

STATE OF NEW YORK

6814

2025-2026 Regular Sessions

IN SENATE

March 24, 2025

Introduced by Sen. BAILEY -- 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 public health law, in relation to requiring the notification of crime victims of the death of an accused

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

1 Section 1. Subdivision 3 of section 641 of the executive law, as added
2 by chapter 94 of the laws of 1984, paragraph (d) as amended by chapter
3 618 of the laws of 1992, is amended to read as follows:

4 3. Ensure notification of victims, witnesses, relatives of those
5 victims and witnesses who are minors, and relatives of homicide victims,
6 [~~if such persons provide the appropriate official with a current address
7 and telephone number~~] unless such persons opt not to receive such
8 notification, either by phone or by mail, if possible, of judicial
9 proceedings relating to their case, including:

10 (a) the arrest of an accused;

11 (b) the initial appearance of an accused before a judicial officer;

12 (c) the release of an accused pending judicial proceedings; [~~and~~]

13 (d) proceedings in the prosecution of the accused including entry of a
14 plea of guilty, trial, sentencing, but prior to sentencing specific
15 information shall be provided regarding the right to seek restitution
16 and reparation, and where a term of imprisonment is imposed, specific
17 information shall be provided regarding maximum and minimum terms of
18 such imprisonment[~~-~~]; and

19 (e) the death of the accused if such person dies during pending judi-
20 cial proceedings or during any period of incarceration, parole or post-
21 release supervision, or where there is an order of protection against
22 the accused for the benefit of any victim or witness.

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

LBD10112-03-5

1 § 2. Paragraph (h) of subdivision 2 of section 646-a of the executive
2 law, as added by chapter 574 of the laws of 2024, is amended to read as
3 follows:

4 (h) the ~~[requirement]~~ right of a victim or a surviving family member
5 to ~~[register with]~~ be automatically notified of (i) a defendant's
6 release from a state correctional facility, and (ii) parole board inter-
7 views with a defendant, and the results of any such interviews; by the
8 department of corrections and community supervision's office of victim
9 assistance ~~[if, at any time, they want to:~~

10 ~~(i) be notified of a defendant's release from a state correctional~~
11 ~~facility;~~

12 ~~(ii) be notified of parole board interviews with a defendant, and the~~
13 ~~results of any such interviews; or~~

14 ~~(iii)]~~, and the right to provide or update a victim impact statement
15 to the board of parole; and

16 § 3. Section 221-a of the executive law is amended by adding a new
17 subdivision 7 to read as follows:

18 7. The superintendent shall establish procedures for the notification
19 of any parties named in an order of protection issued pursuant to the
20 criminal procedure law or the family court act who were the victim of an
21 offense or a witness to such offense committed by the subject of such
22 order, upon the death of such person.

23 § 4. Section 4140 of the public health law is amended by adding a new
24 subdivision 4 to read as follows:

25 4. The commissioner and the department of health of the city of New
26 York shall deliver to the department of corrections and community super-
27 vision's office of victim assistance and the division of criminal
28 justice services, at least monthly, records in a format as mutually
29 determined by both agencies, of the names of all persons for whom death
30 certificates were issued. Such records shall be arranged by county of
31 residence and shall include the name, residence address and birth date
32 of each such person.

33 § 5. This act shall take effect on the ninetieth day after it shall
34 have become a law; provided, however, that if chapter 574 of the laws of
35 2024 shall not have taken effect on or before such date then section two
36 of this act shall take effect on the same date and in the same manner as
37 such chapter of the laws of 2024 takes effect.