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June 24th, 2014

The Honorable Andrew M. Cuomo
Governor of New York State
The New York State Capitol | Executive Chamber
Albany, New York 12224

**RE: Open Letter Concerning The Central Park Five & Senate
Bill 1267 Pertaining To Videotaped interrogations**

Dear Governor Cuomo,

Late last week, it was announced that a \$40 Million settlement has finally been reached between the City of New York and Antron McCray, Kevin Richardson, Yusef Salaam, Raymond Santana and Korey Wise—otherwise known as the Central Park Five. This landmark agreement gives expedient emphasis to the public safety imperative of ensuring that all custodial interrogations concerning felony investigations are videotaped. As you know, I carry legislation, in the form of Senate Bill 1267—which will make this the official policy of New York State.

No amount of money, nor admission of injustice on the City's behalf can ever make the Central Park Five—who had their youth stolen away from them by a total system failure—whole, nor can they ever be adequately compensated for the unwarranted, racist and factually erroneous way that they were vilified by the press, political leaders, the influential elite and legions across this City who conspiratorially adjudged them guilty based solely upon coerced confessions. The entire system failed these young men, and because the clear and compelling evidence of coerced confessions was not recorded, our entire City and all the people therein, were misled and thereby victimized. False pictures of these young men were painted into the minds of the masses—and a false sense of relief was presented to the public. The real criminal, Matias Reyes, was still free to prey upon the public—and he did, committing the murder of a pregnant woman, the rapes of five other women, two additional attempted rapes and expansive number of muggings before he was finally apprehended and an expansive number of muggings before he was finally apprehended. Thus, another significant value of Senate Bill 1267 is revealed: videotaping of interrogations is the ultimate public safety tool—it ensures that everyone is protected. It protects the falsely accused of crimes and the falsely accused of coercion and by protecting both—we protect the general public at large.

As these brave and inspiring men and their families try to finally move forward, we, as policymakers—must seek to do so as well. We must work to ensure that no more young lives are robbed by a lynch mob mentality that cares more about coercing falsehoods than recording the truth. It only took a few hours to cataclysmically alter the lives of five young men, imprisoning them and taking away 42 years of freedom from them, cumulatively. The price of coerced confessions is too high for any of us to pay in a society that cares so deeply about justice; public safety suffers when the innocent are railroaded and the guilty run free.

The Central Park Five Case is inextricably linked to a collective criminal justice priority of ours—ensuring that custodial interrogations in relation to the commission of a felony are videotaped. As the City finally acknowledges that it miscarried justice by a five-fold human factor—I submit to you that now is the time that we must work to ensure that this never, ever happens again. You made the videotaping of interrogations a priority in your 2013 State of the State and Budget speeches as delivered in unison at City College of New York on February 6th of that year—I commended you then and, again, as I did then—I seek your immediate active partnership now.

In response to the horrific injustices that occurred as a result of the Central Park Five Case, I introduced Senate Bill 1267 which requires the creation of an electronic record of an entire custodial interrogation in felony cases. Electronic records will eliminate disputes in court as to what actually occurred during the interrogation, thereby improving effective prosecution of the guilty while affording essential protection to the innocent. Specifically, the legislation provides that, as a general rule, any statement made during a custodial interrogation concerning a felony is inadmissible unless such interrogation was electronically recorded. Reasonable exceptions are made so law enforcement is not unduly overburdened—but the maxim is a clear one throughout—abusive, unethical and illegal interrogation techniques have no place in our system of justice and the sunshine of a transparent electronic record will ensure this outcome.

I attempted to move my bill through the Senate Codes Committee in April of this year and while many Senators, Democratic and Republican alike, expressed support for the concept of videotaped interrogations, I was resoundingly instructed that the issue must be addressed in the context of the budget. I was perplexed at the time, because it is a documented fact that under your leadership, New York State has already invested \$3 Million in the appropriate technology and has helped about 80% of jurisdictions procure the equipment necessary to document interrogations; another \$1 Million could get us all the way there. For one tenth of what we are paying the Central Park Five, we could equip the entire state with the capacity to ensure that justice never miscarries like this again. Seemed to me like a classic example of the old standard: “penny wise; pound foolish.”

Governor, I propose that we work in concert right now to identify immediate funding sources and craft legislation that ratifies the hallmark justice principles of videotaped interrogations—to empower the reminder of agencies who do not presently have the appropriate technological equipment—while buttressing and enhancing those that already have implemented this cardinal policy. Working together, I am entirely confident we can move forward in the name of the Central Park Five and others like them to ensure that no one ever suffers a multitude of massive injustices—in the form of the illegal and unethical system failure that gave rise to false, coerced confessions—ever again.

I look forward to your partnership on this issue of singular importance.

Respectfully Yours,

A handwritten signature in black ink that reads "Bill Perkins". The signature is written in a cursive, flowing style with a large initial "B".

Bill Perkins
State Senator | District 30