



NEW YORK STATE SENATOR  
Martin J. Golden

## SENATOR GOLDEN AND ASSEMBLYWOMAN MALLIOTAKIS ISSUE JOINT STATEMENT REGARDING SENTENCING OF COP KILLER

MARTIN J. GOLDEN April 3, 2017



4/3/2017 -Brooklyn– State Senator Martin J. Golden (R-C-I, Brooklyn) and Assemblywoman Nicole Malliotakis (R-C-I, Staten Island-Brooklyn) today have issued a joint statement regarding the sentencing of Tyrone Howard in the murder of Officer Randolph Holder.

“Today’s sentence of life without parole for Tyrone Howard, the career criminal and gang member who murdered Police Officer Randolph Holder is both appropriate and bitter sweet. Sadly, this tragedy could have been prevented if the courts would have denied this violent criminal entry into a drug diversion program that put Howard back on the street to commit

murder. On February 6th, 2017 the Senate passed "Officer Randolph Holder's Law", (S27/A3404), a bill designed to make necessary reforms to judicial diversion programs to ensure and enhance public safety. Moving forward, it is important that the public and law enforcement officers are protected from violent individuals who take advantage of drug treatment programs to get back on the streets to commit further crimes," said Senator Golden, a former New York City Police Officer.

"In no circumstance should any person with an extensive criminal history be afforded the privileges, and opportunities to participate in substance abuse treatment programs. These important drug programs should be granted solely to non-gang members with a limited non-violent criminal history and who do not pose a threat to society. Tyrone Howard was a known gang member who had committed numerous crimes and I firmly believe my New York State Criminal Street Gang bill S.2410/A.5477, may have helped prevent the tragic murder of Officer Randolph Holder. This anti-gang bill would have provided for extended criminal penalties for acts performed as part of an ongoing criminal gang organization and could have kept Howard off the streets. As elected officials we must pass legislation that will keep dangerous gang members off the streets and tighten loop holes to prevent career criminals from terrorizing our streets. My prayers go out to the Holder family and although today's sentencing will not bring back their loved one, I hope that feel that justice was served."

"A hardened criminal has received the appropriate punishment with a life sentence, but that doesn't change the fact that one of New York's Finest was lost in the line of duty and the state law that allowed Tyrone Howard to commit his murder still remains flawed. At the time of Police Officer Randolph Holder's murder, Mayor de Blasio acknowledged that this is 'something we have to address in our criminal justice system,' and 'he sure as hell shouldn't have been on the streets', and Police Commissioner Bratton echoed this sentiment saying, 'he would have been the last person in New York City I would have wanted to see in a diversion program.' Despite this, the Assembly still hasn't acted to close the loophole that allowed Howard to be free. The law needs to require heavier scrutiny in deciding whether to send someone to a drug treatment program instead of prison, and avoid situations in which hardened criminals with multiple felonies can circumvent jail time by attending a treatment program enabling them to prey on addicts who have committed a minor offense and are trying to get their lives back on track. In this case, Tyrone Howard exploited the loophole in the law to avoid prison and return to the streets to wreak more havoc, resulting in the death of a police officer," said Assemblywoman Malliotakis.

NYPD Officer Randolph Holder, who while on patrol in East Harlem on October 20, 2015, was senselessly murdered while responding to a report of shots fired. The person who committed this heinous and irrational crime had five previous drug convictions, was wanted by police in connection with a September 1, 2015 shooting, and had a warrant open for failing to participate in a court ordered treatment. Court records show that despite a lengthy criminal history, the shooter was approved by the Court for a drug treatment program over the objections of the prosecutor, who argued in favor of incarceration given the perpetrator's history of violence.