

**TOM O'MARA | 58TH DISTRICT**

# Where in the name of justice?

Despite steady and strong warnings from many state legislators, local district attorneys, county sheriffs, other local law enforcement and many opponents, a new law championed by Governor Andrew Cuomo and extreme-left downstate legislative leaders that radically redefines criminal justice in New York is set to take effect this week.

This so-called reform passed without one Republican vote in either house of the State Legislature.

As one upstate sheriff put it, we're about to enter the "unknown."

USA Today recently reported that "New York courts are in the process of releasing at least 3,800 inmates in county prisons under a new law taking effect Jan. 1 that ends cash bail for many offenses." The report noted that "the estimated number of inmates being released would be enough to fill some upstate arenas, like those in Utica, Elmira and Poughkeepsie" and that "local officials estimated about 25% to 30% of their jail populations may soon be released."

In other words, beginning January 1, it's like a statewide jail break. Among other provisions, the new law eliminates cash bail and pretrial detention for 90% of all crimes.

It is creating a system that releases what reasonable people would consider to be violent criminals back into the community fully capable of threatening their victims, the victim's family members, trial witnesses, and others.

This is particularly acute given an accompanying so-called reform (this one also passed without one Republican vote) requiring prosecutors to inform defendants of all witness names, addresses, and contact information within 15 days from arrest.

It is astonishing, in fact, to read the list of crimes for which judges will be required to release defendants from custody without bail, including: manslaughter in the second degree; criminally negligent homicide; assault in the third degree; promoting or possessing an obscene sexual performance by a child; aggravated cruelty to animals; imprisonment in the first degree; specified felony drug offenses involving the use of children; failure to register as a sex offender; promoting prison contraband in the first and second degree; and many, many more.

It's outrageous. It's irresponsible public policy. It's bad legislating. But it's exactly the kind of legislating that risks becoming the norm under one-party control of state government - particularly in New York where one-party control is resulting in a so-called progressive, Democrat Socialist agenda anchoring itself within the highest levels of state government decision making. We are commencing this new decade with a stronger Socialist, extreme-left bent in the State Legislature than ever before in New York's history.

I have joined other legislators to call for either outright scrapping the law before it

takes effect or at least delaying its implementation so that a more workable and less dangerous solution can be reached.

Governor Cuomo and the Legislature's Democrats simply shrug at the suggestion. If it's broke, they say, we'll just fix it later. The problem in this instance is that "later" endangers lives now, and that's not criminal justice reform, it's extreme. It's radical.

The trouble with an arrogant, carefree approach to what's clearly a misguided and dangerous law, is exactly that - it's dangerous. Instead of a strict and sensible system of criminal justice that recognizes public safety above all, which it should, we will get a system that willingly fails to recognize that some criminals belong behind bars.

Furthermore, the District Attorneys Association of the State of New York has

estimated it will cost \$100 million for extra staff and other resources for offices outside of New York City to comply with the new discovery laws. In other words, local taxpayers once again foot the bill for another unfunded state mandate.

I've said it repeatedly throughout the past year, I'll say it again at the start of a new year: Where in the name of justice are New York Democrats headed?

## ANOTHER VIEW

### No designated driver when out partying?



DAVE GRANLUND © www.davegranlund.com