



NEW YORK STATE SENATOR

Peter Oberacker

Senator Oberacker Makes Push for Parole Reform Package

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PROTECT PUBLIC SAFETY

ELIGIBLE FOR PAROLE, THANKS TO SENATE DEMOCRATS

ALBANY – 06/01/21 – Senator Peter Oberacker (R/C-Schenevus) today joined with members of the Senate Republican Conference to unveil parole reform legislation designed to protect crime victims and increase public safety.

“The focus in Albany has steadily shifted away from crime victims and public safety,” said Senator Oberacker. **“Policies enacted in New York over the last few years favor criminals. I am not talking about first-time offenders or those who have committed minor offenses, I am talking about violent criminals. The legislature needs to take action and stand up for law abiding citizens.”**

Senator Oberacker is a co-sponsor of all the measures in the parole reform package including Senate Bill 5175 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.

“Extending the time between parole hearings for violent offenders is a commonsense measure that would mean a great deal to crime victims and their families who are forced to relive horrific events over and over again. In my district there is a textbook example of what this law would mean. In 1989, 18 year old Gillian ‘Jill’ Gibbons was murdered in Oneonta. The convicted killer, David Dart, was sentenced to 25 years to life but has had multiple parole hearings since 2014. Dart is a confessed murderer who has threatened the victim’s sister and would be a danger to the community if released. Allowing a violent criminal like David Dart the privilege of a parole hearing every two years is simply wrong,” added Senator Oberacker.

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.

Senator Oberacker has written the parole board opposing Dart’s release.

The full list of bills included in the parole reform package are:

S.2046 - 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.2261 - 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.2663 - 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.3716 - Allows for the removal of members of the state board of parole by a majority vote in the senate and the assembly, requires three or more members of such board personally interview potential parolees; requires that the determination to parole an inmate be unanimous;

S.4197 - Authorizes the state board of parole to require a violent felony offender to serve his or her maximum term, if, by clear and convincing evidence, release would pose an imminent threat to society; authorizes the withholding of good behavior allowances of violent felony offenders by the state board of parole upon such a finding;

S.4649 - Requires that the parole board provide for the making of a verbatim record of each parole release interview and each preliminary or final revocation hearing within forty-five days after such interview or hearing; removes certain exceptions;

S.5175 - Increases from twenty-four to sixty months, the time for which reconsideration for parole for a violent felony offense shall be determined;

S.6249 - Requires unanimous agreement by the parole board to release an inmate on parole.