

5542

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the executive law and the criminal procedure law, in relation to the provision of notice to crime victims or crime victim's representatives, and the office of the district attorney prior to the conduct of a parole hearing or the release of an inmate from the custody of the department of corrections and community supervision

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Short title. This act shall be known and may be cited as
2 "Susan's law".
3 S 2. Subdivision 2 of section 259-i of the executive law is amended by
4 adding two new paragraphs (a-1) and (f) to read as follows:
5 (A-1) NOT LESS THAN THIRTY DAYS PRIOR TO CONDUCTING OF AN INTERVIEW OF
6 AN INMATE PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION, THE STATE BOARD
7 OF PAROLE SHALL PROVIDE NOTICE OF THE TIME, DATE, LOCATION AND PURPOSE
8 OF SUCH INTERVIEW BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND THE
9 MOST EXPEDITIOUS ELECTRONIC MEANS POSSIBLE TO THE OFFICE OF THE DISTRICT
10 ATTORNEY WHICH PROSECUTED SUCH INMATE AND THE CRIME VICTIM OF SUCH
11 INMATE OR SUCH VICTIM'S REPRESENTATIVE AS DEFINED IN SUBPARAGRAPH (A) OF
12 PARAGRAPH (C) OF THIS SUBDIVISION.
13 (F) NOT LESS THAN THIRTY DAYS PRIOR TO THE RELEASE OF ANY INMATE FROM
14 THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS, AND COMMUNITY SUPERVISION,
15 SUCH DEPARTMENT SHALL PROVIDE NOTICE THEREOF BY CERTIFIED MAIL, RETURN
16 RECEIPT REQUESTED, AND THE MOST EXPEDITIOUS ELECTRONIC MEANS POSSIBLE TO
17 THE OFFICE OF THE DISTRICT ATTORNEY WHICH PROSECUTED SUCH INMATE AND THE
18 CRIME VICTIM OF SUCH INMATE OR SUCH VICTIM'S REPRESENTATIVE AS DEFINED
19 IN SUBPARAGRAPH (A) OF PARAGRAPH (C) OF THIS SUBDIVISION.
20 S 3. Section 440.50 of the criminal procedure law is amended by adding
21 a new subdivision 4 to read as follows:

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

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1 4. (A) NOT LESS THAN THIRTY DAYS PRIOR TO THE CONDUCTING OF AN INTER-
2 VIEW OF AN INMATE PURSUANT TO PARAGRAPH (A) OF SUBDIVISION TWO OF
3 SECTION TWO HUNDRED FIFTY-NINE-I OF THE EXECUTIVE LAW, THE STATE BOARD
4 OF PAROLE SHALL PROVIDE NOTICE OF THE TIME, DATE, LOCATION AND PURPOSE
5 OF SUCH INTERVIEW BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND THE
6 MOST EXPEDITIOUS ELECTRONIC MEANS POSSIBLE TO THE OFFICE OF THE DISTRICT
7 ATTORNEY THAT PROSECUTED SUCH INMATE. THEREAFTER, SUCH OFFICE SHALL
8 IMMEDIATELY PROVIDE NOTICE OF SUCH INTERVIEW TO THE VICTIM.

9 (B) NOT LESS THAN THIRTY DAYS PRIOR TO THE RELEASE OF ANY INMATE FROM
10 THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION,
11 SUCH DEPARTMENT SHALL PROVIDE NOTICE THEREOF BY CERTIFIED MAIL, RETURN
12 RECEIPT REQUESTED, AND THE MOST EXPEDITIOUS ELECTRONIC MEANS POSSIBLE TO
13 THE OFFICE OF THE DISTRICT ATTORNEY THAT PROSECUTED SUCH INMATE. THERE-
14 AFTER, SUCH OFFICE SHALL IMMEDIATELY PROVIDE NOTICE OF SUCH RELEASE TO
15 THE VICTIM.

16 S 4. This act shall take effect immediately.