



NEW YORK STATE SENATOR

Robert G. Ortt

Ortt, Russell Family Question Low Bail for Accused Heroin Dealer

ROBERT G. ORTT July 21, 2015

| ISSUE: **CONTROLLED SUBSTANCES, DRUGS, PRESCRIBED DRUGS OR PRESCRIPTIONS**



Victims' Parents: "Pay a fine of \$20,000 and be back on the streets, killing again?"

State Senator Rob Ortt (R, C, I – North Tonawanda) today joined a Lockport family in questioning the bail decision for a notorious accused heroin dealer. As reported by The Buffalo News on July 18 ("[Police, prosecutors outraged at low bail for accused heroin dealer](#)"), Buffalo City Court Judge Betty Calvo-Torres set a \$20,000 bail for Dellsean Hamilton – a twice-arrested, accused heroin dealer, found in possession of 2,100 bags of opiates.

Ortt joined Pam and Dan Russell - who lost their daughter Kelsey to a drug overdose earlier this year – to express outrage over the lax bail, which has also been called into question by local police and prosecutors.

“We’re confronting a growing heroin-opioid epidemic that’s sweeping our region, taking lives, and destroying families,” said **Ortt, co-chair of the New York State Senate’s Joint Task Force on Heroin and Opioid Addiction**. “Elected officials, police, prosecutors, victims, and families all agree that a major challenge in this fight is getting dealers out of our communities. So, for a judge to release someone in possession of dangerous levels of weapons and poisonous drugs, is simply astounding.”

Hamilton’s release comes days after The Buffalo News reported the City of Buffalo witnessed at least 10 opiate overdoses within 24 hours and as the region is on track to hit record numbers of heroin-opiate related overdoses and deaths.

“He was carrying fentanyl laced with heroin, which is as deadly as it gets,” Ortt said. “Yet bail was set for an amount that Mr. Hamilton actually possessed at that moment in drugs, which should immediately raise red flags that this is someone to watch. It seems to me that there’s a complete detachment on behalf of the judge regarding the severity of the drug surge and what’s actually happening in our communities.”

The release was especially troubling for Pam and Dan Russell, who were contacted by friends, family, and community members after the Buffalo News story.

“We feel sickened and betrayed by our legal system,” said **Pam Russell**. “How can the system be so dysfunctional that a man this evil, nicknamed the ‘Merchant of Death,’ could pay a fine of \$20,000 and be back on the streets within 24 hours, killing again? Why aren’t we helping our law enforcement officials and the great work they do when they capture someone like

this, instead of complicating their efforts?”

Ortt pointed to several conclusions gathered from a series of four heroin task force hearings held throughout the state, including one hosted by the Senator at Niagara University on May 7. The Senate passed a series of reforms awaiting action by the Assembly Majority, including increased penalties for dealers whose products ultimately result in fatalities. Ortt said he would continue pushing the Assembly Majority to increase penalties for sellers and said the state needs to look at the overall bail structure. The current system lacks consistency from one municipality to another. Ortt added that often times, even within sole cities and counties, bail determinations vary dramatically from judge to judge.