

Senator Pam Helming

Representing the 54th New York Senate District



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Senator Pam Helming and Monroe County Sheriff Todd Baxter

Call for New Legislation to Enhance Public Safety

Legislation Aims to Empower Judges to Keep Communities Safe from Rising Crime

Senator Pam Helming and Monroe County Sheriff Todd Baxter, along with local law enforcement and community leaders, are advocating for the passage of the PROTECT Act (S.2282A) in the New York State legislature. The PROTECT Act stands for **P**retrial **R**isk **O**verview for **T**hreat **E**valuation, **C**ustody, and **T**reatment Act. This important legislation aims to give judges the tools they need to detain individuals who pose a serious risk of committing violent crimes while awaiting trial.

Current Challenges in Public Safety

New York is uniquely positioned as the **only** state that does not allow courts to consider public safety when making pretrial custody decisions. Without a clear standard for identifying dangerous individuals, the state has witnessed an alarming increase in crime involving repeat offenders.

Key Provisions of the PROTECT Act

If enacted, the PROTECT Act will:

- **Implement a Risk Assessment Tool:** Courts will use a standardized assessment, developed by the New York State Division of Criminal Justice Services, to evaluate the potential threat posed by individuals charged with a felony or Class A misdemeanor. This will help prevent the release of those who pose a danger to themselves or the community.
- **Prioritize Community Safety:** Judges will be required to consider the risks individuals present to public safety when determining pretrial custody.
- **Address Repeat Offenders:** Individuals arrested for new felony or Class A misdemeanor offenses while on pretrial release will remain in custody unless a judge determines their risk to re-offend has been sufficiently mitigated.
- **Support Mental Health Interventions:** The act acknowledges the ongoing mental health crisis and allows courts to direct individuals who pose an immediate risk to themselves or others to receive psychiatric evaluations and appropriate treatment.

Senator Helming stated, “public safety is an issue that affects everyone, whether you’re 9 or 99. Whether you’re a parent, a working professional, or a small business owner. Whether you’re a victim of a crime or care for someone who is. Securing safer streets is a goal we should all share. The PROTECT Act resulted from a collaborative and bipartisan effort of people who believe our state government must prioritize your safety, your family’s safety, and the safety of our communities. I’m determined to make the PROTECT Act the law in New York State and I invite everyone to join us.”

“I strongly support the PROTECT Act and am grateful to be part of its development,” said **Monroe County Sheriff Todd K. Baxter**. “This legislation equips judges with a critical risk assessment tool at arraignment, ensuring more informed and individualized bail decisions. By considering an individual’s history and potential to reoffend, we can better protect our communities while also addressing the role of poverty in the justice system—because detention should be based on risk, not financial means. The PROTECT Act is about accountability, fairness, and most importantly, preventing further harm to our citizens.”

Wayne County District Attorney Christine Callanan said “The PROTECT Act is rooted in common sense: if someone poses a danger to others or themselves, courts should have the ability to act. Victims should not have to live in fear because the system lacks the tools to keep communities safe. This bill brings balance back to our justice system; protecting the rights of the accused while making sure the rights of victims and the safety of the public are never overlooked. It’s a smart, fair, and necessary step forward.”

Ontario County District Attorney Jim Ritts said “The need to include an individual’s threat to commit further violent crimes is important in determining whether cash bail is appropriate. Taking that discretion from Judges was wrong when it happened and continues to limit the ability of the Courts to contemplate the risk to re-offend as a bail consideration. I support the Senator’s efforts to restore this discretion and evaluation to our Judges.”

Livingston County District Attorney Ashley Williams said “Our communities can no longer afford this continuous cycle of catch and release. Senator Helming’s PROTECT ACT, including the risk assessment instrument, will allow our Courts to make more informed decisions about a defendant’s liberty. The message is clear: if you re-offend during your period of pre-trial release, you will not go home. Thank you, Senator Helming, for putting the public safety of New York’s 54th District first.”

“The PROTECT Act is designed to do just that, protect everyday New Yorkers. By giving Judges the tools necessary to do their jobs. This bill will allow Judges to order dangerous individuals to remain off the streets while awaiting trial, or the discretion to allow them to return home should they not be a danger to their community. Every metric shows that our streets are more dangerous today than they were before the State’s bail reform laws were put into effect. It is our job as legislators to establish laws that help our fellow New Yorkers thrive, and not cower in fear,” said **Assemblyman Brian Manktelow**.

Assemblywoman Andrea Bailey said, "the PROTECT Act is a critical measure in safeguarding our communities. By providing judges with the necessary tools to detain individuals who present a significant risk of committing violent crimes while awaiting trial, we are reinforcing our commitment to public safety and the fair administration of justice. This legislation ensures that the integrity of our judicial system remains strong, protecting families across New York State."

“Too often, due to flawed bail reform policies, individuals who pose a threat to our communities are not given proper mental health evaluations, and as a result, they don’t receive the meaningful assistance that could benefit both their well-being and public safety. The PROTECT Act would empower judges, with the necessary support, to intervene in the lives of defendants, providing real help and working to reduce potential risks to our communities,” said **Monroe County Legislator and Village of Honeoye Falls Mayor Richard Milne**.

Next Steps

The PROTECT Act (S.2282) is currently under review by the Senate’s Committee on Codes. Assemblyman Billy Jones sponsors the legislation in the NYS Assembly (A7009) where it is also pending in the Codes Committee.

This legislation has secured the support of the NYS Sheriff’s Association, Finger Lakes Region Consortium for Safe Communities, Niagara Region Consortium for Safe Communities, Central NY Region Consortium for Safe Communities, Erie County Consortium for Safe Communities and Monroe County Consortium for Safe Communities.

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