

STATE OF NEW YORK

7439

2017-2018 Regular Sessions

IN ASSEMBLY

April 25, 2017

Introduced by M. of A. WALKER -- (at request of the Board of Parole) --
read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to the duties of
the district attorney

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 440.50 of the criminal procedure
2 law, as amended by section 80 of subpart B of part C of chapter 62 of
3 the laws of 2011, is amended to read as follows:

4 1. Upon the request of a victim of a crime, or in any event in all
5 cases in which the final disposition includes a conviction of a violent
6 felony offense as defined in section 70.02 of the penal law ~~[or]~~, a
7 felony defined in article one hundred twenty-five of such law, or a
8 felony defined in article one hundred thirty of such law, the district
9 attorney shall, within sixty days of the final disposition of the case,
10 inform the victim by letter of such final disposition. If such final
11 disposition results in the commitment of the defendant to the custody of
12 the department of corrections and community supervision for an indeter-
13 minate sentence, the notice provided to the crime victim shall also
14 inform the victim of his or her right to submit a written, audiotaped,
15 or videotaped victim impact statement to the department of corrections
16 and community supervision or to meet personally with a member of the
17 state board of parole at a time and place separate from the personal
18 interview between a member or members of the board and the inmate and
19 make such a statement, subject to procedures and limitations contained
20 in rules of the board, both pursuant to subdivision two of section two
21 hundred fifty-nine-i of the executive law. A copy of such letter shall
22 be provided to the board of parole. The right of the victim under this
23 subdivision to submit a written victim impact statement or to meet
24 personally with a member of the state board of parole applies to each

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

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1 personal interview between a member or members of the board and the
2 inmate.
3 § 2. This act shall take effect immediately.