

*Police  
Benevolent  
Association*  
Of The City Of New York, Inc.



OFFICE OF THE PRESIDENT

March 1, 2019

**VIA UNITED STATES MAIL**

Tina M. Stanford, Esq.  
Chairwoman, Board of Parole  
1220 Washington Ave., Bldg. 2  
Albany, NY 12226

Dear Ms. Stanford:

On behalf of the nearly 50,000 active and retired members of the Police Benevolent Association of the City of New York (the "PBA"), I write to object in the strongest possible terms to the Board of Parole's (the "Board") decision to block the submission and consideration of letters opposing parole of convicted cop-killers, and to demand the immediate reinstatement of the arrangement that allowed the public to submit those opposition letters through the PBA website.

As you may be aware, in 2012 the PBA established an online tool allowing our union's members, our fellow law enforcement professionals and other concerned New Yorkers to submit a letter to the Board opposing parole release for inmates convicted of murdering a New York City police officer. This tool was established through an agreement between the PBA and the New York State Department of Corrections and Community Supervision ("DOCCS"), whereby DOCCS provided the PBA with a dedicated email address to which to submit the opposition letters generated by the online tool. The PBA's tool is substantially similar to the tool hosted on DOCCS' own website<sup>1</sup>, except that the PBA-hosted tool pre-populates certain information related to the inmate and his or her police officer victim. DOCCS agreed to insert the opposition letters received via the PBA website into the inmate's file for consideration by the Board prior to making parole release decisions.

In the past year alone, nearly 48,500 individuals have used the PBA website to submit parole opposition letters, a clear indication of the level of public concern about the parole of cop-killers. The PBA has also conducted numerous public campaigns to encourage our members and the public to register their opposition using the PBA's online tool. For example, following the parole release of Herman Bell in 2018, the PBA conducted an extensive media campaign including multiple press conferences and radio advertisements directing the public to oppose Bell's parole and the parole of one of his co-defendants via the PBA website. This campaign, like the PBA's previous campaigns, garnered significant media attention that the Board and DOCCS staff could not have failed to notice.

However, within the past month, the PBA has received reports from individuals familiar with the parole consideration process that the opposition letters submitted via the PBA's online tool are **not** being received or considered by the Board panels reviewing parole release cases.

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<sup>1</sup> "Letters In Support Or Opposition Of An Inmate's Release"; <http://www.doccs.ny.gov/letters.html>; Accessed Feb 13, 2019  
125 Broadway Street, 11th Floor, New York, N.Y. 10004-2400 | 212-233-5531 | [www.nycpba.org](http://www.nycpba.org)

Prior to these reports, the PBA received no indication from the Board or DOCCS that the opposition letters were not being received or considered. In response to the PBA's inquiries, DOCCS staff confirmed that the Board is no longer receiving or considering opposition letters submitted via the PBA's website, further stating that the original agreement between the PBA and DOCCS concerning the submission of opposition letters was only intended to remain in effect for a period of two years.

This is contrary to the PBA's understanding of the agreement, both at the time it was reached and in all the years we have been hosting, maintaining and promoting the use of our online tool. At no time did DOCCS indicate that its agreement with the PBA was time-limited. Moreover, it is entirely inconsistent with the Board's apparent practice of receiving and considering opposition letters via the tool on DOCCS website. If the Board continues to receive and consider opposition letters through that channel, it has no justification for rejecting or ignoring the substantially similar letters sent via the PBA-hosted tool.

By failing to communicate to the PBA concerning the repudiation of the agreement, the Board and DOCCS have deprived hundreds of thousands of New Yorkers of their right to make their voices heard as part of the parole consideration process. The statutory standards for parole release expressly prohibit release in cases that are "incompatible with the welfare of society" or that would "so deprecate the seriousness of [the inmate's] crime as to undermine respect for the law."<sup>2</sup> The Board cannot adequately evaluate an inmate on that standard — especially not an inmate convicted of a heinous murder of a police officer — unless it has heard from the New Yorkers who may be forced to live alongside that inmate upon his release.

We therefore demand that the Board and DOCCS honor its agreement with the PBA and immediately resume accepting and considering opposition letters submitted via the PBA website.

Sincerely,



Patrick J. Lynch  
President

CC:  
Anthony J. Annucci  
Acting Commissioner  
NYS Department of Corrections and Community Supervision  
1220 Washington Ave., Bldg. 2  
Albany, NY 12226

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<sup>2</sup> Executive Law § 259-i(2)(c)(A)