S T A T E O F N E W Y O R K

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:

Section 1. Short title. This act shall be known and may be cited as "Susan's law".

S 2. Subdivision 2 of section 259-i of the executive law is amended by adding two new paragraphs (a-1) and (f) to read as follows:

(A-1) NOT LESS THAN THIRTY DAYS PRIOR TO CONDUCTING OF AN INTERVIEW OF AN INMATE PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION, THE STATE BOARD OF PAROLE SHALL PROVIDE NOTICE OF THE TIME, DATE, LOCATION AND PURPOSE OF SUCH INTERVIEW BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND THE MOST EXPEDITIOUS ELECTRONIC MEANS POSSIBLE TO THE OFFICE OF THE DISTRICT ATTORNEY WHICH PROSECUTED SUCH INMATE AND THE CRIME VICTIM OF SUCH INMATE OR SUCH VICTIM'S REPRESENTATIVE AS DEFINED IN SUBPARAGRAPH (A) OF PARAGRAPH (C) OF THIS SUBDIVISION.

(F) NOT LESS THAN THIRTY DAYS PRIOR TO THE RELEASE OF ANY INMATE FROM THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS, AND COMMUNITY SUPERVISION, SUCH DEPARTMENT SHALL PROVIDE NOTICE THEREOF BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND THE MOST EXPEDITIOUS ELECTRONIC MEANS POSSIBLE TO THE OFFICE OF THE DISTRICT ATTORNEY WHICH PROSECUTED SUCH INMATE AND THE CRIME VICTIM OF SUCH INMATE OR SUCH VICTIM'S REPRESENTATIVE AS DEFINED IN SUBPARAGRAPH (A) OF PARAGRAPH (C) OF THIS SUBDIVISION.

S 3. Section 440.50 of the criminal procedure law is amended by adding 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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4. (A) NOT LESS THAN THIRTY DAYS PRIOR TO THE CONDUCTING OF AN INTERVIEW OF AN INMATE PURSUANT TO PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION TWO HUNDRED FIFTY-NINE-I OF THE EXECUTIVE LAW, THE STATE BOARD OF PAROLE SHALL PROVIDE NOTICE OF THE TIME, DATE, LOCATION AND PURPOSE OF SUCH INTERVIEW BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND THE MOST EXPEDITIOUS ELECTRONIC MEANS POSSIBLE TO THE OFFICE OF THE DISTRICT ATTORNEY THAT PROSECUTED SUCH INMATE. THEREAFTER, SUCH OFFICE SHALL IMMEDIATELY PROVIDE NOTICE OF SUCH INTERVIEW TO THE VICTIM.

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

S 4. This act shall take effect immediately.