



NEW YORK STATE SENATOR

John J. Flanagan

## Senate And Assembly Republicans Rally With Law Enforcement And District Attorneys To Repeal Bail Reform

JOHN J. FLANAGAN February 4, 2020

| ISSUE: **CONTROVERSIAL BAIL REFORM, CRIMINAL JUSTICE, LAW ENFORCEMENT, PUBLIC PROTECTION**



**Senate Republican Leader John J. Flanagan, Senate Republicans, and Assembly Republicans today rallied to repeal bail reform with a statewide coalition of law enforcement and district attorneys. Under One Party Rule, New York enacted bail “reform,” discovery “reform,” and other criminal justice “reforms” without a single Republican vote.**

“Marie Osai - Nicole Jennings - Jonathan Flores-Maldonado . These names are among the

dozens upon dozens of New Yorkers victimized by Democrats' senseless bail reform. We warned Democrats when they said they would do this. We warned Democrats when we were debating it and Democrats passed it anyway. We even warned Democrats before the laws had a chance to take effect. Yet despite a widespread bipartisan backlash, Democrats refuse to listen to Republicans, law enforcement, prosecutors, victims or the public and repeal bail reform now. Now, there are countless victims stripped of their right to justice while criminals continue to reap the benefits of this disastrous policy," said Senate Republican Leader John J. Flanagan.

**PLEASE [CLICK HERE](#) TO VIEW SENATOR FLANAGAN'S COMMENTS AT THE REPEAL BAIL REFORM RALLY.**

"These laws were misrepresented by their supporters and the enormous shortcomings of the so-called 'reforms' are impossible to ignore. These laws are allowing dangerous individuals to be arrested, get released and go right back to committing crimes, sometimes within hours. We rallied here today to make sure our resolve and commitment to fixing this egregious public safety crisis are clearly understood," said Assembly Republican Leader Will Barclay.

"We continue to see potentially dangerous individuals released back into our communities because of the flawed bail reform supported and passed by downstate Democrats that went into effect at the beginning of the year. While I recognize the need for criminal justice reform, these bail-related changes were rushed, lacked input from important stakeholders and pose a risk to public safety. It is imperative that we take immediate action to address this issue and that law enforcement, district attorneys, crime victims and others have the opportunity to give input on this matter as we move forward," said Senate Republican Deputy Leader Joseph Griffo.

“The first and most basic responsibility of government is to keep its citizens safe. With enactment of the dangerous and irresponsible bail “reform” law, New York Democrats turned their back on that responsibility – and common sense – in their rush to appease radical activists. With every new headline about another dangerous defendant set free with nothing more than an appearance ticket, public outrage grows and so does our resolve to repeal this horrific law,” said Senator George Borrello.

“Over the past month, it has become clear that these so-called reforms go too far and jeopardize the safety of communities across the state. Individuals charged with serious crimes, including some previously convicted of violent offenses, have been allowed to return to the streets to commit more crimes and create new victims. It is time to repeal these changes and start over ensuring public safety is our first priority,” said Senator Patrick M. Gallivan.

“The voices of those who keep our communities safe have been shut-out of this process since day one. While we can all agree that no one should be jailed simply because of an inability to pay bail, in the rush to reform, Albany ignored the voices of those who serve and protect and jeopardized public safety in the process. Enough is enough, it’s time for Albany to hear the voices of those here today, repeal these dangerous measures and go back to the drawing board,” said Senator Sue Serino.

“Law-abiding New Yorkers and their families will not be silenced. While we may all agree that the bail system before these so-called ‘reforms’ needed tweaking, it’s clear that actual changes passed by One Party Rule and signed by the Governor have been an utter failure to public safety and to the very concept of law, order and justice. It’s a slap in the face to law-abiding citizens across the state, creating a revolving door that indiscriminately shuffles

violent, non-violent, and repeat criminals in and out of the justice system as their crimes continue to multiply. This misguided law has effectively stripped judges of their discretion to prevent violent criminals, domestic abusers and sexual predators from being immediately released back into communities before they can answer for their crimes. Enough is enough. We need those same leaders who voted to pass these ill-conceived 'reforms' to come to the table and either make the necessary changes or repeal this law entirely. Anything less is a disservice to the safety of all law-abiding citizens and their families," said Senator Fred Akshar.

"In a perfect world, we would simply overturn this dangerous public policy and replace it with a system to assist non-violent criminals dealing with bail. This radical, extreme policy is unsafe and simply not acceptable. Crimes like domestic violence, breaking and entering, assault and manslaughter should be treated seriously because there are victims and families of victims involved. I am hopeful that we will reverse this terrible policy through continued attention from law enforcement officials, community leaders, and residents of our state, and that we will begin to operate with greater public safety in mind once again," said Senator Joe Robach.

"Repealing the terrible new bail and discovery reform law to close the revolving door of danger and disaster should be job #1 for the Governor and Legislature. I voted against this outrageous new law and have been one of the most outspoken voices of opposition to it and am carrying the legislation for its full repeal so we can start from scratch and get criminal justice reform right. Any changes to bail and discovery reform should be debated and voted on the floor of the legislature in the light of day outside of the state budget process. Every second the Governor and Majorities delay on repealing bail reform threatens the safety of all law-abiding citizens," said Senator Jim Tedisco.

“Anyone who has watched the news, read a paper, or listened to the radio in the last few weeks has seen firsthand the impact this failed experiment has had on our local communities. There are now countless examples of offenders committing crimes, getting handed appearance tickets, and within hours they are back on the streets committing more crimes. Shockingly, some of these offenders have even returned to the scenes of their first crimes to go for a second bite at the apple. Clearly, bail reform is failing. We must act now and repeal these laws,” said Senator Pam Helming.

“Last year’s ‘so-called’ bail reforms got it wrong and there’s nothing wrong with acknowledging that, as many prominent Democrats including Mayor de Blasio and Attorney General James have. There is no question the new law puts innocent people at greater risk of harm. And, now there’s a legal question whether or not the law is even constitutional. This law can and should be repealed and a real conversation should be started with law enforcement officials, judges and many others to do something much better for all New Yorkers,” said Senator Betty Little.

“Every day this ‘No Bail’ law stays in place risks another tragedy. Governor Cuomo and the Democrat majorities in the Senate and Assembly should do something besides letting a dangerous and unworkable criminal justice system keep playing out at the expense of innocent victims and safe communities. It is irresponsible to just ignore public safety. It’s long past time to put a stop to this daily madness and start work on a more common-sense, safer and workable system,” said Senator Tom O’Mara.

“Protecting the public is one of the most important responsibilities of government, and when a crime has been committed, the victim, not the criminal, should be our first concern. The disastrous new bail laws have completely reversed those priorities, endangering

communities and empowering repeat offenders – while also forcing new costs on taxpayers. The ill-advised reforms need to be scrapped immediately so we can tilt the scales of justice away from criminals and back toward the law-abiding,” said Senator James L. Seward.

“I continue to have very serious concerns with the new cashless bail law. With many crimes no longer being eligible for bail, our public is at risk. I continue to hear from constituents on a daily basis regarding their many fears of this new law. Something must be done for the welfare of our communities,” said Senator Mike Ranzenhofer.

“The so called bail reform laws have made New York less safe for New Yorkers in every part of our State. These laws need to be repealed immediately before one more New Yorker is victimized by crime,” said Senator Andrew Lanza.

“Bail ‘reform’ has been an unmitigated disaster. It has made our communities less safe, emboldened criminals and hamstrung our judges. Democrats proposed it, voted for it, celebrated it and now they own it. My parents told me when you make a mistake you should admit it, apologize and then try to make amends. That is what the Democrat leadership must do now. Admit the error and repeal and replace this terrible policy. If they fail to do so we may soon see a bad situation turn tragic,” said Senator Rich Funke.

“Dangerous, violent criminals walking free to re-offend, victims and law-abiding New Yorkers fearing for their safety, Albany ignoring the concerns and experience of law enforcement. Everyday, we hear another bail reform horror story and brace for the worst. The Senate Democrats and Governor Cuomo’s get-out-of-jail-free bail reform law has been an unmitigated disaster that’s making our state less safe. I’m proud to stand with law enforcement in continuing my fight to repeal the Democrat bail reform disaster,” said

Senator Daphne Jordan.

“Our communities are less safe now than they were two months ago thanks to Democrats and their horrific criminal justice reforms. Instead of listening to the concerns of law enforcement, judges, and victims’ rights groups; they chose to listen to pro-criminal, radical activists and have put the lives of New York’s law-abiding residents at risk. Democrats hastily threw together these disastrous and far-reaching laws, so their claim that they are trying to be cautious and deliberate rings as hypocritically hollow. It’s a shame that their partisan agenda will not allow them to make these common-sense changes. State Democrats created this crisis and now they own it,” said Senator Robert G. Ort.

“Since these ‘reforms’ have gone into effect, they have been nothing short of a disaster. The safety of law-abiding New Yorkers needs to come first – not the rights of criminals. I am pleased to see such widespread support for rolling back these flawed laws and in the days to come, I will continue to advocate for their repeal,” said Senator Patty Ritchie.

“The bail reform legislation that was hastily passed in last year’s budget may be the most ill-advised and irresponsible legislation I have seen in my time in Albany, and virtually every day criminals and repeat offenders across the state are proving that point. The Democrat majority in both houses must hear the message being sent from law enforcement, the judicial branch, victims and their advocates, and our constituents. Repeal these dangerous laws now!” said Senator Chris Jacobs.

“One month into 2020 we are seeing the reality of this criminal justice reform legislation. The news is reporting daily with stories of repeat offenders and crimes of opportunity. Now is the time for us to come to the table and figure out how to get this right. If done correctly,

criminal justice reform can protect the rights of the accused and maintain public safety for all New Yorkers. That is our goal,” said Rensselaer County District Attorney Mary Pat Donnelly.

“Our law-enforcement brothers and sisters are at the heart of the criminal justice and no discussion about the laws of the state can take place without their input. Victims and their families are the most vulnerable members of our communities and are also at the heart of the criminal justice system. It is high time that we really listen to law enforcement and victims if we want to make sure these reforms work for all New Yorkers,” said David M. Hoovler, president of the District Attorneys Association of the State of New York and Orange County District Attorney.

“I was concerned about bail reform and what it would bring. We feared that it would bring danger to the communities, and that’s exactly what has happened. There are literally too many cases to keep track of, though we’re certainly trying. We simply want safe communities and that’s the cornerstone of our careers. I appreciate everyone asking us to come here today. We simply ask that we can sit down with the majority leaders and we can come up with a solution that’s fair—fair to the defendants and fair to the public,” said Washington County Sheriff Jeffrey J. Murphy.

“All of us that are here today understand that there’s some long standing inequities throughout our criminal justice system. There are a disproportionate number of poor individuals and minorities in jail and prison in New York and throughout the nation. But, I am here to say that bail reform, in its current form, will not solve our problem. I believe it is hurting the poor minorities and crime victims and negatively impacting the quality of life of New Yorkers. Bail reform must be amended immediately to give judges the discretion to



determine whether bail is appropriate or not. Bail must be amended to ensure that dangerous repeat offenders are not released from court back into the homes and communities where there's a potential for re-harming victims and witnesses in the community," said Suffolk County Sheriff Dr. Errol D. Toulon Jr.

"Standing behind me, my brothers and sisters in blue are Democrats, Republicans and Independents. We all get up every day with one mission, to keep our communities safe. That is why we are here with a plea for public safety. New Yorkers all have one thing in common, we just want to be safe. They deserve that and we are willing to provide that safety for them. We are asking that the New York State Legislature give us a fighting chance," said Chief Patrick D. Phelan, president of the NYS Association of Chiefs of Police.

Since bail reform took effect, there have been numerous incidents recorded in the New Year that highlight its failures, something also reflected in a recent Siena Poll that shows New Yorkers' support for the new law has plummeted.

In addition to hosting multiple rallies and other events to further the fight to repeal bail reform, the [Senate Republican Conference recently announced a statewide 'Repeal Bail Reform Taskforce.'](#) The Taskforce will collect testimony from law enforcement officers, prosecutors, victims, local leaders, and the public who were shut out from publicly commenting before Democrats forced dangerous criminal justice reform changes upon the state. The first roundtable will convene this Thursday, February 6, in Buffalo with upcoming roundtables on Long Island, and in the Hudson Valley and Syracuse.

**Please [click here](#) to join the effort to REPEAL BAIL REFORM!**