



NEW YORK STATE SENATOR  
Thomas F. O'Mara

## Senator O'Mara's weekly column 'From the Capitol' -- for the week of March 18, 2024 -- 'Gruesome crime again highlights failed bail reform'

THOMAS F. O'MARA March 20, 2024

| ISSUE: **BAIL REFORM CRIMINAL JUSTICE**



Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature.

Under the cover of a so-called “progressive” political ideology that has taken complete control of the reins of power in Albany, this state has become less safe. Statewide polling throughout the past few years confirms that New Yorkers view crime as one of the most critical issues confronting the state and that New York is moving in the wrong direction to address it. Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more. Stop back every Monday for Senator O'Mara's latest column...

This week, **"Gruesome crime again highlights failed bail reform"**

Plenty of us have said it time and again over the past several years since former Governor Cuomo, Governor Hochul and a state Legislature under all-Democrat control began dismantling this state's system of criminal justice: it's insanity.

The latest case in point has taken place over the past several weeks on Long Island where police have been finding dismembered body parts strewn around Suffolk County. It's one of the most grisly, gruesome cases of crime imaginable and yet, while police have arrested and prosecutors have charged several suspects, these suspects are not behind bars. They're not being held in jail because here in New York State, believe it or not, the crime of dismemberment and concealment of a human corpse is NOT a bail-eligible offense.

As they say, you can't make it up. The four suspects pled not guilty and were released with ankle monitors -- as if an ankle monitor is going to keep anyone safe. It seems common sense, as plain as day, that anyone who would commit such a heinous crime poses a danger to society -- but not in the eyes of the law as it's been written by Albany Democrats.

"Nobody with an ounce of sensibility would say it's a good idea to let someone charged with the sickening act of human dismemberment roam the streets," my Senate Republican colleague from Long Island, Senator Anthony Palumbo, said. "Yet here in New York, that's exactly the situation that the irresponsible Democrats who ostensibly lead this state have put us in due to their radical, nonsensical policies of putting criminals first."

Senator Palumbo has introduced legislation that would permit judges to keep criminals like these in jail. Senate and Assembly Republicans keep trying to fix the broken bail law on a case-by-case basis, while pointing out that what really needs to be done is to scrap this failed bail reform entirely and get back to work on putting in place something that will work, for all New Yorkers, not just for society's criminal element.

We keep living through an era in New York State that will forever be defined by a "no consequences" approach to law and order which coddles criminals. New York State's criminal justice system has been turned on its head -- and, in the view of most, for the worse.

The consequences are clear: a rapidly declining Empire State.

Failed bail and discovery law reforms have been a disaster and sparked an overriding sense of lawlessness statewide. A "Raise the Age" law removes criminal responsibility for violent 16- and 17-year-olds, thereby providing incentive for gangs to recruit and utilize younger members.

Law enforcement's ability to ensure public security has been handcuffed and the criminal element knows it. The same goes for our prison system, where Albany Democrat actions like the HALT Act give violent inmates the upper hand and our correctional facilities have become powder kegs of violence.

New York now has a parole system that goes out of its way to release violent inmates -- including cop killers and child murderers -- back into society.

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Late last year, Governor Hochul signed yet another pro-criminal policy, one known as the "Clean Slate Act." This action has taken erasing criminal records from public view to a whole new level and does so at the risk of crime victims and law-abiding New Yorkers. It has opened the door to a widespread sealing of *millions* of criminal records, including for any number of violent crimes including assault, armed robbery, attempted murder, manslaughter, kidnapping, drug trafficking, and others. Regardless of how many criminal convictions an individual has, they're all expunged. It's added an alarming trend in New York government to keep enacting pro-criminal policies despite rising rates of criminal violence statewide.

Now we have this latest bail reform horror story on Long Island and people everywhere are pointing to New York's laws as a laughingstock -- except there's not one thing funny about it for those living through it.

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