JOINT HEARING BEFORE THE NEW YORK STATE SENATE
STANDING COMMITTEE ON CRIME VICTIMS, CRIME AND CORRECTION
AND
STANDING COMMITTEE ON ELECTIONS

PUBLIC HEARINGS:

TO EXAMINE THE STATE'S CURRENT PAROLE POLICIES AND GOVERNOR CUOMO'S EXECUTIVE ORDER ALLOWING CONDITIONAL PARDONS THAT ENABLE PAROLEES TO VOTE

William P. Bennett Hicksville Community Center
28 West Carl Street
Hicksville, New York

October 2, 2018, at 11:00 a.m.

PRESIDING:

Senator Patrick M. Gallivan, Chairman
NYS Senate Standing Committee on Crime Victims, Crime and Correction

SPONSOR:

Senator Elaine Phillips

PRESENT:

Senator John J. Flanagan
New York State Senate Temporary President and Majority Leader

Senator Philip M. Boyle

Senator Carl L. Marcellino

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SENATOR PHILLIPS: So if everyone could take a seat, we're going to begin.

Thank you.

If everyone could take a seat, please.

Thank you.

I just had to look up and find a clock, because I couldn't -- didn't know if it was morning or afternoon, but it is still morning.

So, good morning, everyone, and thank you for coming to the 7th Senate District.

My name is Senator Elaine Phillips.

I am proud to be hosting this event in my Senate district today, beautiful Hicksville.

And thank you to the Hicksville Community Center for allowing us to use this.

I will be introducing my colleagues in a second.

But today's public hearing is from the Senate Standing Committee on Crime Victims, Crime and Correction, and the Senate Standing Committee on Elections.

And the purpose of today's public hearing is to examine both the statutory procedures parole board members are required to consider when making a decision, and compliance with same, as well as the

procedures used in issuing conditional pardons, pursuant to Executive Order 181.

And my colleague, in a few minutes, Senator Pat Gallivan from Western New York, will be going over today's procedures in more detail.

But let me explain -- because I'm not on either one of these committees, but let me explain my involvement.

And my involvement, really, is taken from school security, and what the impact of these pardons were on our schools.

And I'm very fortunate to have two school superintendents who I have dealt with very closely, who will testify today.

But, you know, the most important thing that we can do in today's day and age is to make sure that our children are protected.

So you'll hear a little bit.

In this public hearing, we'll take a little -- probably more time when it comes to the impact on our schools and safety here throughout New York State.

So without any further delay, I am truly proud to introduce the Majority Leader of the New York State Senate, and the Temporary President,

Senator John Flanagan.

SENATOR FLANAGAN: Good morning, everyone.

I'm delighted to be here.

I'm going to have to find my way to Albany relatively soon, but, great to be with my colleagues:

Senator Pat Gallivan, who's a leader, who has a stellar background. Actually was a member of the parole board. So he knows from whence he comes and where he talks. And we're delighted to have him down here.

And I want to thank Senator Phillips, Senator Marcellino, and Senator Boyle.

You know, the issue that we're talking about today is one that we all take very seriously.

And, we have looked at this from a public-policy standpoint, from a governmental standpoint.

And I have to tell you, Senator Phillips, for those of you that don't really know her, she's not shy. She's not shy at all. She's outspoken.

And we spoke at great length about this, privately, within our Conference, and now publicly, about this type of issue.

And this is the type of thing where we are

proud to be public servants and elected officials, but we also think we have an extraordinary responsibility to lay out what is exactly involved; where things are going well, where they're not.

We welcome the testimony of the folks that are here.

And I'm hoping that we can make substantial progress with your input.

And, I'm -- I just want to say thank you to all of you for being here.

And a particular thanks to Senator Gallivan and Senator Phillips.

SENATOR PHILLIPS: Senator Boyle.

SENATOR BOYLE: Thank you, Senator.

I'd like to thank, senator Phillips for her leadership on this very important issue;

Senator Marcellino, and, of course, Pat Gallivan/Senator Gallivan, for traveling this way to host this hearing.

And, of course, John Flanagan, our leader.

This is a topic that I didn't think any of us thought was going to be a big deal a year ago.

A couple sessions ago, I introduced legislation, after some of the violence and some of the things that were going on in our schools, about

making it illegal to have a polling place in a school while school was in session.

Obviously, on the Presidential election, there's -- the schools are closed. But for the other ones, they're often open.

Never in a million years at that time, three or four years ago, did I think that we'd be facing the prospect of criminals going into our schools, with students in classroom, nearby, on polling -- on Election Day.

So, I look forward to the testimony of our experts today, to learn what their feelings are on this, and, of course, look for potential legislation to keep our children safe, most importantly, and families of victims getting the due process they deserve.

Thank you so much.

SENATOR PHILLIPS: Thank you, Senator Boyle.

Senator Carl Marcellino.

SENATOR MARCELLINO: Thank you very much.

Thank you for coming out, and I welcome the attendance. It's good to see people here interested in the process.

We're here to listen.

I'm here to listen, I want to hear your

comments, as to what goes on, and what you think we should be doing, and what you think laws should look like that might affect this process, and make it a better process, so we don't have mistakes happening, and we don't have people let out who, frankly, shouldn't be.

And perhaps we can clarify the voting process, as to how they can vote, and when they can vote.

So let's hear the testimony.

I'm very willing, and ready to listen.

SENATOR PHILLIPS: Great. Thank you, Senator.

Senator Pat Gallivan, all the way from Western New York.

So thank you, Senator Gallivan, for traveling so far.

SENATOR GALLIVAN: Thank you, Senator, and to all my colleagues who are here today.

I do appreciate the hospitality; your willingness to host this hearing on what I think is a very important topic.

So if I -- thank you for your patience.

I need just a few minutes to go through a few things, and then we'll jump right into it.

So, the hearing came about as a result of two different things:

So, first, we saw the release -- several high-profile releases by the parole board of cop-killers, and it raised concerns.

Many of us, our constituents had reached out to us, questioning, how can this happen?

And so, as we looked into it, and began to focus on the parole board, what my thought was, as Chair of Crime Victims, Crime and Correction Committee, and based on my experience, I had the belief, while some of this is subjective, there are standards in the law and factors that must be considered.

And I don't think that, in every single case, several members of the parole board followed the criteria in the law.

And I think it's an obligation of our Committee to look at it.

So the first area that we are looking at specifically, is the standards of release for -- that is, for somebody to be considered for release from parole, and, the factors that must be considered, and the parole board's compliance with that.

That's the first topic.

The second topic that is part of this hearing, that is done in conjunction with the Senate Standing Committee on Elections, back on April 18th, the Governor issued Executive Order 181, that would grant conditional pardon to parolees for the right to vote.

It is, again, many of us had constituents reach out to us. Many of us shared the same belief.

I won't put words in my colleagues' mouths, but, I believe that the Governor usurped the authority of the Legislature. That the Constitution, and in particular, the power of clemency and pardon, was not intended to do it in a blanket fashion, or in a mass fashion.

It was to look at individual injustices.

The lawmakers of this state, through the election law, placed several prohibitions on voting under certain circumstances.

And, this is something that, in my belief, should be debated, it should be -- it should be debated, we should look at all the considerations, hear from everybody, and then make an ultimate legislative decision.

So the focus is on the gov -- the focus is on

the Governor's executive order and the process.

This is not intended to be a debate, or focus on whether or not parolees should have the right to vote.

It's the process.

And in some media accounts, and by some others that have stood up in protest, it's been mischaracterized.

So those are two different -- different areas.

Now, we conducted two hearings, one in Albany yesterday, and then, of course, we are here today.

They're to be taken as one.

So we won't go into great detail into both areas today.

We spent a good part of yesterday in that first area.

We heard from a former parole board member. We examined many of the issues related to parole release and the standards.

Today we will hear, our first panel will focus a little bit more in the first area.

And then, subsequently, we'll spend a little bit more time on the Governor's executive order.

And then, of course, as we wrap it up, we

will probably touch on both areas again.

But, without us going into what the law says about the standards of release, we did do that yesterday.

And all of this is videotaped. It's being streamed live.

Both yesterday's hearing and today's hearing will be available on the Senate website. It will be part of the record.

All the testimony will be part of the record.

A report will be issued afterwards for everybody.

And my hope is, that we'll come up with recommendations, so that the questions that we are asking, we don't have to ask in the future, and we're dealing with some of the problems, and, hopefully, we can do government in a better way.

Now, the committees are the ones that have called this hearing.

It's important to know that every member of the Committee, the Crime and Corrections Committee, was personally invited.

Despite media reports, I personally contacted several members of the Minority, and personally invited them.

I had several conversations with one of the committee members.

The Ranking Member, in the media account, had said that he wasn't contacted.

That is not accurate.

We contacted their office multiple times.

I did not get a return call.

And I'm very disappointed that they chose not to participate.

They could walk in and participate, and I'd welcome that.

We also invited the Executive, the Governor's Office, to testify, and the chairwoman of parole, and the commissioner of department of corrections and community supervision.

They elected not to testify; however, we do have -- we do have written testimony from each of them that was entered into the record yesterday, as well as responses to a request for a tremendous amount of records related to both areas.

And, I am grateful that they did endeavor to comply with our request for records. It's not complete yet.

They did submit a substantial amount of records that, again, will all be entered into the

official record, and be made available to everybody.

But, they did have the opportunity to appear in person, and, unfortunately, they are not here.

So, we will move into this.

SENATOR PHILLIPS: (Indiscernible) housekeeping.

SENATOR GALLIVAN: Okay. One other thing?

SENATOR PHILLIPS: Yes.

Oh, one housekeeping.

One, please, make sure you know where the exits are.

And, two, I am going to be the person that keeps us on time.

So we're asking each panel group to stick to about 10 minutes, if you would, please, just for those that are waiting.

So, thank you.

SENATOR GALLIVAN: Yeah.

So what we'll do, and we'll ask each panel member, we do -- I know that you've submitted written testimony, which will be entered into the record in its entirety, available to everybody on the website, and the report afterwards.

And it would be -- if you're able to do it, it would be great if you just talked about the high

points.

I do know that, I forget, that you did want to read from somebody that's a victim, that submitted something to you, and that's fine.

OFF-CAMERA SPEAKER: (Indiscernible.)

SENATOR GALLIVAN: Oh, okay. Got it.

LAURA AHEARN, ESQ.: Yeah, I have two victims.

SENATOR GALLIVAN: And that's fine.

But, nonetheless, it would be best if you just tell us what your concerns are, and, let us answer some questions, and we can move through that, if possible.

So our first panel is:

Barbara Connelly, who's the founder of the Long Island/New York Metro Parents and Other Survivors of Murdered Victims Outreach;

And, Laura Ahern, executive director of the Crime Victim Center and Parents for Megan's Law.

And the reason that victims are relevant to this is that, the factors that the parole board must -- among the factors the parole board must consider is what the victims have to say.

The victims have the right to enter a victim impact statement; either meet with a member of the

parole board or submit a written testimony to the parole board.

And that is the area that we are looking to delve into with you.

So it doesn't matter to us which one of you starts.

Alphabetical, perhaps? Or right to left?

Your choice. Go right ahead.

Thank you for being here.

LAURA AHEARN, ESQ.: Good morning.

My name is Laura Ahern. I'm the executive director of the Crime Victim Center.

I am so thankful that you are giving me an opportunity to give victims a voice.

Good morning, Senate Majority Leader, Senator John Flanagan;

Chairperson of the Committee on Crime Victims, Crime and Correction, Senator Gallivan;

Senators Marcellino, Phillips, and Senator Boyle;

And distinguished colleagues and guests.

I have worked with over 25,000 victims of violent crime, and that violent crime includes victims of sexual assault, domestic violence, stalking, gang violence, assault, arson, vehicular

crimes, federal crimes, terrorism, and survivors of homicide, including the surviving family members of MS-13 victims in Brentwood.

It is really my honor to have this opportunity to offer testimony on behalf of crime victims and surviving family members.

I'm going to start with New York State parole policies and procedures.

In May of 1971, Herman Bell was part of a group that lured and ambushed two New York City police officers, shooting them both in the back and killing them.

Three months after he murdered Officers Piagentini and Jones, Mr. Bell murdered San Francisco Police Sergeant John Young in his station house.

His guilt and actions were never in dispute.

Their families had to endure eight parole board hearings.

And in the last hearing, by a 2-1 margin, Bell was granted parole.

The response was swift from the family and police unions across the country.

What is particularly telling, however, was the response from two high-profile elected officials

in New York:

Mayor de Blasio, who urged the state parole board to reconsider its tragic and incomprehensible decision.

He wrote to the board, that murdering a police officer in cold blood is a crime beyond the frontiers of rehabilitation or redemption.

Governor Cuomo himself, when asked if he supported the parole board's decision to release Bell, said, if he were on it, he wouldn't have.

Herman Bell should have never been released.

His release appears inconsistent with New York State statutory procedures regarding discretionary release on parole.

Pursuant to the statute, an inmate's release must not be incompatible with the welfare of society, and will not so deprecate the seriousness of his crime as to undermine respect for law.

For some crimes, parole must not be an option.

The current parole board procedures, when considering whether to deny or grant parole to an inmate, are revictimizing victims and surviving family members.

Every two years, victims -- at least every

two years, victims and surviving family members are forced to relive the trauma associated with the often brutal crimes that are committed against them or their loved one.

For victims and surviving family members, this process effectively amounts to a state-scheduled posttraumatic stress disorder, wherein victims or loved ones themselves feel sentenced themselves to have to relive and recount the horrific details of the most tragic and hurtful events in their lifetime.

I'm now going to read a statement from surviving family members of 13-year-old Kelly Ann Tinyes, and a statement from Jennifer Brooks, who was 10 years old when the South Shore rapist kidnapped her from her home to rape her.

Both statements support the need to effect significant changes in the New York State Parole Board's process, to prevent victims and family members from further enduring even more suffering, not only related to the individual process of having to appear before the parole board, but the process leading up to that.

On March 3, 1989, Robert Golub lured

13-year-old Kelly Ann Tinyes to his home, where he beat, stabbed, mutilated, and strangled her.

He then put her body in a garbage bag like she was trash, and hid her in the basement.

She was found the next day.

It was a horribly heinous crime, one he should spend the rest of his life in prison for.

I'm going to read a statement from Richard Tinyes, Senior, Kelly Ann Tinyes's father, dated October 1, 2018, which is yesterday.

"To Whom It May Concern:

"On March 3, 1989, our beautiful daughter Kelly Ann Tinyes was brutally murdered in the Golub house down the block from where we live.

"Robert Golub was there when Kelly entered the house.

"Robert Golub was waiting for her, and he beat her head and body so badly, we had to close her coffin at the funeral.

"Kelly's head was beaten so badly it was swollen to almost twice its normal size.

"He then took a knife, and cut her throat, slashed her breast numerous times, and then he took the knives and cut her vagina to her anus.

"Robert Golub is coming up for parole again

in November. And every two years, this family has to endure reliving what he did to Kelly for months before the parole hearing."

Two years is torment to their family.

It should at least be every five years.

"At the first parole hearing, they were allowed to bring" -- "we were allowed to bring numerous family members with us for support.

"Now we're only allowed to bring immediate family members, which is four people, and two additional relatives, who aren't allowed to speak.

"This has affected our lives in so many ways.

"My business was affected because no one wanted to face the worst nightmare.

"No matter where I went, people would stare, or some people would ask if I was Richard Tinyes.

"Wherever I went, Aruba; Florida; Charlotte, North Carolina; people would recognize us.

"My wife, Vicki, is very upset, because she believes there's a chance that Robert Golub could be released on parole.

"The State should make parole hearings every five years for murderers, to give peace to victims' families.

"The families should also be able to bring

more people with them for support, and those people should be allowed to be heard.

"Sincerely,

"The Tinyes family."

After a brief introduction, I'm going to read an excerpt from a statement by Ms. Jennifer Brooks.

The full statement is provided in your packet.

On June 22, 1988, the South Shore rapist, Scott Carroll, was sentenced to 650 years in prison for terrorizing and sexually assaulting multiple women.

He kidnapped and raped a 10-year-old child. That child was named Jennifer Brooks.

I'm now going to read an excerpt -- excerpts from Jennifer Brooks' statement, which are dated October 1, 2018, yesterday.

"My name is Jennifer Brooks, and in 1986 I became the youngest victim of the South Shore rapist.

"I was 10 years old when he kidnapped me from my bedroom and took me to an empty lot to rape me.

"I was lucky that he was eventually caught and charged in four counties throughout New York and

Florida.

"It went to trial in three of those counties, all leading up to convictions on multiple counts of rape, attempted rape, burglary, sodomy, and in one case, attempted murder.

"For reasons I will never understand, this man, who was in his 20s at the time of his sentencing, and was out on parole from a burglary conviction when he raped all of us, and was given the chance of parole starting when he was now 51, plenty of the time to pick up where he left off, and continue raping little girls and women.

"I was glad to be given an opportunity to speak and deliver a victim impact statement.

"It was extremely difficult for me, but I believed it did matter, so I did it.

"The first time, I was told a member of the parole board was going to be there.

"It wasn't explained to me until afterwards that the people in the room were not members of the parole board who would hear his case, and were just going to write a transcript of what I said, to be delivered to them.

"I could have just written it myself if I would have known.

"But, did my in-person appearance matter?

"Did it carry any weight than if I just had written a statement?

"I couldn't get any straight answers about it.

"Numerous times over the years, I wrote to the victims' assistance e-mail address with questions.

"Sometimes, I got no response back at all.

"When I got responses, they were always unsigned, and I had no idea who I was talking to, and the answers were generally cold and not helpful.

"It's a terrifying prospect realizing that, every year or two, you have to freshly beg for strangers to care about you enough to keep the men who terrorized you and dozens of other women away from society.

"So far, parole has come up every two years, but I've been told that it can be changed to yearly at any time.

"Every time it comes up, I am a mess for months, stressed out like crazy about what I would ever do if this guy is set free.

"I'm a single mom of an 11-year-old daughter, and I have no choice but to live where he raped me

and where he still has family.

"Three years ago I had a close call. I called to find out whether the parole board made its decision, and was told that they got an extension because they wanted to see more of his trial records, particularly the sentencing notes which were not in the files because they had been destroyed after a certain number of years, a fact that still stuns me.

"That was October, and I was told I should get a decision right around Christmas.

"Preparing for Christmas was miserable that year.

"It broke me apart that I had sent in my victim's impact statement, describing what this man had done to me, and how he had ripped my life apart, and that it wasn't enough.

"The parole board had heard all that, and were seriously considering setting him loose anyway.

"Thank God they didn't, but the time for parole came up. I went all out.

"Since my story didn't matter enough last time, I asked everyone I could to" -- "everyone I could think of to write letters.

"I never got instructions about where to send

the letters.

"So, at first, they were all e-mailing to the same e-mail address that I was, and getting no responses. And, finally, I found a website that was meant for this type of use.

"However, right away, friends started telling me that the form was broken. It was rejecting letters with nearly any form of punctuation, like apostrophes or quotation marks. It was severely limiting the word count of submissions to about one paragraph.

"Many of my friends gave up because, no matter what they sent, they couldn't get it to go through.

"I'm also told to call in each day, after a certain date, to find out the decision, or, wait for a letter in the mail.

"Why?

"When you have cases like this, how hard would it be to have someone make a phone call right away to let me know, so I can sleep again, or prepare for the worst.

"Getting any kind of advice or real answers has just been about impossible.

"And to this day, I have no idea what the

parole board considers or doesn't consider, and what they were thinking before they nearly set a serial rapist free.

"What I want more than anything are two things:

"Much longer periods between parole hearings and complete transparency about the process.

"I want to speak with at least one member of the parole board that's speaking to him. I want them to hear my voice, not just his.

"I want" -- "I want clear instructions about what the parole board considers, and I want compassion and support during this process.

"It shouldn't feel like I'm speaking to a neutral third party when I contact victims' assistance.

"I want them to hear that I'm staying up till dawn every single day, and working near my front window so I can watch the house and keep my daughter safe.

"I want them to understand that I spent four years trapped in my house with agoraphobia, and I changed my name to make it harder for him to find me.

"I want them to see how hard I fight every

single day for my sanity and to live in this world.

"And I want to believe that what happened to me matters, and that it will be used to make sure that it doesn't ever happen again to the next 10-year-old girl.

"Thank you for your consideration."

So based on our work at the Crime Victims Center, with victims of violent crime, like Jenna, and also surviving family members like the Tinyes family, and surviving family members of MS-13 gang victims, I just have some basic recommendations, and this is on page 7 of my testimony.

Pursuant to the statute, an inmate's release must not be incompatible with the welfare of society, and will not so deprecate the seriousness of his crime as to undermine respect for the law.

For some crimes, such as the murder of police officers, the brutal sexual assault and murder of Kelly Ann Tinyes, and the kidnapping and rape of 10-year-old Jenna Brooks by the South Shore rapist, parole must not be an option for those types of heinous violent crimes.

Number two: Parole hearings should not be granted at least every two years.

Instead, there should be consideration to

longer periods in between, such as maybe five years for murderers and rapists, to prevent revictimization.

Number three: Surviving family members should be able to be accompanied to parole hearings by more than immediate family members, such as cousins and friends of the victim, for support, and those people should be allowed to be heard.

Number four: Parole board victim-assistance services should be more responsive and more transparent to address victims' and surviving family members' concerns.

Clear instructions about the process need to be provided to every victim and surviving family member. And if procedures are not followed, there needs to be a complaint process, a real complaint process.

A real person answering the phone.

A real person reading the e-mails that are coming from tortured family members.

Victims-assistance e-mails have to be responded to, and questions have to be clearly answered.

Electronic forms designed to provide supporters of victims an opportunity to write

letters have to always be functional, and there has to be quality control. Someone has to be watching that those e-mails are actually being read and responded to.

Victim-notification process should be automated via e-mail, like VINE is, or, an automated call.

So, victims-information notification every day, you can actually register to have a notification anytime inmate status changes.

But you can do the same for parole hearings as well, and decisions on whether or not they're going to release.

So, in closing, I would like to also express our strong opposition to Governor Cuomo's 2018 executive order, enabling paroles to vote, as it grants registered sex offenders access to schools which serve as polling places.

School grounds where children play and congregate must be a sanctuary from those who already are determined by New York State corrections law, "Meghan's Law," to pose a risk to public safety.

Whether that risk is a low risk, a moderate risk, or a high risk, those are individuals that are

deemed to pose a risk to public safety by law.

The implications of this order potentially place children and our most vulnerable at increased risk, and adequate safeguards are not currently in place.

Registered sex offenders should not be granted access to our schools.

If sex offenders on parole, as well as other parolees convicted of violent crimes, wish to exercise their right to vote, we believe they should be given absentee ballots, postage-paid if they're indigent, to cast their ballots.

Thank you for this opportunity to speak on behalf of the victims we represent and the communities we serve.

SENATOR GALLIVAN: Barbara.

SENATOR PHILLIPS: Thank you, Laura.

BARBARA CONNELLY: Thank you.

Well, it's almost afternoon, but I'll say, good morning.

Can you hear me okay?

SENATOR GALLIVAN: I can, yes.

BARBARA CONNELLY: Okay.

I want to thank Senator Marcellino, Senator Phillips, Senator Gallivan,

Senator Flanagan, and Senator Boyle.

I find it very important at this time in my life, and in other victims' lives, that this hearing is taking place.

I will say one thing: Laura has echoed a lot of what has been going on in my life, my family's life, and at least six other families who have had a murderer released in the last six months.

So these are important things.

I was asked to tell a little bit about myself, and then to discuss the reasons what I think that would be important.

So let me just start with this:

My name is Barbara Connelly, and I am a mother of Kathleen, James, Patricia, Barbara, and Terrence (ph.). I'm the widow of James P. Connelly.

To make this easier on all of us, I chose to submit a timeline before and after January 1979 with the parole board, as a view of the Connelly family's interaction with the New York State Parole Board and its appointed commissioners.

So I'll start this way:

In 1972, of May, we moved to Long Island.

In 1974, April, we bought a house in Shirley.

1976, in January, that house burnt down. We

lost everything that we ever had; every little thing that our children made in kindergarten to put on the Christmas trees, every little Mother's Day gift, every little Father's Day's gift.

We lost everything, but our family, all of it, was safe.

A teenaged boy named Jimmy Murray was hit by a car, and died the same night our house burnt down.

He had called to see if my daughter Kathleen could go out for pizza with him and his friends.

It was the night before school would start, after Christmas vacation.

We didn't let her go.

The next day, the school asked if there was anything they could do for us.

They knew we lost everything in a fire; clothing, Christmas gifts, pictures, and every memento, as I said.

We asked that they, please, help the family of Jimmy Murray. We had insurance.

1974 to 1978, after rebuilding home and life, we lived like most other families at the time: Dad worked, mom stayed home, we took care of the house, home, and family, even mother watering the new lawn every single day, 30 minutes a day, keeping

(indiscernible) the sprinkler.

I hated it. Couldn't wait till he got home on the weekends.

My husband was general manager of a small but well-placed electronics firm.

In May 1978 he received a sizable raise, which included a car, and soon to include paid family vacations.

Life was beginning to look pretty prosperous for a family of seven.

Our remaining -- our oldest child was in Catholic high school, our remaining four in public school.

Life was beginning to look pretty good.

We had a pet dog, like everyone, and mom taught catechism every week.

For three years, we had three Christmas pageants, which my class participated in and the families attended, in our home.

1978, Christmastime.

I share this part because it's the most important in our lives. It's important for you to know who we are, and where we were, before Jimmy was murdered.

I told my children to make lists, and we

would pick five things from each list.

They were to be given allowance, to buy each of the siblings a separate gift.

We did that every year, and it was an annual outing.

They decided to buy mom an identification bracelet with their money.

When they found one they liked, they were told it would cost additional money to have it engraved.

The most they could afford, after paying for it, was ten letters.

All of them had chipped in $5 already.

If they had the engraving done, they wouldn't have enough to buy a gift for each other.

Kathleen and Jimmy chose the engraving. They wouldn't buy each other a gift.

The front of the bracelet was easy. It says "Mom."

They all struggled for the inscription for the back.

I was told, for two hours, between the oldest of them, they could only go back and forth, because they only had put in seven letters.

They wanted to put all five of their names,

but I can't honestly say which of them came up with "Love'Us," seven letters, with an apostrophe.

I had re-read their lists on the 23rd of December, and for some unknown reason, bought each of them one more thing and tagged it "From Santa."

Cathy wanted long peacock-feather earrings. Jimmy wanted a suede head hat.

Both gifts I was opposed to, but I did it anyway.

I will never forget the picture of that Christmas Eve, even when my husband and I watched them open their gifts, Cathy and Jimmy in particular.

They both looked at each other, and with surprised faces, and they said, You said you wouldn't! We weren't going to.

Cathy was the first to answer, "I didn't!"

Everyone looked at me.

You see, they had made a pact, their last pact.

I was Santa, they knew it.

Mom, their mom, would never buy the hat, and the earrings.

So, you buy it for me, Jimmy, and I'll buy it for you, which got changed due to the engraving on

the bracelet.

Dad and mom did not know about the pact, but, somewhere, somehow, mom bought them each a Santa gift.

"The happiest Christmas, ever." They have all said it.

Cathy said, they all talked about how lucky they were, because they had friends who weren't going to have as much as they.

Cathy used her gift-allowance money for the younger kids' gifts, and put Jimmy's name on them.

Jimmy had a friend, Al Young, who was going to have a baby, and he had lost his job just before Christmas.

Jimmy used his money for them, to help them.

I only learned that after 1979.

1979, January, Jimmy was murdered at the age of 15, on January 23, 1979, by 19-year-old John Duffy.

He was chased, and stabbed more than 22 times in his head, heart, lungs, and back, according to the Nassau County Medical Examiner report.

Lastly, his throat was cut three times.

He was left bleeding alone in the cold night.

The murderer ran, lied, received help from

family and known mob affiliates in Queens, and disappeared for 18 months.

My 35-year-old husband had a heart attack at the morgue.

They didn't recognize it was a heart attack.

They gave him a couple of shots of scotch and they thought it was going to help him.

No one knew.

He was identifying our son, and he wouldn't let me go with him.

He never worked again.

Never.

We lost our home, our car, and our financial stability. Some of us, our health. Not even enough to pay for a funeral.

1980, July, John Duffy returned and turned himself in with an attorney.

He was let out on bail.

1980, November, I started a support group called "FAITH"; Friends Aiding in the Healing, for parents whose children died in all kind of ways -- accidents, cancer, other illnesses, including suicide -- in Mastic and Shirley. We met in St. Jude's Church.

I couldn't teach religion classes any longer.

It wasn't going be easy to say "turn the other cheek."

Through that group, I was able to give information on how many children were ill, or died of cancer, to local politicians who were investigating the quality of water in our area.

I had the only compiled list, as the parents were members of the support group at the time.

That was because of Jimmy.

1981, January, while out on bail, Duffy attacked someone else with a weapon. She was hospitalized. She was from Huntington.

He used a cousin's name, was placed on bail, and "I guess he slipped through the cracks," they said.

1981, April, I co-founded the first support group for homicide survivors with another family, Long Island/New York Parents of Murdered Children.

It was the third national chapter.

A name change in 1995 to Long Island/New York Parents and Other Survivors of Murdered Victims Outreach.

I had read about a family in "People Magazine" in March of 1981.

I wrote them a letter, and the rest is

history. It was the first Parents of Murdered Children meeting in Ohio.

1981, October to November, Duffy was tried and convicted of murder. Finally.

He had a lawyer, Herb Lyons (ph.), a well-known mob lawyer.

The second victim dropped her charges. She thought that he was going to stay in prison for a long time.

He was imprisoned that day, and waiting to be sentenced. He refused seven weeks to show up for sentencing.

1982, January, almost three years to the date he killed our Jimmy, he was sentenced, finally, to 20 to life.

Even though the ADA asked for 25 to life, the judge "felt bad," he said, in the sentencing minutes that had got lost, for us too. He felt bad for sentencing a young man to life in prison.

He never mentioned our Jimmy.

In those years, we were not allowed to speak at sentencing.

We had nothing that could be said.

Our shattered hearts have never been repaired.

We go on.

1987, February, I became a widow, with a 16-year-old child to raise.

2001, September 11th, first parole hearing for John Duffy.

My picture and my son was on the first edition of "News Day" that day. It was split with a picture of somebody they said -- I think they said, "Criminal within," and it was talking about violence and terrorism.

My picture.

It was postponed until October 11, 2011 -- 2001.

The first parole hearing, there are only five of us now, four children and mom.

We promised my husband we would fight his release.

We did, all the way up until July 2018.

2016, July, a notice of decision to release him, and then an immediate rescission hearing was imposed.

It was both based on information discovered, which had not been given to the parole board in 2001 and 2007.

Videotapes, which were parts of our impact

hearings we had submitted, but they were overlooked.

2018, July 5th, Office of Victim Assistance, telephone call.

The New York State court overturns the New York State Parole Board's rescission hearing of December 16th.

2018, July 7th, July 8th, July 9th, July 10th, July 11th, July 14th, July 15th, I argued with the New York State Attorney General's counsel.

Why, why, were they not asking the New York State Supreme Court for a leave of their decision?

They told me it was being considered.

Because that decision for John Duffy was based on a 2016 Article 78, he would be due to go out any day, they kept telling me.

July 18, 2018, I had a letter from OVA.

"He will be released."

Nothing else.

No date. None "around."

Contact this person.

Nothing.

I have proof of every single thing I'm speaking about.

July -- 2018, July 24th, we found out, online, he was released.

He was either released the 18th and 19th, the 20th or 21st, the 22nd, the 23rd, or the 24th, because it says his leave picture was taken on July 18th.

But, they told me on the telephone, OVA, Janet Koupash, that, no, he was let out on the 24th, one of six violent felons released in the last five months.

I know this is cutting into the 10 minutes allotted each of us.

I've gone over it for days. It's almost impossible to stay focused at times.

I needed to explain why I was involved with the parole board.

I wanted you to see through a large window of our life that brought us there.

Please ask me about the five things I have listed.

Ask what I would change about the New York State Parole Board.

We know it better than most families. We were in front of it eight times, from 2011 to 2015.

Each time he would be denied, he filed Article 78s, almost every time, which were denied.

He had his 2015 hearing late, as he was still

waiting for another Article 78 decision.

We had five more parole impact hearings, every six months, from 2015.

All together, we had 13 hearings in 16 years.

He was able to postpone, just like he did his sentencing, and parole-commissioner shop.

He would go in. If he didn't like who was there, he would step out and say, I'm not being heard today.

He did that four times.

He should not, he should not, have been allowed to do that.

I attended every hearing, except July 5, 2018, when Governor Andrew Cuomo closed the Long Island roads due to the storm.

It killed me that I lived in Shirley.

My daughter Kathleen lived in Babylon.

Her husband drove us through that storm, to Hempstead, I think it was, Fulton Street, and Kathleen gave her impact statement.

I had a phone interview that same afternoon, with the same parole commissioner that Kathleen met with.

And they were not prepared.

They mixed up our names. They mixed up my

son's name. They mixed up my husband's name.

At one point they said, "Your brother John."

John was the murderer.

In 16 years, we had 13 parole impact hearings.

He was released. We found out online.

The letter that I have did not give me a date.

We blame a parole board commissioner, and I'm going to say her name here: Christina Hernandez.

We blame the process that should have been followed, and was not.

I have requested FOIL information in July.

I have not received it yet.

I would like you to ask me about the following:

The weight of the inmate program, in example, the COMPAS.

I contacted the gentleman who developed the COMPAS program on the date that I knew there was going to be rescission.

He told me: It wasn't made for murderers. It was made for inmates.

And that he did advise, that when they consider COMPAS, they should add 15 to 20 percent

more, against.

They don't.

Parole board commissioners, twisting and twisting verbal input, specifically, to minimize crime during an inmate's hearing to ensure release.

Christina Hernandez, in the hearing, said to him: Well, it says here, 10 times that you stabbed him.

How dare she put that in that hearing for him.

He stabbed my son 22 times, and it's written everywhere.

Plus, plus cut my son's throat.

The necessity to amend Criminal Procedure Law 380.50, the notification to victims prior to inmate release from prison, "Jenna's Law," must be amended.

The notification today that we get when somebody is to be released from prison, a violent offender, we get VINE calling us six hours after they get the information.

We found it out online.

We still hadn't gotten the letter from OVA.

The letter from OVA was mailed on the 25th.

He was already out.

There should be a "parole board commissioner" checklist as they're going through their hearings, to make the procedure crucial to our well-being when a murderer is to be heard, with each checked piece of review information, and provided to victim survivors.

Also, there should be similar, but not including, a handbook for families and friends of victims, just like the handbook for families and friends of inmates.

I am trying to put one together.

For all these years, for almost 38 years, I've been the voice of the victims, helping to try to do these things for people.

When up in Janet Koupash's office, OVA, Well, Barbara, what do you think we should do?

Your letter is faulty to victims. There is nothing in your letter that can help us.

There is nothing -- no one to call us and say, the murderer is going out.

I asked, Were the special conditions put in place?

"Oh, yes, they were."

Well, I have a copy of his signed special conditions:

Stay out of Nassau and Suffolk.

He was supposed to stay out of Manhattan where my granddaughter works.

He was supposed to stay out of certain places where our -- I've got 11 grandchildren now.

He was supposed to stay away from things like that.

He was supposed to have electric monitoring.

He has been made a Schedule 4 -- Level 4.

"Level 4" means the least conditions an inmate has when they get out of prison.

He could have stole gum, and gotten -- been a Level 4.

When I asked about that, they said, it was put in place by the parole board at the hearing that -- which was Christina Hernandez, who voted, and got somebody to help her, let him out.

My complaint is not about the parole board. It's about the procedures.

Because, to be very, very honest, for the first eight times that we had to go, we had the best parole commissioners, ever, decent human beings who did not want to even hear our story.

And after a while, we were told, Don't tell what happened to Jimmy. We don't want to know that.

We want to know how you're doing.

Now, we only get one hour.

If there is five of us, we have to break it into, like, 13 1/2 minutes for us to speak.

That has to be changed.

We cannot have people making those decisions for us.

I don't want to say any more, but Niko (ph.) knows that we have a complaint against the judge that allowed all of our information, confidential information for crime victims, said at every parole hearing, "This is confidential information."

It went out, Judge Richard Mart (ph.).

My daughter was chastised for complaining to him so many times.

So what happened to Jimmy doesn't matter any longer.

What's going to happen now, it matters to all the others of us coming out, all of the other families that we represent, that Laura represents, that maybe a lot of other people here represent.

That you represent.

What's going to happen to them?

Changes have to come. We need it.

And we need all of you to back us.

I'm 78 years old. I started this when I was 38.

How much longer is it going to have to be the voice of the victim, not to be revictimizing themselves, and all of the others.

I present to you.

SENATOR PHILLIPS: Mrs. Connelly, thank you; thank you very much for sharing your story.

BARBARA CONNELLY: You're welcome.

SENATOR PHILLIPS: Are there questions?

SENATOR BOYLE: I have one quick question.

You mentioned your son's murderer, when he was up for the hearing, I guess, for the release, he walked in and he saw what who was there on the panel, and then walked back out again?

They're allowed to do that?

BARBARA CONNELLY: Four times, because he had an Article pending, Article 78.

I asked about it every single time, and they kept saying, yes.

SENATOR BOYLE: Wow.

All right. Thank you.

BARBARA CONNELLY: But, the good part of that was, every time that happened, as long as it was six months, we could fight it again.

SENATOR BOYLE: Okay. Thank you.

SENATOR PHILLIPS: Mrs. Connelly, I have one question.

What do you believe the message -- what is the message that's being sent to the public by granting these wholesale pardons?

BARBARA CONNELLY: "Politics," that's the message.

SENATOR PHILLIPS: Thank you.

SENATOR GALLIVAN: Thank you both for your testimony, and sharing that.

And -- yep, go right ahead.

SENATOR MARCELLINO: I just have a question for Laura, if that's possible?

Okay.

Laura, in the statement that you presented, it's a New York State parole policies' procedures, you talked about, and there were eight parole board hearings the families had to endure.

Is there a reasoning behind this, or a justification for this?

LAURA AHEARN, ESQ.: I'm sorry, what section are you referring to?

SENATOR MARCELLINO: The first page, where you talk about "New York State Parole Policies and

Procedures."

LAURA AHEARN, ESQ.: That's just my heading there, to separate out my testimony?

SENATOR MARCELLINO: Yes.

LAURA AHEARN, ESQ.: What is the question?

SENATOR MARCELLINO: This first section it says:

"In May of '71, Herman Bell was a part of a group that lured and ambushed two New York City police officers.

"His guilt and actions were never in dispute.

"The families had to endure eight hearings.

"In the last hearing" --

LAURA AHEARN, ESQ.: He was granted parole.

SENATOR MARCELLINO: -- "by 2-1."

Was there a justification given by the parole board as to why they did what they did?

LAURA AHEARN, ESQ.: Well, my guess is, that they're following the same procedures and policies that they have already now.

So, that's what needs to be changed, because the procedures that they're guided by are allowing for the release of individuals, like Bell, who can murder our police officers, and go back out on the street.

Guys like the South Shore rapist, who attack women and children, and go to jail for -- or, are sentenced to 650 years, and then can be released.

So, clearly, there's something very wrong with the procedures they're following in order to release those offenders.

BARBARA CONNELLY: And may I interrupt and interject on that?

SENATOR MARCELLINO: Sure.

BARBARA CONNELLY: They used a COMPAS as a -- it's like a -- I'm going to say like a schedule.

And any tickets they have gotten in the last two, three, four, five years, and they know when they can start to discount some of their tickets.

But the COMPAS plays a very big part, because they mentioned "COMPAS" in every single hearing. And their good behavior.

SENATOR MARCELLINO: Thank you.

SENATOR GALLIVAN: To Senator Marcellino's question, the board in the Bell case did issue a written decision.

That is among the records that we did request, and we received it, and it will be a part of the record, their -- the commissioners who voted in favor, their rationale for it, as well as the

opposing commissioner.

So we do have that, and that's available -- it will be available for all members.

SENATOR MARCELLINO: Thank you.

SENATOR GALLIVAN: We do thank you for your testimony, and willingness to stand up on behalf of victims.

Especially, very sorry for your loss, but, thrilled that you've been standing up all these years for victims' voices to be heard.

You both were very, very comprehensive in your testimony.

And you should know, some of the victim or victim groups that testified yesterday spoke to many of the same things.

So, the combination of that, and your comprehensive testimony, I don't have many questions.

I only have one, and, Laura, it is for you.

You talked about the parole hearings not granted every two years. But then suggested at least every five years for murderers and rapists.

Does that mean a graduated scale, depending on the severity of the crime, is what you're suggesting, or recommending?

LAURA AHEARN, ESQ.: That's what the Tinyes family had requested, and also Jenna Brooks as well, that there be some type of system to -- maybe a point system, something, to make a determination as to when it will limit the trauma.

So, if you have a guy who -- like in the Tinyes' case, who committed such a violent, heinous crime, should it really be an opportunity for an offender like that to be requesting parole hearings after two years, after two years, after two years?

Like, where we have here, with Barbara, where she's continually going to try to prevent somebody from being released.

That in itself is traumatizing.

So whatever -- whatever type of a system that the Senate can develop and recommend, I'm confident that victims and surviving family members would be supportive of that, because, right now, it's -- it's at least every two years.

So, Barbara was subjected to situations where it was once every six months, you had said?

BARBARA CONNELLY: At the end.

LAURA AHEARN, ESQ.: At the end.

SENATOR GALLIVAN: Because of the appeals, and --

BARBARA CONNELLY: Because of the appeals.

LAURA AHEARN, ESQ.: Right.

BARBARA CONNELLY: But I do want to say to that, because I don't know if you know this, there's an Assembly bill, and there's a Senate bill --

LAURA AHEARN, ESQ.: Yes.

BARBARA CONNELLY: -- for those five years.

People from our group, the Hennesseys (ph.), they fought hard for that.

I mean, there's no darned reason why it shouldn't be passed. They don't have to get five years, but at least it gives them a space where they can say, well, this is too heinous, and we are gonna keep you the five years, or it could be two, three, four, or six months.

But five years should be there.

LAURA AHEARN, ESQ.: It should be at least five years.

SENATOR GALLIVAN: Thank you both for your time --

BARBARA CONNELLY: Thank you.

LAURA AHEARN, ESQ.: Thank you very much.

SENATOR GALLIVAN: -- and your testimony.

SENATOR PHILLIPS: So if we could have the New York State Association of PBAs,

Daniel Fitzpatrick, and Suffolk County PBA, Pat Saunders.

SENATOR GALLIVAN: And James Hughes, Suffolk County Detectives Association President.

SENATOR PHILLIPS: Thank you.

I'm sorry, James.

SENATOR GALLIVAN: We do appreciate it.

And, let me thank you in advance for the -- your service, and the service of the people that you represent.

Could you each, just for the record, state your name and your title, and then whatever order you want to proceed is okay with us.

DANIEL FITZPATRICK: Sure.

Daniel Fitzpatrick. I'm the treasurer of the New York State Association of PBAs.

JAMES HUGHES: James Hughes. I am the president of the Suffolk detectives, as well as an executive board member for the New York State Association of PBAs.

PAT SAUNDERS: I'm Pat Saunders. I'm the sergeant at arms for the Suffolk County PBA.

DANIEL FITZPATRICK: Good afternoon, Senators.

Thank you, Senator Gallivan,

Senator Phillips, Senator Marcellino, Senator Boyle.

Thank you for inviting us and giving us a voice to be heard today.

As I said, my name is Daniel Fitzpatrick. I'm a representative of the New York State Association of PBAs.

We're an organization that represents approximately 40,000 law-enforcement officers in New York State.

I'm here to share with you the perspective of all law enforcement as it relates to granting of parole.

New York State has always been a leader for change and innovation, and parole is just one example.

The first use of parole in New York State -- in the United States was instituted in New York in 1817.

It has evolved to where we are now, 200 years in the making.

The last major change was in 1998 with the enacting of Jenna's Law. Jenna's Law strengthened the penalties for violent felony convictions.

As we move forward 20 years from the passage of Jenna's Law, we find New York a less safe place

for both law enforcement and for the community.

Earlier in 2018, the New York State Board of Parole released the most violent of violent felons.

In January 2018, Christopher Thomas was given parole.

Mr. Thomas was convicted of the 1984 manslaughter of 10 people, 8 of which were children.

Mr. Thomas's sentence was 10 consecutive prison terms, which could have totaled 83 to 250 years.

Judge Ronald Aiello stated that Mr. Thomas's sentence, as it was his -- it was intention -- Aiello's intention at sentencing that Mr. Thomas serve every single day, every single hour, and every single minute of his sentence.

But due to state law, Mr. Thomas's sentence was capped at 50 years, and was paroled after serving only 32 years.

Think about it: 3.2 years per victim, 8 of them being children.

If Mr. Thomas had to complete the 50 years of his sentence, he would still be incarcerated till the year 2035, which is 17 years from now.

But by far, for law enforcement, the most egregious release came on April of this year, in

2018, with the parole of Herman Bell.

Mr. Bell and his co-defendants Anthony Bottoms and Albert Washington were convicted in 1971 of the execution of New York City Police Officers Joseph Piagentini and Waverly Jones.

Officer Jones was once -- shot once in the back of the head, execution style, by Mr. Bell. And then Mr. Bell took Officer Piagentini's gun and executed the officer while he pleaded for his life, firing 22 rounds into the body of Officer Piagentini.

Mr. Bell and Mr. Bottom were also convicted of the 1971 killing of San Francisco Sergeant John Victor Young.

Officer Piagentini's service revolver was discovered in San Francisco shortly after the murder of Sergeant Young.

Mr. Bell was denied parole in his first six attempts, and it was not until his last appeal that he took responsibility for his heinous and cowardly acts.

Mr. Washington passed away in prison, and Mr. Bottom (sic) is still currently incarcerated.

If Mr. Thomas and Mr. Bell were sentenced under today's guidelines, they would still be in

prison today.

While the laws cannot be changed that retroactively adjust sentences of a convicted felony -- violent felony offenders, solutions must be sought to ensure that the most violent felons be kept in prison to ensure the safety and community of our fam -- ensure the safety of our community and that of law enforcement.

As far as the condition of pardons, as we look to voting rights, the last -- the most glaring of these issues, as it represents to law enforcement is: Is law enforcement going to be notified if these people are going to be voting?

If you -- you know, the most -- sex offenders, are the notifications going to be made to the police department that they are going to be voting?

And if they are going to be voting, you're going to have to have an officer at every single polling place?

Which, quite honestly, seems somewhat impractical.

Are you going to notify the detective units that these sex offenders have to register with?

Are they going to escort them there?

Are they going to have to notify them before they go, or are they going to have to notify them after?

There's a whole host of issues which have not yet to be addressed.

The New York State Association of PBAs looks forward to working with the Senate, the Assembly, and the Governor's Office to find solutions that address these issues.

Finally, I would like to thank the panel for affording me the opportunity to speak with you today.

SENATOR PHILLIPS: Thank you; thank you very much.

SENATOR GALLIVAN: Jim.

JAMES HUGHES: Good afternoon, Senators.

I thank you for the opportunity to appear before you here today and to speak to you.

I want to relate to you the story of a parolee, and the attempted murder of an on-duty Suffolk County police officer.

The date was November 5, 1980, the time was 1:17 in the morning.

On November 5, 1980, a police officer in Suffolk County's third precinct was operating his

sector unit, when he observed an unfamiliar male subject walking south on Islip Avenue and Islip Terrace.

The subject did not look familiar to the officer who knew his sector well, and, in fact, resembled the police sketch of a subject -- of a suspect doing gas station robberies in the third precinct.

The officer pulled his vehicle near the subject and engaged him in conversation.

The officer spoke to him about our new President --

This was the day after Election Day and Ronald Reagan had just been elected the new President.

-- and gathered information, to include the subject's name, home address, subject's destination -- and the subject's destination at that late hour.

Subject indicated he had lived in Brentwood and was en route to Bay Shore.

After the brief conversation, the subject continued on his way south on Route 111.

The officer, still suspicious of this subject, ran computer checks on the name and

information provided, and radioed a long-time sector operator in the Brentwood area to inquire if he knew this subject or knew of anyone that lived in the address that he provided.

Brentwood officer did not recognize the name provided.

Police officer continued to patrol his area around the area of 111, and a short time later, he observed the subject again, this time walking north on 111 and looking into parked cars.

The officer again approached the suspect -- the subject and asked what he was doing.

He asked the subject if he had any ID on him.

Before the officer could exit his vehicle, the subject approached the driver's window and said he had a learner's permit.

When asked to produce it, the subject stepped back and reached into his rear waist band.

The officer turned just as the subject fired into the officer's face.

The officer threw his arm out, pushing the subject away from the car, and drew his weapon.

The subject continued to fire at the police officer, and the officer returned fire.

After three shots, the officer's weapon

became inoperable.

The subject continued firing, and then fled north up Islip Avenue.

The officer radioed for assistance, and was transported to the hospital, where he underwent surgery for gunshot wounds to the face and leg.

"I survived."

This case was investigated by the homicide squad.

My assailant was arrested a short time later, and confessed to shooting the officer, fearing he would be found to be in possession of the 9-millimeter handgun he carried.

The examination of my jammed weapon revealed that an incoming round from his assailant -- from this assailant had struck the front trigger guard on my 38-caliber revolver and rendered it inoperable.

It should be noted that this weapon had been held extended in front of my chest, and had it not hit the trigger guard, it would, in all probability, have struck me in the chest and possibly killed me.

Investigation revealed the arrestee was on parole from a robbery conviction at the time of the shooting.

Recovered during this investigation was a

list of police officer names the defendant had planned to kill.

The officer described... I'm sorry.

I was not on that particular list. I was a target of opportunity, I guess.

The above-subject stood trial for attempted murder, first degree, and was sentenced, as charged.

20 to life he was sentenced to.

Today, every year this defendant stands up for parole, and, periodically, I will appear before the parole board and let my sentiments be known.

I do not believe that this subject should ever be paroled, and made those wishes known to the parole board, because of the fact that he had a list of police officers he wished to kill.

I mean, the desire to kill anyone, be it a police officer, or the people the police officers protect, is abhorrent to this society, or should be.

It can only be hoped that a parole board will continue to recognize the threat this man represents to us all and keep him in prison for the life sentence he truly deserved.

Thank you.

SENATOR PHILLIPS: Thank you.

SENATOR GALLIVAN: Pat.

PAT SAUNDERS: Good morning, Senators, and assembled guests.

My name again is Pat Saunders, and I'm here on behalf of the Suffolk County PBA and our president, Noel DiGerolamo.

Thank you for allowing me to speak on this important issue.

I begin my remarks with two historical dates.

In 1817, New York became the first state in the nation to enact a good-time law with respect to prison sentencing.

On July 1, 1930, the division of parole was established in the Executive Branch of New York.

In the ensuing 88 years, parole for serious felony crimes has fluctuated with New York State's death-penalty arguments.

With 201 years of history, New York has the most experience with parole in the nation.

Unfortunately, over the course of the last 50 years, we have wrestled with the issue of a death sentence, life without parole, and parole for the crimes we hold as the most vicious.

One theme continues to resonate amongst all the arguments, however: The killing of a police officer performing his official duties deserves the

most stringent of penalties.

In the last two years, some of our residents have seemingly forgot that.

A police officer at work is not an individual. They are representative of society and our laws and norms.

Aggression towards them is an act against society and demonstrates either complete disregard or mental illness.

After adjudication, if a defendant is found competent and guilty, the process of parole must take in account the people's wish to incarcerate the subject to keep society safe.

The killings of Police Officers Waverly Jones, Joseph Piagentini, and Trooper Emerson Dillon, amongst countless others, were not heat-of-the-moment accidental killings.

They were planned and vicious assassinations, and were found to be so by a jury.

It boggles the mind how a subject who committed the ultimate act of evil against another person, and by extension, all of society, could ever truly be reformed.

The benefit of the doubt should be given to the victims, their families, and co-workers.

The victims were contributing to society and helping others. The convicted felons were not.

New York State's correctional-system population is rife with prisoners who are eligible for parole: Serial killers David Berkowitz and Joel Rifkin, spree killers Colin Ferguson and Julio Gonzalez, numerous cop-killers who I cannot and will not identify by name, along with the infamous Long Island diner felons who committed more than 100 felonies in a tragic morning.

That diner is five miles from where we sit right now.

Is the parole system really designed to let these felons out?

As a lifelong New Yorker, I certainly would hope not.

Reading the parole hearing minutes of the murder of POs Jones and Piagentini showed me no sense of remorse or responsibility. Instead, the felon spoke of his role in a war against society.

Do we really believe those feelings ever change?

If these prisoners are purportedly helping other inmates, I say leave them in prison and let them continue. The risk to us is too great to take

a chance.

I'll conclude with an example of parole gone wrong.

In 1967, Joe "Mad Dog" Sullivan was convicted of manslaughter.

In 1971 he escaped the Attica Correctional Facility, the first person having done so.

He was recaptured six weeks later.

Amazingly, he was paroled in 1975.

Over the course of the next six years, he was suspected in close to 20 murders as a contract killer.

In 1981 he was convicted of three murders, and died in prison.

Parole is a privilege, not a right, and should be reserved for non-violent offenses that can be rehabilitated, not subjects evincing the blatant disregard of human life.

Thank you.

SENATOR GALLIVAN: I have one question.

Dan, you made reference in your testimony to "under today's current sentencing standards."

Is that a reference to the murder of a -- police officers, punishable by life without parole --

DANIEL FITZPATRICK: (Indiscernible.)

SENATOR GALLIVAN: -- life imprisonment without parole?

DANIEL FITZPATRICK: Yes.

SENATOR GALLIVAN: And that is a current status, I believe, from 2005, when the Legislature enacted that --

DANIEL FITZPATRICK: Yes.

SENATOR GALLIVAN: -- and the governor signed that?

DANIEL FITZPATRICK: Violent felony statutes also increased in 1998 with the enactment of Jenna's Law. And his -- especially, Mr. Thomas's crime was committed prior to that.

SENATOR GALLIVAN: Okay. Thanks.

SENATOR PHILLIPS: I have a question for any of you.

Were you notified of the individuals that were pardoned, particularly the Level 3 sex offenders, and the murderers, before they were pardoned, or afterwards? Were you given the individuals' names?

DANIEL FITZPATRICK: I'm sorry, pardoned?

SENATOR PHILLIPS: Through this last round of the Governor's pardoning, were -- was there any

notification that --

DANIEL FITZPATRICK: Not to my knowledge.

SENATOR PHILLIPS: -- these individuals --

DANIEL FITZPATRICK: Not to my knowledge.

JAMES HUGHES: Nor mine.

SENATOR GALLIVAN: Senator Marcellino.

SENATOR MARCELLINO: Let me ask you just a quick question about, the person who is being given the right to vote, what would you think about the use of only voting for these people by absentee ballots?

They would not be allowed to go near a school and enter a building. But if they were going to vote, they could vote by absentee ballot only.

DANIEL FITZPATRICK: I think that would be acceptable means.

I mean, to let a sex offender into a school?

Who has -- who has to answer that?

That's ridiculous. That's inane.

SENATOR MARCELLINO: Couldn't agree with you more.

PAT SAUNDERS: Senator, I would even say, let them vote with their parole officer when they check in for a hearing.

If they're being supervised release, let them

vote when they respond there.

SENATOR GALLIVAN: Senator Boyle.

SENATOR BOYLE: I agree, that just the idea that these convicts are supposed to be -- only be allowed in the schools between 7 p.m. and 9 p.m., just that have you to say that alone makes it so ridiculous, that it should not happen at any point in time during the course of the day, if any.

But just like to thank you gentlemen.

And, Jim, I've known you many years and never heard that story.

Thank you very much for sharing it.

And on behalf of you, and other victims, particularly Diane Piagentini, a constituent of mine, the widow of Officer Piagentini, in letting any police officer -- the murderer of a police officer free at any time makes no sense whatsoever.

Thank you.

SENATOR GALLIVAN: Thank you, all.

SENATOR PHILLIPS: Thank you very much.

SENATOR GALLIVAN: Next we will have:

New Hyde Park-Garden City Park superintendent --

SENATOR PHILLIPS: Dr. Jennifer Morrison.

SENATOR GALLIVAN: Oh, I didn't have

"Doctor."

-- Dr. Jennifer Morrison;

Mineola superintendent, Michael Nagler --

SENATOR PHILLIPS: "Doctor."

SENATOR GALLIVAN: -- another doctor. Sorry.

And New Hyde Park Memorial High School PTSA, corresponding secretary, James Reddan.

JAMES REDDAN: Just "Jim."

SENATOR GALLIVAN: Jim Reddan.

JAMES REDDAN: Everybody else had titles, so I take it, I'm just "Jim."

SENATOR PHILLIPS: I'd like to go -- I don't think -- I'd like to go on record here.

I have a little bit of research that we did in our office, and let me emphasize the word "research," because there was no known way -- or, the way we had to figure this out was complicated.

But, in Nassau County, we found 23 sex offenders, including 9 -- let me repeat -- 9 Level 3s.

And for those of you that don't know the difference between Level 1, Level 2, and Level 3, Level 3s are determined to be the high risk of repeat offense and a threat to public safety, and Level 3 sex offenders must register for life.

These sex offenders included 10 child rapists, 14 child victims as young as 2 years old.

And it was my office who provided this information to the Nassau County Police.

SENATOR GALLIVAN: So we appreciate the fact that you are here, and your patience, of course.

And as with the others, we are -- it doesn't matter who goes first. But, when you testify, could you just start first with your name and your title, and you can proceed right into your testimony.

DR. JENNIFER MORRISON: I guess I'll go first.

Okay. My name is Dr. Jennifer Morrison. I'm the superintendent of schools of New Hyde Park-Garden City Park School District, and I'm here to thank you, first, for having me.

I appreciate you listening.

And I'd also like to impress upon you the importance of keeping our children secure and safe.

We work tirelessly to keep our children safe in school.

And on Primary, Special, and General Election days, the law requires schools to allow parolees, unidentified strangers, and unvetted election workers to enter and vote in our children's school

buildings.

We are expected to keep our children safe.

Schools have added visitor identification systems, security guards, security vestibules with mantraps, and security cameras to do so.

Our front doors are locked to our schools all day, every single day. No one is permitted to enter the building without first showing photo identification.

On polling days, when children are present, we are required to leave the doors unlocked, and we are not allowed to require visitors to present identification, which poses significant safety concerns.

Anyone on election polling day can walk into our schools unannounced.

Anyone.

Anyone can walk into our schools unannounced.

Our school buildings were built in the early and mid-1900s. They were designed to be community schools for the education of elementary school children.

None were designed with the idea that visitors would be entering during the school day to vote, and, certainly, none were designed in an era

when anyone even thought of the possibility of school shootings.

In one of our buildings, visitors entering to vote have to pass by a student classroom and the nurse's office.

Students in our adjacent hallways must pass these visitors throughout the day to go to the bathroom, to the nurse, to lunch, to gym, to music, or to go to mandated services such as speech.

Keep in mind, these students are as young as four years old.

In this age of horrific school shootings, we owe our children better than to have polling in our school buildings.

The board of elections offers no assistance assuring the safety of our students, teachers, and employees on election days, nor will the police department station police officers at our buildings.

I asked for that help, and was advised that the police department would not assign an officer on election days to be at our polling places; there simply aren't enough of them.

The board of elections will not send security guards to guard our children, or even our doors.

This responsibility falls on school

districts.

The board of election does, however, send election workers to our buildings who are not background checked, and have absolutely no familiarity with the school-safety plans.

Every employee in our school system that enters our buildings has been fingerprinted as -- and is trained in emergency procedures.

Election workers are not.

On polling days they are in our facilities all day long.

We have even had instances where election workers have roamed through our buildings and used student restrooms while elementary school students were in there, rather than wait for the staff bathroom to become available.

A few years ago the vote was moved out of one of our schools, New Hyde Park Road School, subsequent to a lockdown having been called while voters were in the building.

Voters and election workers ignored the lockdown, as they were not familiar with the procedures that we use to keep our children safe.

Our school staff, and the police upon their arrival, were unable to determine who belonged in

the building, and who or what might have been the cause of the lockdown.

It was chaotic.

As I stated earlier, on election days, we are not allowed to ask for visitor identification.

By Governor Cuomo's executive order, the rights of approximately 24,000 sex offenders to vote were restored, and the department of corrections has implemented a procedure so that sex offenders are allowed to enter schools to vote after 7 p.m.

They must get written permission from their parole office if they intend to vote at a school, and then from the school superintendent.

I assure you that I will not be granting my permission for any sex offender to enter my school buildings and vote, even after 7 p.m.

Ever.

Our doors do not close at 7 p.m.

There are sports practices and other activities in our school buildings that are attended by children.

Our school buildings are the center of our communities. They're in use all the time.

But even if I deny that permission, how would we know if a sex offender or a murderer or a

cop-killer was entering our schools on a polling day anyway, as we are not allowed to check identification?

This is why polling does not belong in our schools.

This initiative is misguided, and will allow dangerous felons, amongst others, into schools to vote.

To keep our children safe, our district safety plan requires visitors be buzzed into the building every time they visit, and that, upon entry into the building, the visitor must show photo identification.

The visitor then receives a badge and is escorted to the main office.

At the main office, the person is accompanied to their destination.

At the end of their visit, they have to sign out and return their badge.

In light of the recent nationwide security concern, this process should not be expected to be bypassed on election days as it contradicts the procedures we have implemented to keep our children safe on a daily basis.

These procedures were implemented based upon

recommendations received from the Nassau County Police Department, among others.

The district's request for Nassau County police officers to provide security at two of New Hyde Park-Garden City Park schools, Manor Oaks and Hillside Grade, during the Primary Election, which was scheduled to be held in both buildings on Thursday, September 13, 2018, while children were in the building, was denied.

Our request for traffic control during arrival and dismissal times at Manor Oaks School located on busy and crowded Hillside Avenue, was denied.

The volume of students, parents, and voters caused us a significant safety issue at these times.

It also displaces our staff from parking in the limited spaces when they come to work.

Our lots become so congested that, last Election Day, a voter had a car accident in our parking lot.

In addition to all the concerns I have stated, this is a huge disruption to exactly what we're supposed to be doing every day, which is instruction.

Using schools as a voting location interferes

with library classes and mandated physical-education instruction for three days:

The day before the vote, when the voting machines and the polling-related items are delivered and set up;

Then the day of the polling;

And the day after the polling while we wait for the board of elections to remove these items.

New Hyde Park-Garden City Park School District is working with Senator Phillips, presiding Officer Nicolello, Assemblyman Ed Ra, and Councilman Ferrara, to have all elections permanently removed from our school buildings.

In the meantime, we need your assistance to keep our children safe, and keep the vote and the parolees out of our schools.

Thank you.

SENATOR GALLIVAN: Thank you.

Dr. Nagler.

DR. MICHAEL NAGLER, Ph.D.: Thank you.

I wrote "good morning," but it's "good afternoon" now.

Senators, I appreciate the time.

My name is Michael Nagler. I'm the superintendent of Mineola Public Schools. I also

currently serve as the president of Nassau County Council of School Superintendents.

I'm going to paraphrase some of my remarks because they're a repeat of what Jen's already said.

What she described as a typical procedure for a parent entering the building is common in all of our buildings. That's the new reality.

The days where parents just come in to drop off lunch, and go into the classrooms, are done.

In fact, we typically have what we call "mantraps," which are secured vestibules.

They have to leave things there.

To get an instrument, if you forgot your lunch, leave it there. We'll take it to your child.

So that's the reality for our parents, and, obviously, using schools as polling places is a contradiction to that.

As Jen said, the polling place and procedures contradict all of our procedures for school safety.

I would add a few things.

In my case, in Mineola, our answer has been to limit voting to a classroom.

We find a classroom with an exterior door. We put the machines in that classroom. And we use a separate entrance as a polling place.

And we don't want people wandering around our buildings.

We hire security. So we incur the cost to Mineola, to hire additional security in every polling place, to ensure the public doesn't wander to where our children are.

In spite of that, we had an incident in the last Primary.

We also -- it's not a very comfortable place for voters.

When you typically go to your polling place, you'll have five or six machines, based on the EDs, the ADs, and there's just six, seven people show up, which doesn't really happen anymore. But, when they do, it's not really a manageable space.

But that's our solution instead of opening up a gymnasium.

When children aren't in the building, voting really is a non-issue.

But it's fairly common practice for schools to close on Election Day, although, two years ago, Mineola was open.

The reason we were open, is because the -- we have restrictions on when school can start and when it ends, and within that timeframe, we have to fit

in contractual obligations.

All of our districts have different number of days. In some -- some districts are 186, some are 182.

But, that is becoming harder and harder to fit within that time frame.

The granting of new religious -- not new religious holidays, but, additional religious holidays has made that more problematic.

I'm aware of Senator Funke's bill that proposes, that it will require schools to close on Election Day.

I think that would further exacerbate the problem, and that bill does not account for primaries.

So when you have election days, great.

Obviously, the mid-term and the presidential elections, we get a lot more voters. But primaries pose the same problems.

There's also that discussion about early voting. I'm not quite sure how that's going to work.

But it would certainly be, if you're having multiple days for voting, that would even exacerbate the problem even further.

I'd like to comment on parolees and voting in schools.

The notion that superintendents should grant permission for convicted sex offenders to vote in our buildings is ridiculous.

No superintendent is going to agree to that, and I don't think it's fair to place that decision in our laps.

I am aware that the law dates back to 2006.

It doesn't make sense then, it doesn't make sense now.

We really don't want any part of a political hot potato, especially when the obvious solution is, just use an absentee ballot.

And, frankly, I believe it's a complete disregard for school communities to have that occur.

We're asking for the ability to work with the board of elections.

We understand that voting has to happen.

We understand it has to be in accessible buildings.

What -- we're supportive of Senator Phillips' bill that gives us the ability to decline serving as a polling place, similar to the discretion allowed other entities, but not allowed schools.

And my colleagues and I are prepared to work with the board of elections to find alternative solutions, such as firehouses, village halls, libraries; the obvious public places, because, at this point, based on current circumstances, those venues make more sense.

I thank you for the opportunity to testify.

SENATOR GALLIVAN: Mr. Reddan.

JAMES REDDAN: Thank you, Senator.

Good morning.

My name is James Reddan.

My proudest title is a husband, and dad to Courtney (ph.), James, and Kelsey (ph.).

I am also a veteran of the United States Army.

I appear before you today to offer testimony in the topic of elections.

I have been authorized by a vote of the membership of the New Hyde -- to express the opinion of the New Hyde Park-Garden City Park Committee Against Polling in Schools, by the New Hyde Park Memorial High School Parent-Teacher-Student Association.

Here with me today, just behind me to my right, is Danielle Messina and Kathryn Canese.

These talented women, along with Liz Sollecito, are the driving force behind the committee and the PTSA.

I will skip the pleasantries, but thank you very much for letting me be here. I'm trying to truncate my statements.

SENATOR GALLIVAN: Excellent.

JAMES REDDAN: The New Hyde Park-Garden City Park community began its fight against polling in our schools before the Governor signed Executive Order 181.

Our issue is, and always has been, the safety of our children.

For many years, three of our elementary schools were polling locations.

It was acceptable in the past, but times have changed.

Our story begins on Election Day, 2014.

On that day, at New Hyde Park Road School, the alarm was triggered and a lockdown was initiated.

Our children, teachers, and staff were locked in the school for about two hours. Everyone in a locked office or locked classroom, waiting for the all-clear; every teacher and administrator complying

with the school safety plan.

The Nassau County Police, Third Precinct, did an excellent job, and secured our school.

However, during the lockdown, the election process continued.

Voters and poll workers were free to roam portions of the school, enter and leave as they pleased; thus, defeating the purpose of a lockdown.

We decided on that day polling in our schools is unacceptable and a potential security threat.

Our community organized a petition drive, and we were successful in removing Election Day polling from New Hyde Park Road School.

Unfortunately, voting remained at Manor Oaks and Hillside Grade schools.

The voting at Manor Oaks is under the control of the school board. The school board moved that election in the May 2017 election year to the Michael J. Tully Park.

Through the collective efforts of the residents in our community, we have been successful in facilitating the removal of polling from Hillside Grade School. That happened this year.

Our elementary schools were no longer subject to the potential safety threat. The school safety

plan would no longer be compromised by the election process.

For that we thank everyone that helped us, and the Nassau County board of elections.

We breathed a sigh of relief.

The board of elections was offered two reasonable locations.

The New Hyde Park Fire District offered the use of their firehouses.

We secured -- also secured Michael J. Tully Park as an optional site.

New Hyde Park-Garden City Park School District holds their budget and trustee vote at Tully Park.

The site is an approved voting location.

Simple, we thought.

Tax -- Tully Park is taxpayer-funded, handicap-accessible, offers a large parking field, and is a well-known and convenient location within our community.

After offering these locations as alternatives, the board of elections surveyed these locations.

Progress, we thought.

We waited for a decision; we waited all

summer.

We became aware of the new location when the board of elections mailed out the voter-registration cards.

Unfortunately, the board of elections selected New Hyde Park Memorial High School for the September 13th Primary vote and the November 6th General Election.

We were shocked.

What could we do now? The cards were mailed, the location selected, the Primary two weeks away.

We fought back is what we did.

We made calls, we sent e-mails, and let our voices be heard to anyone that would listen.

Thankfully, someone did listen.

The board of elections changed the location of the Primary. They moved it to Tulley Park, one of our original alternative locations.

The move occurred one week prior to the Primary vote.

Again, a collective sigh of relief, but we are not done, our mission is not complete.

The board of elections has selected New Hyde Park Memorial High School as the voting location for the November 6th General Election.

The selection of the high school as an alternative to the elementary schools is baffling to us.

The same children that attend our schools have brothers, sisters, cousins, and friends that attend the high school. The same families are affected.

Today, as I speak to you, 1860 children, aged 11 through 18, are in attendance at New Hyde Park Memorial High School.

1860 children -- our children.

The selection of the high school as a polling location is unacceptable and unnecessary.

I have been voting for 39 years.

New Hyde Park Memorial High School has never been a polling location during that time.

We are pleading with the Nassau County Board of Elections to utilize Tulley Park on November 6th, the same park that was used by the board of elections to conduct the September 13th Primary Election.

I told you our story because you and I should not have to fight to remove voting from our schools.

We shouldn't have to compromise the safety of our children because of an election.

The perceived inconvenience of moving a polling location should not be more important than our children.

There are alternatives.

We should be afforded a simple solution: Give the individual school districts the legal authority to opt out.

Before I continue about a possible opt-out option, I would like to comment on Executive Order 181.

Executive Order 181 went into effect May 1st this year.

The order could, potentially, give tens of thousands of felons on parole the right to vote.

The Governor says these parolees are disenfranchised voters. That many of them are contributing to society, and it is unfair to prevent them from voting.

There is no doubt that some of these parolees will go on to continue productive lives and contribute to our society. People do make mistakes.

But New York State law has a way for the parolee to restore his right to vote. It is called a "relief from civil disabilities." It is granted by a judge by a motion to the Court.

But it is also true that there are some parolees that will never change.

Some of those parolees are convicted sexual predators.

Allowing them to vote allows them access to our schools; allows them to enter our schools on Election Day.

To enter the schools in New Hyde Park and Garden City Park, you need to produce identification.

If you do not have identification, you do not get in.

Very simple.

During an election, the schools have to open up their doors to the voting public.

Schools are not allowed to ask voters for identification.

They have no record of who enters the building during an election.

So it is more than possible that a sexual predator will feel emboldened by this executive order, and will enter one of our schools, or wander around outside, just waiting for the opportunity to harm one of our children.

That, is unacceptable.

My community wanted elections out of our schools before Executive Order 181.

Now we believe that it is imperative.

In the near future, thanks to Senator Phillips, it may be possible for our schools to opt out.

Selecting a school as a polling location for elections poses a serious potential threat to the safety of our children, staff, and teachers, a threat that may be easily eliminated.

Senator Phillips has proposed legislation known as S9155. The bill, if approved by the Legislature and signed by the Governor, would allow schools to opt out of polling.

This is an important step, a commonsense piece of legislation.

We know our communities and the schools that our children attend better than any county board of election.

Our local elected school boards, and the superintendents that of our individual school districts -- of our individual school districts, know our schools better than anyone else.

In fact, school-safety plans are designed by the superintendent based on the specific needs of

their individual schools.

Our superintendents, and the school boards that serve us, should determine if an election may be safely conducted within our schools, not an unelected county official.

Senator Phillips' bill, if passed, would do just that.

The legislation would give our school districts the legal right to tell the board of elections, "Not in our schools, we opt out."

Schools cannot enforce a school-safety plan and conduct an election.

School-safety plans and the election process are mutually exclusive.

As I conclude my remarks, I ask all of you for my help -- for help.

Executive Order 181 adds another layer of uncertainty.

It makes no sense to allow a convicted predator entry into the schools.

Schools do not have the financial resources, nor do they have the manpower, to provide the necessary level of security.

To our elected representatives, vote "yes" when given the opportunity. Make this bill a law.

To all of you in the audience, thank you for coming.

Please call your representatives and urge them to support S9155.

Our communities take school safety seriously.

Tell them our schools should not be allowed to opt out of acting as polling -- should be allowed to opt out of polling locations for elections if that individual school district so chooses.

Finally, to the Nassau County Board of Elections: We ask that you do not hold the November 6th General Election at New Hyde Park Memorial High School.

Tulley Park held the September 13th Primary vote.

Tulley Park should also be the location of the November 6th General Election.

Common sense, and the safety of our children, should count for something.

No one should be allowed to compromise the safety of our school children because of a vote.

The perceived inconvenience of moving polling out of a school should not trump a child's well-being or safety.

Thank you for the opportunity to offer

testimony.

Thank you all for listening.

SENATOR PHILLIPS: Thank you.

[Applause.]

SENATOR PHILLIPS: I have a few questions, but if Senator Boyle or Marcellino --

SENATOR MARCELLINO: Go right ahead.

SENATOR PHILLIPS: -- go ahead.

SENATOR BOYLE: Thank you, panelists.

And thank you for your principled stances on this.

As I mentioned earlier, a reference to a bill that I had introduced a number of years ago about banning polling in schools, I can tell you that, as soon as I introduced that piece of legislation, I was getting barraged by phone calls from around the state, from board of election commissioners, telling me, Do you know how much this is going to cost?

And this was before the recent rash of school shootings.

I mean -- and so my question is:

I know you talked about mantraps.

Do any of you, or do you know of any other school districts in Nassau or Suffolk county, that

have metal detectors?

DR. MICHAEL NAGLER, Ph.D.: We typically don't typically have metal detectors.

Other security measures would be panic alarms, lockdown buttons, security bollards. In some cases, armed guards.

It's -- it's reached the point, even -- between Sandy Hook and Parkland.

Now, post-Parkland, it's reached the point where you really can't get in a school building.

It's -- there are electronic doors, there's (indiscernible) keys; there are all sorts of measures to limit who comes in and out of the buildings.

SENATOR BOYLE: And you can't get into a school, except one day a year, on Election Day --

DR. MICHAEL NAGLER, Ph.D.: Well, multiple days, because there are multiple --

SENATOR BOYLE: -- there's primaries too.

And, remember, in Presidential.

Because we haven't changed the laws in New York State, there's a separate Presidential Primary.

So we have three times that it -- it ended up becoming Presidential Election.

I would just add, parenthetically, that, you know, some of these school-shooters, obviously, they're evil individuals, but they're evilly smart too. And they plan things out. We see some of the shootings.

So there's some sicko out there, getting ready, realizing, when they're -- this is an opportunity.

And, God help us, if we allow that to happen.

And I support Senator Phillips' bill.

Thank you for your leadership on that, Senator.

SENATOR MARCELLINO: Can one of you go through the idea of not closing on Election Day?

I believe, Mr. Nagler -- Dr. Nagler, that you had talked about that, that that wasn't feasible.

Can you go through that again, please?

DR. MICHAEL NAGLER, Ph.D.: We have to start school in the month of September.

The earliest we can do it is September 1st, by law. And we conclude the last day of regents, by law.

Within that time --

SENATOR MARCELLINO: Which is usually around June?

DR. MICHAEL NAGLER, Ph.D.: Well, this year it's very late.

But, normally, it's around the 22nd, the last -- the third Friday in June.

SENATOR MARCELLINO: (Indiscernible) June 20th, or something like that.

Okay.

DR. MICHAEL NAGLER, Ph.D.: Within that, we all have contractual obligations of how many days our teachers and staff work, as high as 186 days, as low as 180.

We're also mandated, we cannot receive State aid if we don't have a minimum of 180 days.

So all of those things factor in around the three breaks we take: The February, the Christmas/Hanukkah holiday, and the Passover/Easter break.

Recently we've been adding additional holidays. Lunar New Year.

And not all of us do -- not every district. It's based on communities.

But, every day you add, you take away a day of flexibility to get you 182 in.

I'm using that as my example, is 182.

This year was easy, because the regents ended

on the last Wednesday. So we actually gained three days that we never had before.

Next year it will be problematic again. The way the holidays fall, it shrinks our window.

So, sometimes, we need to open on Election Day.

And, again, depending on the polling places and the district, it's less problematic for some districts than others.

That's why I appreciate the way the bill was written, is it's the option of the district.

If you can manage a secure polling place, so be it.

If you cannot, then it's in your interest to change it.

DR. JENNIFER MORRISON: Especially when there are other available locations.

For example, in New Hyde Park or in City Park, Mr. Reddan talked about Tulley Park. It's right across the street from the Memorial High School.

It's got a better facility, better access... better everything.

And the board of elections is choosing to put the vote in our high school.

SENATOR MARCELLINO: Did they give you a reason for that?

DR. JENNIFER MORRISON: I have my guesses, which I probably shouldn't --

SENATOR MARCELLINO: No, I want to know.

JAMES REDDAN: No, there was no reason given.

DR. JENNIFER MORRISON: I can give you a few guesses.

JAMES REDDAN: Well, we all know why.

Because they took it out of our schools --

DR. JENNIFER MORRISON: They took it out of the elementary schools.

JAMES REDDAN: -- and they didn't want to take it out of the school for us, because, if they did that for us, they might have to do that for other locations.

DR. MICHAEL NAGLER, Ph.D.: I would just add that the New Hyde Park is an elementary district. And the high school is Sewanhaka District.

So, technically, it's two different districts.

SENATOR MARCELLINO: Different districts.

Okay.

DR. JENNIFER MORRISON: Same families.

DR. MICHAEL NAGLER, Ph.D.: So they did move

it out of one district.

JAMES REDDAN: Yes --

DR. JENNIFER MORRISON: Completely.

JAMES REDDAN: -- New Hyde Park is a school district unto itself. It covers the four elementary schools.

The Sewanhaka Central High School District covers five high schools, one of which is New Hyde Park Memorial High School.

Two of the members that sit on the board of education at New Hyde Park Gardens sit on the Sewanhaka board.

The board of elections knows the location, it knew our community, and it chose to put it in our school, when Tulley Park is a better location.

First-floor access, handicap-accessible. A gigantic parking field.

No reason, really.

In our location, at least in my community, it might -- this might not be true of all communities, we have various places to hold elections.

The volunteer firemen in our community, both in the Garden City Park Fire District and the New Hyde Park Fire District, are more than willing to offer their firehouses to help us in our cause.

The board of elections surveyed New Hyde Park's firehouses. They surveyed Tulley Park.

And they chose New Hyde Park Memorial High School for the Primary.

We fought.

Senator Phillips -- we called Senator Phillips, Assemblyman Ed Ra, Councilman Town -- Town of North Hempstead Councilman Andrew Ferrara, and Assembly -- excuse me, Richard Nicolello.

They helped us; they moved that Primary vote.

But they still, at least as far as we know, intend on holding the General Election at New Hyde Park Memorial High School.

That's unacceptable.

The school is not set up for that. Never has been a polling location.

SENATOR PHILLIPS: Let me make one comment to -- that was stated.

We -- I attempted, and in the Senate, to pass legislation that would give school districts the option of starting school up to three days before September 1st and get State aid for it.

You can now, but they don't get State aid for it.

And I, literally, almost got booed out of the Senate chamber by the Minority's party.

So much for that idea.

I tried, thinking it would give school districts an option, given the amazing diversity we have here on Long Island, and, really, throughout New York State.

So, I have a couple of questions for the school superintendents:

How are your schools notified that specific registered sex offenders would be appearing at your schools on Primary and election days?

DR. MICHAEL NAGLER, Ph.D.: We were not notified.

DR. JENNIFER MORRISON: No, not at all.

We were not notified.

SENATOR PHILLIPS: Maybe a phone call from me.

DR. JENNIFER MORRISON: No, I mean, we did not receive anything --

SENATOR PHILLIPS: No notification?

DR. JENNIFER MORRISON: -- whatsoever.

No notification.

SENATOR PHILLIPS: And was there any notification given to you when the decision on

September 7th was made by the Department of Criminal -- I think, is it the DOCCS?

DR. JENNIFER MORRISON: The department of corrections.

SENATOR PHILLIPS: Thank you.

-- was there any notification to you that the sex offenders would be allowed after 7 p.m.?

DR. JENNIFER MORRISON: No.

I actually read it in the newspaper.

DR. MICHAEL NAGLER, Ph.D.: I received no notification.

SENATOR PHILLIPS: And one of you mentioned that you provide -- I think it was Dr. Nagler, that you provide additional security on election days, and that's a cost.

Who absorbs that cost?

DR. MICHAEL NAGLER, Ph.D.: The Mineola taxpayers.

SENATOR PHILLIPS: Thank you.

SENATOR GALLIVAN: So neither of your schools, you didn't get any requests at all to do with sex-offender voting at the school?

DR. MICHAEL NAGLER, Ph.D.: No.

DR. JENNIFER MORRISON: No, we did not.

SENATOR GALLIVAN: You mentioned an incident.

You had one incident on Primary Day?

What was it?

DR. MICHAEL NAGLER, Ph.D.: We had a voter find their way to a bathroom, and it had fecal matter on the walls. Had some cleaning to do after they used the facility.

SENATOR GALLIVAN: So more related to your security concerns, as opposed to the gov -- in general --

DR. MICHAEL NAGLER, Ph.D.: (Indiscernible.)

SENATOR GALLIVAN: -- as opposed to the Governor's --

DR. MICHAEL NAGLER, Ph.D.: Yes.

SENATOR GALLIVAN: -- so that was unrelate -- incident unrelated to the Governor's executive order?

DR. MICHAEL NAGLER, Ph.D.: Correct.

SENATOR GALLIVAN: Is it fair to say that all of you would agree that you're in the education business and shouldn't be in the election business?

DR. JENNIFER MORRISON: Oh, wholeheartedly.

SENATOR GALLIVAN: Is that a fair statement?

DR. MICHAEL NAGLER, Ph.D.: Absolutely, yes.

SENATOR GALLIVAN: So you know, we did have testimony yesterday from the New York State

Association of School Superintendents, and their New York State School Boards Association, very -- you know, very similar to all of your testimony today with the points that you made.

And one additional point, and I think, Jim, I think you mentioned this, about the process regarding a certificate of release -- relief going to a judge.

DR. MICHAEL NAGLER, Ph.D.: Yes.

SENATOR GALLIVAN: This is really just for information.

Their process -- there's another way to do it.

Somebody who has been in state prison can make application to the parole board as well, and they have the authority, separately, to issue a certificate of relief.

So, that provision did exist, that they could ask at any time for that.

So I just want to point that out.

You did mention the other part in the law.

I just want to make it part of the record.

JAMES REDDAN: It's on the books.

The Legislature passed that, and allowed everybody to do that, which is why Executive

Order 181 really doesn't make sense, because, you, along with your colleagues in Albany, are the ones that are supposed to create law; not the Governor.

SENATOR GALLIVAN: Thank you all for your testimony.

DR. JENNIFER MORRISON: Thank you.

SENATOR MARCELLINO: (Indiscernible.)

JAMES REDDAN: Excuse me?

SENATOR MARCELLINO: Can we have you on the record telling him that?

JAMES REDDAN: I'll come up to Albany. I'll shake his hand and tell him, What are you doing?

SENATOR GALLIVAN: Thank you again.

SENATOR PHILLIPS: Thank you.

SENATOR GALLIVAN: Next we have will James Royall, and, Jared, I apologize, Chausow --

Have I pronounced it correctly?

JARED CHAUSOW: Not bad.

SENATOR GALLIVAN: -- from the Brooklyn Defender Services.

Mr. Royall, did I pronounce you correctly as well?

Okay. Good.

Thank you for your patience.

SENATOR PHILLIPS: Yes, thank you very much.

SENATOR GALLIVAN: We appreciate your willingness to be here today, and to testify.

And my understanding is, Mr. Royall, you're going to present the testimony?

JAMES ROYALL: Yes, I am.

SENATOR PHILLIPS: If I could --

SENATOR GALLIVAN: Excuse me.

SENATOR PHILLIPS: -- I apologize, for one more second, because I do want to announce that the Nassau County Board of Elections have been in the audience, Mr. Joe Ra and Mr. Steve Marks.

I want to thank them.

They were unable to testify, but they did want to listen to the testimony.

So, thank you for coming.

SENATOR GALLIVAN: And also scheduled to testify is a representative from the Suffolk Board of Elections?

SENATOR PHILLIPS: Yes. Nicholas LaLota.

Nicholas, are you here?

SENATOR GALLIVAN: Which we understand, he is now not going to be able to attend?

All right. Thank you.

All right. Mr. Royall.

JAMES ROYALL: Well, first, I would like to

say that, thank you for having me, and, you know, allowing me to testify on this important issue.

My name is James Royall. I'm a reentry advocate at Brooklyn Defender Services.

And we provide criminal defense, family defense, immigration, civil legal services, social-work support, and tools for self-advocacy in nearly 35,000 cases involving indigent Brooklyn residents every year.

As part of the reentry unit, I provide a comprehensive support for people upon release from prisons or jails, and direct advocacy on behalf of our clients while they are incarcerated.

I know the meaning of parole release, the heartbreak and devastation of being denied, and of the joy when it is granted.

I also know the hardship of incarceration for families.

In fact, I'm also here on behalf of the New Hour in Brentwood, the Nassau County Jail Advocates, prison families, (indiscernible), and Universalist Unitarian Congregation at Shelter Rock, and the Second Chance Reentry.

By countless indicators, incarceration throughout the United States, including in New York,

is historically a global anomaly.

States, including New York, there are more people under correctional supervision across the country than were in the Gulag at its in early 1950s.

Until the spread of a mandatory minimum sentence and regimes that developed as a part of the War on Drugs in the 1970s and the 1980s, the incarceration rates across the country had remained relatively constant for a long time.

Here in New York, the average rate of incarceration was less than 75 incarcerated people per 100,000 people for a century, until it more than quintupled during this period, that decade from the '70s to the '80s.

Here in New York State, the stark and persistent racial disparities in incarceration rates, and every other aspect of the criminal legal system, had led many to call it the "New Jim Crow."

Notably, incarceration rates for White people did not substantially rise under the new harsher sentencing laws and guidelines.

Now, thanks to part of the new drug law enforcement reforms, the current incarceration rate in New York has fallen by a quarter since its peak

in 1999 and crimes rates have plummeted.

But, New York's incarceration rate is still nearly double of that in Maine, and about 3 1/2 times of that of Germany.

To truly roll back mass incarceration, New York must expand parole release for those who have rehabilitated themselves and transformed their lives.

It has been said that those that had once been deprived of it is the ones that's closer to the solution.

And, even as New York's prison population has gradually declined, a number of incarcerated people age 50 or older jumped by 46 percent.

So the elderly population has grown as the New York's population, overall, has declined.

These are mostly men and women who have committed serious crimes decades ago, or who have taken advantage of every opportunity permitted by the difficult incarcerated environment to turn their lives around and make amends, and want to rejoin the fabric of society, their families.

And, when I say "make amends," is giving back.

It's making sure 10, 12, 20 people don't do

the same thing that one person did a long time ago.

That's a beneficial process.

That's very beneficial for the state of our affairs.

That is the order of the day.

Yet, far too often, New Yorkers, especially older adults, are dying in prison after being denied parole multiple times, including nearly 1,000 such deaths under the current governor.

We can and must safely expand parole release, and that is the key --

[Cell phone ringing.]

I don't know how that happened.

Excuse me.

SENATOR GALLIVAN: Glad it was yours, and not mine.

JAMES ROYALL: It was mine.

I'm sorry.

[Laughter.]

JAMES ROYALL: -- so -- yet, far too often, New Yorkers, especially older adults, are dying in prison after being denied parole multiple times, including nearly 1,000 such under the current governor.

We can, and must, safely expand parole

release, while reinvesting the savings produced by decreased populations and meaningful support in crime -- and meaningfully supporting crime victims and their families, including those who themselves have committed -- who may have committed crimes.

One of the things about safely expanding parole release and reinvesting in savings, that is definitely my favorite line, "the order of the day."

When you are able to use individuals that has once have been the problem, and they are now the solution, and they have been evaluated, they are not their worst mistake.

You know, there's an evaluative process.

They have spoke about the risk assessment, but it's not just the risk assessment alone.

You know, there's a whole history, a historical background, on this individual.

They are being (indiscernible).

We're not saying let all individuals that are -- the mistake they made 20, 30, 40 years ago, even 10 years ago.

We're saying, evaluate these individuals, and let them go if they pass that test.

This is how we can bring safety and justice to New York, and stop the cycles of trauma and

violence.

We must come together and work together.

John MacKenzie's tragic death is a symbolic of a broken parole system that continues to undermine the presumed rehabilitative nature of our criminal legal system.

Presumed rehabilitative nature of our criminal legal system.

John was an extraordinary person, a Long Island resident, who took full responsibility for his serious crime, and did everything to make amends.

He started a victim-awareness program, obtained multiple college degrees, and helped countless young men transform their lives through group therapy and direct mentorship.

He would have been a crucial asset to the community if given the chance.

In fact, Justice Maria Rosa of the New York State Supreme Court in Dutchess County held the parole board in contempt for refusing to give any justification for denying Mr. MacKenzie's release beyond his original crime.

After throwing out an earlier denial, and ordering a new hearing, at which the board's

decision was virtually the same, the New York State parole risk assessment, COMPAS, had found that 70-year-old John MacKenzie posed absolutely no threat to society, but he was still denied parole for the tenth time.

A week later, he committed suicide. He hanged himself with a sheet.

His adult daughters will never see him free, or at all, despite all that he did to make positive changes in so many lives; not only his self, but so many lives.

That is (indiscernible) that repeated in unjustifiable parole denials wreak on our loved ones and community members.

That is why Brooklyn Defender Services joins with our allies in the parole justice movement to say, Bring our elders home.

In addition, I applaud Governor Cuomo's executive order, giving people on parole the opportunity to vote, which turned the page on a shameful Jim Crow error policy, and helped to affirm our state's commitment to democracy.

Any rollback of this long overdue reform would be a huge injustice and an embarrassment to our state.

The fact that some politicians may have managed to link expanded voting rights and alleged public safety threats is -- excuse me, let me say that again.

The fact that some politicians have managed to link expanded voting rights with alleged public safety threats is reminiscent of the infamous southern strategy of stroking wide fear and anger.

So I ask, please, can we come together to improve safety and end the injustices of our state without demonizing people, without demonizing us?

We need to come together and work together.

Thank you.

SENATOR PHILLIPS: Thank you, sir.

SENATOR GALLIVAN: Thank you, sir.

[Applause.]

SENATOR GALLIVAN: You did make some recommendations in your written testimony, on "Conclusion," a reference to two different bills that I am familiar with, and the composition of the parole board.

So I do note that, and that will be part of the record also.

I've got a question, but, you what?

Let me first say, at the very end, you talked

about coming together and working together.

I concur, I share that.

And I think if we had more of that in public service, we would do much better for our communities.

So, thank you for saying that, and keep talking to your elected officials about that, all of us.

I appreciate that.

Beyond that, question in two areas.

It's pretty interesting to me, and this is among the reasons that I articulated earlier for holding these hearings, specifically with the parole board itself.

My observation has been:

That we've got those that might focus on law and order are unhappy with the parole board.

Those that focus on inmate advocacy are unhappy with the parole board.

Those that are elected as Republicans seem unhappy, have expressed unhappiness.

Those elected as Democrats have expressed unhappiness.

Upstate, downstate, east and west.

So, clearly, there's an issue.

So I want to ask you about two different areas, unless you're satisfied that these areas are adequate.

The first has to do with transparency of the parole board operations, and second has to do with parole board accountability.

And I'm curious if you have any thoughts about either one of them.

JAMES ROYALL: Well, I think that the answer to both questions is with this one answer:

I believe that the standards and the structured 259-i -- Executive Order 259-i, that's standard, and the risk assessment is standard.

I believe those are some viable structures; however, it has to be followed.

That's the broken part of the parole system for me.

For the other side, the broken part is that they are letting individuals go. Some individuals are coming home.

However, there is one individual that may be released out of ten, may have, I would call it "recidivate." Then there's a big hoopla about that. And then the other nine individuals has to suffer for that.

So that's a broken part, and they blame that on the parole board.

But that's the individual.

That's -- I don't believe anything is 100 percent.

That's one out of 10 that they missed, but everybody else shouldn't have to suffer from that.

So the tools that's in place should be in place, and it should be followed.

SENATOR GALLIVAN: Okay. Thank you for that.

Other questions?

SENATOR PHILLIPS: I have a question for Mr. Royall.

Thank you.

And, again, I want to echo what Senator Gallivan said; that this is -- it really seems to be a broken system. And the only way we're going to fix it is we all work together.

So, thank you.

You used the word "presumed" rehabilitation.

And I carefully listened to you use the word "presumed."

So, please, correct me if I'm wrong, but it sounds like the system isn't great when it comes to rehabilitation.

Do you have suggestions on how we might legislatively guide the parole board, or to help that rehabilitation process?

Isn't that what our goal is for an individual?

JAMES ROYALL: Well, the rehabilitation process, for me, is not a job of the parole board.

SENATOR PHILLIPS: Right?

JAMES ROYALL: It's the job of the prison system.

SENATOR PHILLIPS: Of the prison system.

JAMES ROYALL: So, I don't believe that there's many structures in place inside the prison system, created by the prison system, that speaks to rehabilitation.

On paper, you might see that they have a school in every prison. They may have programs in every prison.

And for the paper, it looks good.

But individual (indiscernible) --

SENATOR PHILLIPS: But in reality?

JAMES ROYALL: -- in reality, of course, it's not like that.

It's like a basketball team has beautiful people on their team. It looks like they're going

to win, and then they're in last place.

So, what actually happens, when I said -- also spoke about self-rehabilitation, self-advocacy, these individuals, they utilize those programs, they ace those programs, and then they're stuck. There's no more left.

When they're sitting in front of the parole board, they speak about all of the incarcerated-individuals' created programs, or the organizations that have created programs, that programs that are viable to society, programs that speaks to recidivism.

Not programs that just speaks to education, which there is none there.

You know, you have two to, maybe, three different types of educational systems in there.

You have an adult basic education system, and that's for anybody that is not over, I believe, the ninth-, or eighth-grade, reading level.

Everybody goes into this one class.

Everybody is not on the same level.

Then you have the pre-GED and GED class. And we know what those are about.

So, I believe they just have to restructure, really look at these things inside of the prison,

restructure it, because it's presumed from the outside, from society, that rehabilitation is going on, and that's why individuals are getting released.

But, they are getting released because of the creative programs; those programs that speaks to the growth, the programs that speaks to the development, the programs that are progressive, that allows them to speak to their transformation, to their paradigm shift, and make the release.

SENATOR PHILLIPS: Thank you.

I'd like to just mention one thing.

It's slightly off topic, but, through the Heroin and Opiate Task Force that Senator Fred Akshar -- who else is co-chairing -- and Senator Jacobs, and there's someone else, but I can't remember -- and Senator Amedore -- thank you -- we did public hearings across New York State, to listen on how the Senate could get involved and help the epidemic that we have throughout our country.

And one of the many things that we heard was in our jail systems.

And that it was Sheriff Apple in the Albany County that showed us, that if we could invest some state dollars, our taxpayer dollars,

into programs in the jail system, the level of recidivism goes down significantly.

So, I am proud to say, here in Nassau County, we were able to give them over $200,000 just a couple weeks ago for exactly that; to help sponsor rehabilitation programs when it comes to drug addiction, so they can capture these individuals so the recidivism rate goes down.

JAMES ROYALL: That's great.

SENATOR GALLIVAN: Well, thank you for your testimony.

SENATOR PHILLIPS: Yeah, thank you very much.

SENATOR GALLIVAN: I would like to thank everybody for their testimony, and their patience, of course.

Oral testimony, as I mentioned earlier, is -- will be available immediately on the Senate website from yesterday and today.

Ultimately, all the written testimony, the various information-request submissions, will also be on the Senate website.

The written testimony will not be immediate.

And the ultimate report that comes out of this, and recommendations, again, can be found there.

I would like to thank -- oh, sir, go right ahead, if you have more.

JAMES ROYALL: I do have one additional thing I just wanted to mention.

When I was speaking of John MacKenzie, that's a serious situation.

The individual committed suicide.

He was a very progressive individual. Very.

There's a lot of individuals in there like John MacKenzie, and they're going to the board, getting hit eight times.

I know of a fellow named Marvin Lewis.

He's a graduate of RTA (rehabilitation through the arts). He has numerous college degrees.

He hasn't had an infraction within 30 years.

He doesn't have a homicide, or anything like that, but he do have involvement -- (indiscernible) involvement with a police officer.

The police officer is not opposing his release, yet he's still getting hit.

These are the things I'm talking about.

You know, this individual is helping individuals inside. He's doing a lot, he's reaching out.

And these are the very things, before we, you

know, have these individuals killing themselves, you know, we have to look into this stuff.

You know, and accountability is a big part of it, which you spoke about. You gave dollars to the prison system.

There has to be accountability somewhere here, because giving it just to the system, somebody in the system is not doing their jobs.

So there has to be some type of accountability, measurement, some type of barometer, for our dollars that's going in there.

SENATOR GALLIVAN: That's exactly what I was getting at with the transparency and accountability.

So we get to the point of, the law is the law, currently. We have factors to consider and standards to meet.

It's my belief that the board hasn't followed that, and -- all standards in all the cases. And I think other people share that.

But then beyond that, I don't know that there's any mechanism in place, from the Executive Branch, to ensure that they're -- they are following the standards.

They are independent; however, there should be some sort of check and balance, in my view, that

if they're not doing what the law requires, that somebody can address the individual.

And it might just simply be training.

It might be greater transparency in reporting; that there's more public reporting of their activities that are out there.

But that's actually what I was getting at, the point that you made.

And thanks for bringing that up.

JAMES REDDAN: All right.

SENATOR GALLIVAN: Okay. Are you good now?

JAMES ROYALL: Yeah.

SENATOR GALLIVAN: All right.

I am going to turn over in a moment to Senator Phillips.

But I just want to remind people about everything, it will be on the website, ultimately.

And I thank everybody for being here, and dealing with these very -- in my view, very important public-policy topics.

And I'll turn it back over to our Long Island Senators.

SENATOR MARCELLINO: Excuse me.

What's the deadline for anybody submitting written testimony?

Is there a final deadline?

SENATOR GALLIVAN: No, but we can make one.

We can go one week from -- seven days from today.

That was not asked.

SENATOR PHILLIPS: So I just would like to end, to thank you all again for coming to the 7th Senate District, particularly Senator Gallivan who traveled the farthest, Senator Marcellino and Senator Boyle, for participating in this;

For the school board superintendents;

For the PTA, or, PTS, participants here;

For the Nassau County Board of Elections, for being here to listen;

Law enforcement;

And the defenders' organizations.

But probably the -- our heartfelt thanks to those, the victims' families, who were kind enough to come and share their stories.

So have a wonderful afternoon, everyone.

God bless you all, and God bless our great country.

(Whereupon, at approximately 1:16 p.m., the public hearing concluded, and adjourned.)

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