

STATE OF NEW YORK

59

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. PHEFFER AMATO, WOERNER, JONES, BUTTENSCHON --
read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to requiring victims be informed of their right to make a victim impact statement to the division of parole and to appear at parole hearings

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

1 Section 1. Subdivision 1 of section 440.50 of the criminal procedure
2 law, as amended by chapter 322 of the laws of 2021, is amended to read
3 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, a felony~~
7 ~~defined in article one hundred twenty-five of such law, or a felony~~
8 ~~defined in article one hundred thirty of such law, the~~] In all cases in
9 which the final disposition includes a conviction, the district attorney
10 shall, within sixty days of [~~the~~] such final disposition [~~of the case~~],
11 inform the victim by letter of such [~~final disposition~~] conviction. If
12 such final disposition results in the commitment of the defendant to the
13 custody of the department of corrections and community supervision for
14 an indeterminate sentence, the notice provided to the crime victim shall
15 also inform the victim of [~~his or her~~] such victim's right to submit a
16 written, audiotaped, or videotaped victim impact statement to the
17 department of corrections and community supervision or to meet
18 personally with a member of the state board of parole at a time and
19 place separate from the personal interview between a member or members
20 of the board and the incarcerated individual and make such a statement,
21 subject to procedures and limitations contained in rules of the board,
22 both pursuant to subdivision two of section two hundred fifty-nine-i of
23 the executive law. A copy of such letter shall be provided to the board

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

LBD00002-01-5

1 of parole. The right of the victim under this subdivision to submit a
2 written victim impact statement or to meet personally with a member of
3 the state board of parole applies to each personal interview between a
4 member or members of the board and the incarcerated individual. The
5 victim shall also be informed of their right to voluntarily appear at
6 the incarcerated individual's personal interview and make a statement
7 before the board of parole while such individual is present.

8 § 2. This act shall take effect immediately.