



NEW YORK STATE SENATOR

James L. Seward

Seward, Senate Republicans Unveil Victims' Justice Agenda

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ALBANY, 04/30/19 -- State Senator James L. Seward (R/C/I/Ref – Oneonta) today joined members of the Senate Republican Conference to unveil the “Victims’ Justice Agenda.” The package of bills would reform the parole system to keep violent criminals behind bars without parole and ease the parole process for suffering victims, families and the public.

“I have always believed that protecting the public is one of the most important responsibilities of government, and when a crime has been committed the victim, not the criminal, should be our first priority,” said Senator Seward. **“Unfortunately, a number of recently passed laws and proposed bills are taking the opposite stance and sending the wrong message. In fact, even convicted cop killers have been paroled as of late. Victims’ rights must be addressed.”**

Among the bills included in the “Victims’ Justice Agenda” package, is Senate bill 4354 co-sponsored by Senator Seward which would allow the New York State Parole Board to extend the period of time between reconsidering parole board denials from two years to five years when the inmate was sentenced for a violent crime.

“To understand how this law would work you need to look no further than the murder of 18 year old Gillian ‘Jill’ Gibbons in 1989 in Oneonta,” said Senator Seward. **“The convicted killer David Dart has had three parole hearing since 2014 and will be eligible for another next year. Dart is a confessed murderer who has threatened the victim’s sister and would be a danger to the community if he were released. There is no reason why criminals who have committed such heinous offenses should be allowed the privilege of a parole hearing every two years.”**

In many cases, especially murder and other violent offenses, parole is denied multiple times and extending the timeframe for reconsideration would give the parole board greater discretion in setting hearing dates.

“Acts of traumatic violence take a toll on a family and forcing individuals to needlessly relive a horrendous crime like murder every two years is cruel and extreme. Victims and their families should be allowed to heal and this legislation is a very small measure to help with that process,” Seward added.

The senate has passed this legislation in each of the last six years with bi-partisan support, but the assembly has never voted on the measure. Companion legislation (A.6483) has been introduced in the assembly where it has nearly forty sponsors.

“Violent crime victims have been through enough. We should be taking steps to ease their pain, not add to it. These bills are a key step in the right direction,” Seward concluded.

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VICTIMS’ JUSTICE AGENDA

S.1995 - Provides that the sentence for murder in the first degree shall be life imprisonment without parole.

S.357 - Authorizes imposition of life imprisonment without parole sentence for persistent violent felony offenders upon conviction of a violent felony offense when such person has previously been subjected to two or more predicate violent felony convictions.

S.1410 - Requires that all comments and testimony made by a third party either in support or opposition in a parole hearing shall be considered when coming to a decision; adds provisions relating to confidentiality of victim statements.

S.4127 - Requires that all victim impact statements in New York state be video recorded; requires that the members of the parole board review all relevant victim impact statements prior to the conduct of a parole hearing

S.1745 - Provides that any person interested in the grant or denial of discretionary release shall have the right to submit a written statement of views in support of or in opposition to the granting of discretionary release which the parole board may consider.

S.5320 - Requires unanimous consent of the Parole Board to release an inmate on parole.

S.3734 - Requires inmates to have an acceptable residence to qualify for parole.

S.4354 - Enacts "Lorraine's Law"; increases from twenty-four to sixty months, the time for which reconsideration for parole for a violent felony offense shall be determined.

S.3268 - Enacts "Cesar's law" to require the retaking of parolees, who abscond from the supervision of the state board of parole.

S.4644 - Enacts "The Domestic Violence Protection Act - Brittany's Law" requiring registration of violent felony offenders; sets forth duties of the division of criminal justice services; establishes a special telephone number; requires the division to maintain a subdirectory of violent predators.

S.1406 - "Clara's Law" Requires health care facilities to report incidents of a sexual offense to the departments of health and education.