



2015 Report of the New York State Senate

Standing Committee on Crime
Victims, Crime and Correction

**SENATOR
PATRICK M. GALLIVAN**
Chairman



New York State Senator **Patrick M. Gallivan**

59th District



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

2015 ANNUAL REPORT

SENATOR PATRICK M. GALLIVAN, CHAIRMAN

SENATOR RUTH HASSELL-THOMPSON, RANKING MEMBER

Committee Members

Senator John A. DeFrancisco

Senator Joseph A. Griffo

Senator Ruth Hassell-Thompson

Senator Betty Little

Senator Velmanette Montgomery

Senator Michael F. Nozzolio

Senator Jose Peralta

Senator Bill Perkins

Senator Patty Ritchie

Senator Gustavo Rivera

Senator Diane J. Savino

Senator Michael Venditto

Staff

Zachary M. Primeau, Committee Director
Camille Robbins, Committee Clerk

Room 947 LOB

S.4339 (Serino). Relates to permissible employment, employment related activities, and volunteer activities that may be performed by convicted sex offenders

S.4511 (Lanza). Increases the in-person appearance requirements for level two sex offenders

S.4514 (Lanza). Provides that certain sex offenders who are released on parole or sentenced to probation may not enter public, association or free libraries

S.4765 (Funke). Makes the failure of a sex offender to appear at his or her registration determination hearing a class D felony

S.4776 (Funke). Expands the amount of information available about registered sex offenders on the division of criminal justice services website

S.4890A (Avella). Directs the division of criminal justice services to promulgate rules and regulations relating to residences of certain sex offenders

S.4904 (Avella). Relates to health care services of county jail inmates

S.5000A (Golden). Restricts a registered sex offender from residing within 1000 feet of a school

DIED ON 3RD READING CALENDAR

S.1608A (Bonacic). Relates to the residence and domicile of sex offender registrants

DIED IN COMMITTEE OF SECONDARY REFERENCE

Finance

S.356 (Diaz). Relates to the duty of the state board of parole in reporting parole statistics

S.1474 (Rivera). Establishes a pilot project for the placement of inmates close to home

S.1833 (Ritchie). Requires adequate staffing at correctional facilities

S.2042 (Hassell-Thompson). Increases access to substance abuse programming for prisoners whose first language is not English

S.3816 (Hassell-Thompson). Requires that rehabilitation programs for female inmates in state correctional facilities be equivalent to those provided to male inmates elsewhere in the state

New York State Capital Building
Albany, NY 12247

Dear Friends and Colleagues:

On behalf of the Crime Victims, Crime and Correction Committee, I am pleased to submit the 2015 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 2015, 56 bills were reported from the Senate Crime Victims, Crime and Correction Committee, 5 of which were reported to secondary reference and did not advance further. Of those reported to Calendar, 1 died on the 3rd Reading Calendar, 40 passed the Senate only and passed both houses and were signed into law.

During the 2015 session, Assemblyman O'Donnell, Chairperson of the Corrections Committee for the New York State Assembly and I visited Department of Corrections and Community Supervision (DOCCS) facilities all over the state. In addition to touring state facilities such as Wyoming Correctional Facility, Wende Correctional Facility and Collins Correctional Facility, we had the chance to visit Rikers Island in New York City. These visits, along with other state wide collaborative efforts will continue to assist us in our legislative decision processes.

I want to extend a personal thank you to the members of the committee for their hard work and well thought out 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 District and the Chair of the Crime Victims, Crime and Correction Committee.



Sincerely,

A handwritten signature in black ink that reads "Patrick M. Gallivan". The signature is written in a cursive style with a long horizontal line extending to the right.

Patrick M. Gallivan

Chair, Crime Victims, Crime and Correction Committee

S.2269 (Golden). Restricts a registered sex offender from residing within 1000 feet of a school

S.2386A (Gianaris). Requires registered sex offenders to personally appear at the law enforcement agency having jurisdiction for purpose of having a photograph taken; repealer

S.2394 (Ritchie). Requires the commissioner of correctional services to enter into agreements to house local inmates to alleviate overcrowding in local correctional facilities

S.2883 (Ranzenhofer). Relates to automated payment detection, prevention and recovery solutions to reduce correctional healthcare overpayments, billed for eligible services

S.2885 (Ranzenhofer). Relates to prohibiting sex offenders from residing in community residences

S.2950 (Murphy). Relates to sex offender residence limitation

S.2981 (Ortt). Creates a definition of residence under the sex offender registry act

S.3094 (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.3223A (Carlucci). In relation to sex offender's notice of residency requirements

S.3306 (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.3388 (Lanza). Enacts "Cesar's law" to require the retaking of parolees, with a class A or violent felony conviction, who abscond from the supervision of the state board of parole

S.3622 (Ortt). Requires the employment address of certain sex offenders to be reported to the division of criminal justice services

S.3627 (Ortt). Prohibits any sex offender from residing within a quarter mile of any school, playground, park or building in which child care is provided

S.3667 (Savino). Enables victims to view parole hearings via closed circuit television or a secure online website

S.3811 (Lanza). Requires website providing sex offender registry information to be searchable by the zip code of a registrant's employment

S.3818 (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.4153 (Lavalle). Prohibits certain persons convicted under article six-C of the correction law from serving as a trustee, principle, officer, or member of a board of education

238th NEW YORK STATE SENATE SESSION
(2015) CRIME VICTIMS, CRIME AND CORRECTION LEGISLATION

CRIME VICTIMS, CRIME AND CORRECTION NOMINATIONS IN 2015

Otis Cruse, Member, State Board of Parole

Marc A. Coppola, Member, State Board of Parole

CRIME VICTIMS, CRIME AND CORRECTION LAWS ENACTED IN 2015

S.633/A.836 (Carlucci/Gunther), Chapter 518. Relates to training for staff in residential mental health treatment units programs inside correctional facilities

S.979B/A.3838B (Montgomery/Aubry), Chapter 431. Provides inmates the opportunity to take the test assessing secondary completion

S.983A/A.6430A (Montgomery/Perry), Chapter ?. Relates to the restraint of pregnant female prisoners during childbirth

S.4518/A.6527 (Amedore/Steck), Chapter 442. Relates to authorizing the Schenectady county correctional facility to also be used for the detention of persons under arrest being held for arraignment in any court located in the county of Schenectady

S.4757/A.6941 (Breslin/McDonald), Chapter 530. Relates to the qualifications of certain county probation officer directors

S.4780A/A.7685 (Gallivan/O'Donnell), Chapter 545. Relates to incapacitated parole violators

S.4905/A.7814 (Gallivan/Sepulveda), Chapter 270. Permits certain inmate releases on a Thursday instead of a Friday to ensure next-day reporting

S.4913/A.6943 (Gallivan/Peoples-Stokes), Chapter 263. Provides that there need not be a finding of financial difficulty for crime victim awards of less than \$10,000

S.5023A/A.7656A (Gallivan/Nojay), Chapter 321. Authorizes the Livingston county correctional facility to be used for detention of persons under arrest being held for arraignment in any local court in the county of Livingston

CRIME VICTIMS, CRIME AND CORRECTION LEGISLATION PASSED BY THE SENATE

S.22 (Lavalle). Requires school districts, upon notification from law enforcement agencies, to notify residents of sex offenders living in the district

S.449 (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.712 (Avella). Relates to the timing of risk level determination hearings for certain convicted sex offenders

S.833 (Robach). Prohibits level three sex offenders from living in college housing

S.845 (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.869 (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.1085 (Marchione). Requires legislative approval for the closure of correctional facilities and institutions

S.1483 (Lavalle). Increases from twenty-four to sixty months, the time for which reconsideration for parole for a violent felony offense shall be determined

S.1520 (Klein). Prohibits sex offenders whose victim was a child and level 3 sex offenders from knowingly being within 1,000 feet of a facility where pre-kindergarten or kindergarten instruction is provided

S.1834 (Ritchie). Requires parole violators to be transferred to state correctional facilities after 10 days in a local correctional facility

S.1943 (Golden). Prohibits registered sex offenders from working with children

S.1963 (Robach). Relates to limiting eligibility for limited credit time allowances to those inmates having completed eighty percent of their original sentence

S.2058 (Flanagan). Relates to preventing defendants from making any profit from their crimes

S.2064A (Young). Limit temporary detention of defendants in violation of their release in a local correctional facility to 72 hours before transfer to state custody

S.2084 (Flanagan). Relates to the custody and visitation rights of a sex offender