



2014 Report of the New York State Senate

Standing Committee on Crime
Victims, Crime and Correction

**SENATOR
PATRICK M. GALLIVAN**
Chairman

A wooden gavel and a pair of gold handcuffs are positioned on a red surface. The gavel is on the left, and the handcuffs are on the right.

**CRIMINAL
LAW**

**REPORT OF THE
NEW YORK STATE SENATE
STANDING COMMITTEE ON CRIME VICTIMS, CRIME AND CORRECTION
2014 ANNUAL REPORT**

**SENATOR PATRICK M. GALLIVAN, CHAIRMAN
SENATOR RUTH HASSELL-THOMPSON, RANKING MEMBER**

Committee Members

Senator David Carlucci

Senator John A. DeFrancisco

Senator Joseph A. Griffo

Senator Brad Hoylman

Senator Betty Little

Senator George D. Maziarz

Senator Velmanette Montgomery

Senator Michael F. Nozzolio

Senator Jose Peralta

Senator Patty Ritchie

Senator Gustavo Rivera

Staff

Zachary M. Primeau, Committee Clerk

Kenneth Connolly, Counsel

**Room 947 LOB
New York State Capital Building**

Dear Friends and Colleagues:

On behalf of the Crime Victims, Crime and Correction Committee, I am pleased to submit the 2014 report on the activities of the Committee.

The Senate Crime Victims, Crime and Correction Committee has legislative oversight of proposals seeking to amend the Correction, Penal, and Executive Laws. In 2014, 43 bills were reported from the Senate Committee, 8 of which were reported to committees of secondary reference and did not advance further. Of those reported to Calendar, 25 passed the Senate and 10 ultimately passed both houses and were signed into law.

The Committee remains dedicated to ensuring a fair and effective correction system, improving public safety, and reducing unnecessary bureaucracy. S.4341 (Gallivan), which passed the Senate, demonstrates these priorities. This bill would establish standards for crime victim awards for loss of earnings or support. These standards eliminate the possibility of the state compensating for loss of illegally earned income.

Other notable bills that passed the Senate include S.6765 (Marchione), which would remove duplicative provisions charging both state and county agencies with the responsibility of monitoring parolees, providing mandate relief for those county agencies. Also S.6494 (Ranzenhofer), which would require the utilization of private health insurance or Medicaid for correctional healthcare. Because the state pays for the entirety of correctional healthcare costs, regardless of whether these costs are covered by Medicaid or private insurance, this legislation could save the state up to \$20 million per year. These bills are examples of smart reforms that provide fiscal relief for both state and local government.

I want to extend a personal thank you to the members of the Committee for their hard work and well-articulated opinions, and to staff for their impartial advice.

I look forward to continuing to work to improve New York State in my capacities as the Senator of the 59th Senatorial District and the Chair of the Senate Crime Victims, Crime and Correction Committee.



Sincerely,

A handwritten signature in black ink that reads "Patrick M. Gallivan" followed by a horizontal line.

Patrick M. Gallivan

Chair, Crime Victims, Crime and Correction Committee

**237th NEW YORK STATE SENATE SESSION
(2014) CRIME VICTIMS, CRIME AND CORRECTION LEGISLATION**

CRIME VICTIMS, CRIME AND CORRECTION NOMINATIONS IN 2014

Joseph Crangle, Member, State Board of Parole

Ellen Evans Alexander, Member, State Board of Parole

Charles Burkes, Member, Citizen's Policy and Complaint Review Council

Martin Stanton, Member, Citizen's Policy and Complaint Review Council

Donald Nadler, Member, Citizen's Policy and Complaint Review Council

Hernan Carvente, Member, Citizen's Policy and Complaint Review Council

Phyllis Harrison-Ross, MD, Member, State Commission of Corrections

Michael Baden, MD, Member, Correction Medical Review Board

Marjorie Blieke, MD, Member, Correction Medical Review Board

CRIME VICTIMS, CRIME AND CORRECTION LAWS ENACTED IN 2014

S.1353/A.231 (Parker/Kavanagh), Chapter 506. Provides for notice of availability of services to prisoners upon their release from state prison

S.1413/A.4606 (Montgomery/Rosa), Chapter 286. Relates to notifications of rules and regulations of correctional facilities concerning visitors

S.2745A/A.4645B (Golden/Englebright), Chapter 487. Relates to crime victim emergency awards used to replace certain medical equipment

S.4343A/A.9166 (Gallivan/O'Donnell), Chapter 139. Adds a licensed health care professional to the organization of the citizen's policy and complaint review council

S.6231A/A.6074A (Maziarz/Gunther), Chapter 462. Requires the division of criminal justice services to include all sex crimes of an offender on the registered sex offender database

S.6954/A.9642 (Gallivan/O'Donnell), Chapter 155. Extends from September 1, 2014 until September 1, 2017, the expiration of provisions authorizing local correctional facilities to enter into agreements to take custody of out of state inmates

S.7138/A.9520 (Ritchie/Russell), Chapter 346. Relates to the Jefferson county correctional facility

S.7642/A.9770 (Gallivan/O'Donnell), Chapter 131. Makes technical corrections to the correction law

S.7818/A.10071 (Young/O'Donnell), Chapter 548. Relates to treatment plans for certain inmates who are receiving mental health services at or prior to the time of their anticipated release date

CRIME VICTIMS, CRIME AND CORRECTION LEGISLATION PASSED BY THE SENATE

S.1020 (Robach). Prohibits level three sex offenders from living in college housing

S.1191 (Flanagan). Relates to preventing defendants from making any profit from their crimes

S.1437 (Ranzenhofer). Provides that any person who knowingly harbors, houses or employs a defaulting sex offender and who fails to contact law enforcement regarding the offender is guilty

S.1452 (Flanagan). Relates to the custody and visitation rights of a sex offender

S.1481 (Marcellino). Requires notification to victims upon the conditional release of an inmate convicted of a crime against a member of the same family or household

S.2204A (Young). Authorizes the employment of state and local work release inmates by not-for-profit organizations and public service projects

S.2459 (Lanza). Provides that certain sex offenders who are released on parole or sentenced to probation may not enter public, association or free libraries

S.2486A (Lavage). Increases from twenty-four to sixty months, the time for which reconsideration for parole for a violent felony offense shall be determined

S.2612 (Young). Limits temporary detention of defendants in violation of their release in a local correctional facility to 72 hours before transfer to state custody

S.3305 (Nozzolio). Permits correction officers to be color blind

S.3309 (Lavage). Prohibits certain persons convicted under article six-C of the correction law from serving as a trustee, principal, officer, or member of a board of education

S.3338 (Hassell-Thompson). Requires notice be provided to any officer or employee of the department of correctional services whose personal information is the subject of a subpoena duces tecum

S.3582 (Robach). Provides for a sex offender public awareness outreach program to provide educational outreach to schools, community groups and clergy on issues related to sex offenders

S.3697 (Ritchie). Requires parole violators to be transferred to state correctional facilities after 10

S.4165 (Lanza). Requires website providing sex offender registry information to be searchable by the zip code of a registrant's employment

S.4341 (Gallivan). Establishes standards for crime victim awards for loss of earnings or support

S.4994 (Lanza). Increases the in-person appearance requirements for level two sex offenders

S.5342 (Savino). Prohibits persons required to maintain registration under the sex offender registration act from entering into children's sections of certain libraries

S.5423 (Ritchie). Requires parole violators in the counties of Jefferson, Oswego, and Saint Lawrence to be transferred to state correctional facilities after 10 days in a local correctional facility

S.5542 (Griffo). Requires that notice be given to the district attorney and crime victim 30 days before parole hearings and release of inmates

S.6494A (Ranzenhofer). Relates to automated payment detection, prevention and recovery solutions to reduce correctional healthcare overpayments, billed for eligible services

S.6600 (Klein). Directs the commissioner of corrections and community supervision to obtain, on a quarterly basis, an updated list of elementary and secondary schools

S.6765 (Marchione). Requires the department of corrections and community supervision to maintain the responsibility and costs of monitoring any person required to use an ignition device

S.6778A (Ball). Relates to sex offender residence limitation

S.7118 (Gallivan). Makes technical changes to the protection of people with special needs act

DIED IN COMMITTEE OF SECONDARY REFERENCE

Finance

S.987 (Martins). Requires inmates incarcerated for a class A-I felony, requesting a delay of their parole hearing, to submit such request to the state board of parole

S.1789A (Rivera). Establishes a pilot project for the placement of inmates close to home

S.3316 (Hassell-Thompson). Requires that rehabilitation programs for female inmates in state correctional facilities be equivalent to those provided to male inmates

