop killers display a total disregard for human life, and now this dangerous criminal is back on our streets where he can cause even more harm. He deserves to be behind bars for the rest of his life.”

“Less than a week after the Parole Board voted to release a dangerous cop killer who murdered an NYPD patrolman, they are set to consider the release of yet another cold-

blooded criminal who shot down a Nassau County Officer,” said Peter Paterson, VP, Nassau County PBA. “The murder of Officer Giglio was a great loss to his family, his fellow officers, and all the citizens of Long Island who are forced to relive the ordeal every time he becomes eligible for parole. There should be no question – this dangerous criminal must not be released back into our community.”

“Every day, our men and women in uniform put their lives on the line to protect families and communities throughout New York State,” said Daniel Sisto, Vice President, NYS Troopers PBA. “When someone decides to take the life of an officer, there should be no question that they will face severe punishment and spend the rest of their life in prison. By releasing these dangerous criminals, the Parole Board is sending the wrong message to every police officer in this state, and placing every single New Yorker at risk.”

The recent parole of dangerous cop killers is the latest in an alarming shift in parole policies and soft-on-crime measures pushed through by New York Democrats in recent years:

- > Earlier this year, the State Division of Parole instituted a dangerous new policy allowing convicted drug, sex and other violent offenders out on parole to remain free even if they fail a drug test or commit other illegal actions which violate the terms of their parole;
- > In 2009, the Governor proposed a series of measures to make it easier for inmates to get out on parole by claiming they have a debilitating, but not-life threatening illness.
- > Last year, Democrats pushed through a measure as part of the Rockefeller Drug Law changes they forced through as part of the budget to allow courts to seal the records of convicted drug dealers and felons who apply for jobs at schools, day care facilities, and nursing homes, including those with up to three prior misdemeanor convictions, so prospective employers will be prevented from knowing about their criminal backgrounds;

> In November of 2007, news reports revealed the fact that the Spitzer administration and Board of Parole were quietly negotiating a court settlement that would have dramatically altered the governance of parole hearings in order to favor the rights of violent criminals, including notorious killers such as David Berkowitz, the "Son-of-Sam." Under the proposed settlement, cop killers and other vicious criminals would have received additional opportunities to seek early parole, while also being empowered to select the parole officer of their choice. Strong opposition from the Senate Republicans led the Administration to abandon these negotiations.

Senate Republicans have long championed stricter parole policies, and more severe punishment for cop killers and violent felons. Senator Golden sponsored legislation, which was passed repeatedly while Republicans were in the Majority, to establish the death penalty for the intentional murder of a police officer, peace officer, or an employee of the Department of Correctional Services.

In order to address the concerns posed by a 2004 Court of Appeals decision that ruled the death penalty unconstitutional in New York, the bill would mandate the sentence of life in prison without parole if the jury is deadlocked and unable to agree on a sentence of death.

In addition to ensuring that cop killers are never again allowed to walk free, Senate Republicans have also advocated for measures to strengthen the State's parole laws. However, since Democrats have taken control of every lever of state government, New York's parole system has been compromised by an all-out Democrat assault on the tough criminal justice laws that were enacted when Senate Republicans were in the Majority.

Measures advanced by Senate Republicans to toughen New York's parole system include:

- > requiring a unanimous vote for parole to be granted to class A violent offenders;
- > requiring Division of Parole to maintain a listing of inmates and eligibility dates, along with other relevant data, on their website;
- > requiring all parole board members to hear testimony from crime victims and their families, instead of just one;
- > mandating an extensive array of information about inmates be made available on the State Division of Parole website, including their record of behavior while incarcerated;
- > requiring victims to be notified of upcoming parole hearings; and
- > requiring the sentence of life in prison without parole for persistent violent offenders.

“New York’s most violent criminals must not be released back into our neighborhoods where they can once again threaten the lives and safety of innocent people,” said Senator Andrew Lanza. “Unfortunately, it seems as though current misguided policies are in fact releasing dangerous criminals from serving out their full sentences. The stakes are simply too high not to fix this problem immediately.”

“The recent action of the Parole Board to release cop killer Shuaib Raheem from prison is extremely troubling and sets a dangerous precedent,” Senator Frank Padavan (Queens) said. “Now, the Parole Board will determine whether to grant parole to another cop killer. Let’s hope they don’t make the same mistake twice. The actions of the Parole Board fall into a larger pattern that has emerged that takes a softer approach on crime by Assembly and Senate Democrats. This pattern endangers public safety and turns back years of effective legislative initiatives that have brought down crime rates throughout New York state. The only course of action here is clear and simple: violent felons, especially convicted cop killers,

must remain behind bars without any possibility of parole.”

Senate Republicans were joined today by representatives from police organizations throughout New York State who are also alarmed by the recent actions of New York State’s Parole Board, including:

- > Richard Wells, President, Police Conference of NY
- > Dan Sisto, Vice President, Troopers PBA
- > Bing Markee, Legislative Director, NYS Association of PBAs
- > Pete Paterson, VP, Nassau County PBA
- > Fred Sales, VP, Suffolk county PBA
- > Chris Heimgartner, Policy Director, NYPD Its PBA
- > Mike Omeara, VP, MTA PBA
- > James Hughes, VP, Suffolk Detectives PBA
- > Louis Mattarazzo, Legislative Director, NYPD Detectives
- > Nick Ewen, VP, Nassau Detectives
- > Steve Taddeo, VP, Suffolk Supervisors PBA
- > Gordy Warnock, Policy Director, Troopers PBA
- > Robert Morris, VP, Port Authority PBA
- > Members of the Albany City Police Department