



NEW YORK STATE SENATOR

Joseph A. Griffo

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JOSEPH A. GRIFFO February 28, 2012

| ISSUE: **CRIME, VICTIMS**



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(Utica, NY) - To ensure that New York's laws provide the maximum justice in cases such as the murder of six-year-old Lauren Belius, Senator Joseph A. Griffo (R-C-IP, Rome) today announced he is renewing his push to change state laws that will ensure that people who plead mental instability and are confined to the mental health system instead of prison.

"I have introduced Senate Bill 5589, which directs a criminal court to establish a period of

commitment for persons found not responsible by reason of mental disease or defect; a person so committed shall not be eligible for release from the custody of the commissioner of mental health or the commissioner of developmental disabilities until completion of the period of confinement,” Griffo said. “I introduced the bill in 2011, and I was disappointed that it was not approved. Now, a year later, after having received some indications of support from the community and from member son both sides of the aisle, I am hopeful that I can garner the support we need so that this bill can pass.”

Lauren Belius was killed in her Sherrill home in July of 2011. David Trebilcock, the man who killed her, was ruled not criminally responsible for his actions due to mental instability. Trebilcock not criminally responsible for killing Lauren Belius July 19 in Sherrill, a verdict that will send Trebilcock to a psychiatric facility for an unknown period of time instead of 25 years to life in prison.

The verdict sends him to a psychiatric facility instead of prison, and could result in fewer years of confinement.

Griffo said that his bill would remedy that. “My bill would impose a period of confinement in a mental hygiene facility for the defendant that would be equal to the sentence of imprisonment for which they would have served in a penal facility had they been found guilty for the crime with which they had been charged,” he said. “The longer confinement would be beneficial for both the defendant and for the community at large. The defendant would have more time in the mental hygiene facility where they are guaranteed treatment for their disease as well as having more time to gain skills to help them manage their disease once released and cope with any guilt associated with the crime(s) committed when found not guilty by reason of mental disease or defect. This bill would also allow peace of mind for

those victims or families of victims knowing that this person will be in a hospital receiving treatment for a significant amount of time and not able to harm them or their family in the near future.”

“We must make sure these dangerous individuals are confined whether it be in a penal or mental hygiene facility for a determined period of time,” Griffo said. “Once the individual has been confined for the determined period of time if they are assessed to be "healthy" by mental health professionals and experts they would be able to go through the process of being released from such mental facility. However, should they still be perceived to be a danger to themselves or others even after the period of determined confinement is reached the state shall follow necessary procedures to have such person civilly confined for their safety and that of the community.”