



NEW YORK STATE SENATOR

Susan Serino

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| ISSUE: **CONSECUTIVE SENTENCING**

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Bill Authorizing Judges to Impose Consecutive Sentences Passes Senate

ALBANY—Senator Sue Serino (R, C, I—Hyde Park) today announced that her bill authorizing judges to impose consecutive sentences when two or more lives are lost as a result of a single criminal act passed in the Senate.

Under current law, regardless of the number of victims killed during a single act, sentencing must run concurrently, instead of consecutively, even if a judge issues an opinion to the contrary. Senator Serino's bill (S. 3694-A), would allow judges presiding over a case to authorize consecutive sentences for homicide offenses against more than one person that are committed in a single act, thereby ensuring that justice is served for each life lost.

“Right now, while it may not be the intent of the law, we are inadvertently sending a message that lives vary in significance,” said Senator Serino. “Passing this bill is about restoring the public’s trust in the law, holding perpetrators accountable, and empowering judges to ensure that justice is truly served when more than one life is lost. The thought of someone getting off easy solely because the multiple lives were

lost in a single act, makes my blood boil and seeing this bill become law is one of my highest priorities.”

The bill was brought to Senator Serino in January of 2015 by Richard DeSantola whose sister, Patti, and brother-in-law, Shawn, were killed in 2012 when their family vehicle was struck in the City of Poughkeepsie by a felon actively running from police. Their two young children, thankfully, survived the horrific accident.

The perpetrator received two 6 ½ to 13 year sentences after pleading guilty to two counts of manslaughter. Under current state law, the judge was mandated to allow the perpetrator to serve both sentences at the same time, despite his stated opinion to the contrary.

*“Frankly, this loophole blows my mind,” Serino continued. **“The concurrent sentence essentially allows a perpetrator to get away with murder.”** The law absolutely robbed this family of justice and we, as representatives, have a responsibility to ensure that no other family suffers at the hands of the system the way this family has. It is time to fix the system. I urge my colleagues in the Assembly to make this bill a priority this Legislative Session.”*

The bill was the Senator’s first piece of legislation to pass in the Senate last year, yet the Assembly has failed to move it beyond their Codes Committee. It is sponsored in the Assembly by Assemblyman Frank Skartados who has been a vocal advocate for its passage.