

STAR-GAZETTE

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Robie case used to push parole law

Victims' families seek longer wait for violent offenders



JOSEPH SPECTOR / STAFF PHOTO

Dale Robie, left, discusses the need for five-year parole hearings for violent felons at a news conference near the state Capitol on Monday. His wife, Dori, holds a photo of their son Derrick, who was killed at age 4 in 1993 by Eric Smith in Steuben County.

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ALBANY — Every two years, Dale and Dori Robie have to make their case to the state Parole Board to ensure their son's killer is not released from prison.

The Southern Tier couple compiles letters from friends and relatives that urge the state to keep behind bars Eric M. Smith, who brutally murdered their 4-year-old son, Derrick, in 1993. And Dale puts together a video of his son's life for the parole board to watch.

The Robies, victims' families and state lawmakers on Monday urged the state Legislature to pass a bill that would require violent felony offenders to wait five years, instead of the current two years, between parole hearings.

Supporters said the measure would alleviate the grief that families of victims have to go through every two years before the Parole Board.

"With current laws in place, families such as ours relive every two years the heartache of our loss," Dale Robie said at a news conference near the state Capitol.

Legislators said the law is needed to protect families in cases where violent

See **PAROLE**, Page 5A



AP FILE PHOTO

CBS "48 Hours Mystery" provided this image of the show's interview with Eric Smith in 2004 at the Clinton Correctional Facility.

"We need to pass this law. It is not fair that families have to go through this ordeal and relive this tragedy every 24 months."

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Injured woman loses appeal

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A Horseheads woman who was injured in a collision with a street sweeper had her appeal rejected recently by the Third Judicial Department of the state Supreme Court's Appellate Division.

In October 2010, Donna M. Matsch sued the Chemung County Department of Public Works for injuries sustained when the car she was driving was hit by a street sweeper operated by county DPW employee Ann Morris, according to court documents.

Supreme Court Judge Judith O'Shea dismissed the lawsuit after finding that Morris was entitled to immunity under a section of state Vehicle and Traffic Law that says unless you can prove

See **APPEAL**, Page 5A

The primary issue in the appeal was whether Morris was actually engaged in work while operating the street sweeper.

Elmira's bond rating downgraded by Moody's

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Moody's Investors Service has downgraded the City of Elmira's general obligation rating from A2 to Ba1 and says the outlook remains negative.

Obligations rated A are considered upper-medium grade and are subject to low credit risk, while obligations rated Ba are judged to have speculative elements and are subject to substantial credit risk, according to Moody's.

The downgrade follows Standard and Poor's lowering in April of its long-term and underlying rating on the city's general obligation debt. The rating dropped Elmira from A to A- only a year after it boosted the city's rating.

"At this time, we do believe it will increase the city's borrowing costs, but it's yet to be seen by how much because we don't anticipate borrowing again until next April, and before then, not only Moody's but also Standard and Poor's will be re-evaluating the city," City Chamberlain John Zielinski said Monday afternoon.

See **RATING**, Page 5A



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YOUR DAILY DOSE OF HUMOR
PAGE 4B

INSIDE

Business	6A	Nation & World	1B
Comics	4B	Obituaries	4A-5A
Horoscope	4B	Sports	8B
Local & State	3A	Television	3B
Lotteries	3A	Viewpoints	2B



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