



NEW YORK STATE SENATOR

Thomas F. O'Mara

Legislators, families call for fewer parole hearings for murderers and other violent felons ~ O'Mara, Palmesano join parents of Derrick Robie in support of the legislation ~ Read and watch more from today's news conference (UPDATED, June 2nd)

THOMAS F. O'MARA June 1, 2015

| ISSUE: **MURDER OR HOMICIDE**

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[UPDATED on June 2nd: Read more in today's *Corning Leader* and *Star-Gazette*, and watch more on **WENY-TV**, **WETM-TV** and **AM 1480 WLEA News**]

[And see Elmira *Star-Gazette* article attached below]

Albany, N.Y., June 1—State Senator Tom O'Mara (R,I,C-Big Flats) and Assemblyman Phil Palmesano (R,I,C-Corning) today joined legislative colleagues and family members of murder victims, including the parents of Derrick Robie of Savona (Steuben County), to call for the approval of legislation they co-sponsor that would extend the time period that murderers and other violent felony offenders have to wait to apply for parole.

Currently, the state Parole Board is required to allow inmates to request a parole hearing every two years. Under the legislation ([S.1483/A.1680](#)) O'Mara and Palmesano are co-sponsoring, the Parole Board would be allowed to extend the time period between parole hearings from two to five years for violent felony offenders. The board would still be given the option to permit an earlier hearing. The legislation is sponsored by Senator Kenneth P. LaValle (R-Port Jefferson) and Assemblyman Fred W. Thiele, Jr. (I,D,WF-Sag Harbor).

Sponsors and supporters of the measure, including Dale and Doreen Robie, Derrick's parents, argue that the longer time frame would help spare the families of victims from having to repeatedly, every two years, relive the events that took the lives of their loved ones -- as well as to further help prevent any chance that a heinous criminal would be granted an unwarranted, early release from prison.

In a joint statement, O'Mara and Palmesano said, "Every time there's another parole hearing for one of these violent criminals, throughout the days and weeks leading up to the hearing, the families of the victims have to relive the horror of the crimes that took the lives they cherished. No family should have to go through that nightmare every two years. There's no sense of justice in putting these families through the anguish, pain and suffering of repeatedly having to make sure that the heinous, violent felon who took the life of their son or daughter, sister or brother, any loved one, won't ever see the outside of a prison cell again. That's just not fair."

Dale and Doreen Robie said, "We are in total support of this important legislation and appreciate the efforts being made by state legislators to have it become law. We are committed to working with them to secure its enactment in Derrick's memory and so that other families like ours, whose lives have been forever changed by a violent criminal, do not have to relive their ordeal every two years."

Senator LaValle said, "We need to consider the immense toll that is placed upon these families every time they need to attend a Parole Hearing with the violent felon, who took the life of their loved one. Our bill enables the Parole Board to establish a more sensible schedule for these reviews, which would lessen the families anguish somewhat. The Legislature and the Governor should act to make this measure State Law now."

Assemblyman Thiele said, "In cases where parole is likely to be denied consistently every two years, there is no reason why we should further disrupt the lives of victims and their families. Having to testify and relive often disturbing, graphic and highly emotional occurrences every two years is unnecessary."

Robie was four years old in August 1993 when he was killed by Eric Smith, then 13, in a wooded area near Robie's home in Savona. Smith was convicted of second-degree murder in

1994 and sentenced to nine years to life in prison. He's currently incarcerated at the maximum-security Collins Correctional Facility outside Buffalo.

Smith first became eligible for parole in 2002 and has been denied parole seven times, the last hearing coming in April 2014. Under current law, he's eligible for another parole hearing next April.

In addition to Robie's parents, state legislators were joined at an Albany news conference earlier today by the family members of:

-- Jenna Grieshaber of Camillus, who was a 22-year-old nursing student on the eve of graduation from Russell Sage College in Albany when she was murdered in her apartment by a paroled violent felon, who was a neighbor, on November 6, 1997. Grieshaber's killer, Nicholas Pryor, had served just two-thirds of his sentence. Jenna's death led the state Legislature and then-Governor George Pataki to enact "The Sentencing Reform Act of 1998," commonly known as "Jenna's Law," to establish determinate sentences for first-time violent felony offenders and require their incarceration for longer periods of time; and

-- Lorraine Miranda, who was 24 years old when she was murdered by her fiancée in their State Island apartment in December 1988. Her killer, Chris Patterson, has been denied parole every other year since 2003.

The legislation to extend the parole hearing time frame is currently in the Crime Victims, Crime and Correction Committee in both the Senate and Assembly. It must be approved by both houses of the Legislature and signed by Governor Andrew Cuomo before becoming law.

[In the photo above, Dale and Doreen Robie speak in support of the legislation at today's news conference, while Doreen holds a photo of their son Derrick. In the background, from l. to r., are Senator O'Mara, Assemblyman Thiele and Assemblyman Palmesano.]

[Watch Senator O'Mara, Assemblyman Palmesano, and Dale and Doreen Robie at today's news conference [HERE](#), and watch the full news conference [HERE](#)].