



NEW YORK STATE SENATOR

Fred Akshar

## Ortt, Akshar, Angelino and David: Change Bail Laws to Fight the Scourge of Addiction

FRED AKSHAR December 6, 2021

| ISSUE: **SUBSTANCE ABUSE TREATMENT, COMBAT HEROIN AND OPIOID ADDICTION, CONTROVERSIAL BAIL REFORM, BAIL REFORM. PUBLIC SAFETY, REPEAL BAIL REFORM**



**BINGHAMTON, NY -- Senate Republican Leader Rob Ortt, Senator Fred Akshar, and Binghamton Mayor Rich David** today called for changes to the state’s disastrous bail “reform” laws to better help individuals struggling with addiction. Since 2019, Democrat “reforms” under One-Party Rule have created a revolving door in the criminal justice and mental health systems, effectively disbaring or otherwise disincentivizing court-mandated rehabilitation, treatment, and other diversion programs for many drug-related criminal defendants.

“Judges who preside over cases where individuals are clearly perpetrating crimes to fund their addiction should be given the discretion to hold them or offer entrance into addiction treatment services as an

alternative to releasing them back onto the streets. Our fellow New Yorkers struggling with addiction need assistance to overcome this deadly disease. Offering or mandating entrance to recovery programs as an immediate alternative will help save lives,” **said Leader Ortt.**

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*“Public safety should always be paramount when it comes to crafting public policy, but the hard truth is that 2019's disastrous bail reforms created more problems than they attempted to solve and our communities continue to suffer because of the stubbornness of New York's Democrat leadership in Albany. Individuals struggling with addiction who find themselves incarcerated due to that addiction need specific services and assistance, but forcing our judges to shuffle them out the door and back onto the streets without addressing those needs only makes things worse. It's time for state government to wake up and refocus on the root cause of addiction-driven crime. Albany must put the people of New York first, fix this poorly written and ill-conceived "reform" and place focus on solving the root causes of addiction-driven crime rather than appeasing far-left advocates for political gain,”* **said Senator Akshar.**

“I have more than 30 years of experience in the criminal justice system. We all know drug addiction causes the abuser to commit crimes to support that addiction. It is also known the addiction cycle can be broken by separating the drug abuser from the people and sources that facilitate their addiction. Not allowing judges to hold a person in custody ignores the fact that court-ordered professional counseling in a correctional facility has the benefit of starting the process to end the addiction cycle,” **said Assemblyman Joe Angelino.**

“A critical change that would help Binghamton and municipalities across the state would be to return that ability for judges to offer treatment programs and other alternatives to help criminal defendants who are bound by addiction. New Yorkers deserve an immediate fix to the broken bail reform laws hurting our communities. I stand with Senator Ortt and Senator Akshar in calling for these critical changes that will help build strong, healthy and safe communities,” **said Binghamton Mayor Rich David.**

Due to the 2019 changes to New York’s bail laws, many individuals who need treatment are now released back into the community without the option of getting the help they need to overcome their addiction. Unfortunately, many of these individuals end up losing their battle because there are no incentives or mandates for them to enter these life-saving programs.

Senator Akshar introduced [legislation](#) to make certain drug crimes bail eligible and allow courts to consider the risk of continued substance abuse when faced with defendants who have addiction issues.

From April 2020-2021, more than 100,000 Americans died of a drug overdose, a [new, grim record](#) fueled by fentanyl and other opioids.

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#### RELATED LEGISLATION

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### 2021-S6355

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Relates to controlled substance offenses qualifying for bail and allows courts to consider the risk of continued substance abuse

April 23, 2021

In Senate Committee [Codes](#)

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Do you support this bill?