



NEW YORK STATE SENATOR

David Carlucci

Senator Carlucci Announces Legislation to Ensure Convicted Murderers Who Sexually Assault Children Remain in Prison

SENATOR DAVID CARLUCCI July 31, 2019

| ISSUE: **CRIMINAL JUSTICE REFORM**



(Stony Point, NY) – Senator David Carlucci (D-Rockland/Westchester) along with fellow state lawmakers and the family of murder victim, Joan D'Alessandro, gathered at Harriman State Park on Tuesday to announce new legislation to Expand Joan's Law.

The legislation is called Paula's Law (S.6633) and is named after 16-year-old Pearl River murder victim, Paula Bohovesky. It will deny parole to any person convicted of murdering a

child under the age of 18 in conjunction with a sexual offence. The bill expands Joan's Law, which denies parole to those convicted of murdering and sexually assaulting a child under the age of 14.

Joan's Law was named after 7-year-old Joan Angela D'Alessandro, who was murdered and sexually assaulted in New Jersey in 1973 by her neighbor, Joseph McGowan, while selling Girl Scout cookies. Joan's remains were found at Harriman State Park in Stony Point, New York where lawmakers gathered.

At the press conference, Joan's mother, Rosemarie D'Alessandro explained her daughter's killer was a high school chemistry teacher at Tappan Zee High School in Rockland at the time. And despite McGowan pleading guilty to first degree murder and being sentenced to life in prison, he was eligible for parole in 1987 and in 1994. Rosemarie then made it her mission to get Joan's Law passed at the state and federal levels so other families would not have to endure her pain. Now she is working with Senator Carlucci to expand Joan's Law in New York State as she has already done in New Jersey.

Joan's Mother, Rosemarie D'Alessandro said, "From the first time that I connected with Senator Carlucci, he was very supportive of the idea for a Paula's Law. When we spoke, I felt elated to hear that he was going to draft a bill that would expand Joan's law in New York in memory of Paula. It will include all children under 18 and with it, more families and communities will not have to endure terrible pain caused by the parole process."

Senator David Carlucci (D-Rockland/Westchester) said, "Joan has suffered unimaginable grief losing her daughter and channeled it into being a crusader to protect other children. Working with her to expand Joan's Law is necessary because every child victim deserves justice, and all children should be protected. This starts with keeping monsters who prey on children behind bars. No family like Joan's or Paula's should be re-victimized every time their

child's murderer is up for parole."

Paula Bohovesky was murdered in 1980 by two men in Pearl River. According to police, Robert McCain and Richard LaBarbera spotted Bohovesky walking home from her job at the library. Police said McCain hit Bohovesky on the head with a chunk of concrete and allegedly sexually assaulted her. LaBarbera allegedly attempted to also sexually assault her, but when she stirred, he stabbed her repeatedly. At the time of the attack, McCain was a career criminal, while LaBarbera was out on parole for drug-related offenses.

LaBarbera and McCain were both convicted of second-degree murder and sentenced to 25 years to life in prison, but eligible for parole in 2005. LaBarbera was released on parole this month, but was arrested after violating a condition of his parole.

Senator James Skoufis (D-Hudson Valley) said, "When perpetrators of the most egregious crime imaginable are allowed to walk free, families of the victims are forced to relive their worst nightmare. That's why I'm standing with Senator Carlucci in support of Paula's Law, which expands existing law and denies parole to criminals who sexually assault and murder a child. I thank Joan's family and Senator Carlucci for their advocacy and leadership, and look forward to working together to correct this flaw in our justice system."

Assemblyman Ken Zebrowski (D-New City) said, "The pain that Paula and Joan's families have suffered is simply unimaginable. No parent should lose a child, especially in such a horrific and cruel manner. Individuals that perpetrate such violent acts, especially against a child, should not receive a second chance. This expansion is necessary in ensuring that these violent, abhorrent offenders remain behind bars so that their families can have some sense of peace."

Assemblywoman Ellen Jaffee (D-Suffern) said, “As a parent and a grandparent, I stand heavy hearted, with Joan’s family, with Paula’s family. As a legislator and Chair of the Assembly Committee on Children and Families, I am compelled to speak out on behalf of these families who will never be released from the unimaginable loss and horrific pain inflicted on them. We in New York State have a duty and a responsibility; we must do everything in our power to protect the innocent and the public’s safety. When an individual murders and sexually assaults a child, a teenager, the punishment must truly fit such a heinous crime. That murderer must serve the maximum term of life in prison, they must never be paroled.”

If Paula’s Law takes effect, it would be retroactive and only affect future cases, similar to Paula’s and Joan’s and prevent the most depraved offenders from leaving prison.

RELATED LEGISLATION

2019-S6633

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Enacts "Paula's law"

July 17, 2019

In Senate Committee [Rules](#)

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