



NEW YORK STATE SENATOR

Mario R. Mattera

Long Island Senate And Assembly Minority Introduce Bills In Response To Horrific Dismemberment Crime

MARIO R. MATTERA March 13, 2024

| ISSUE: **BAIL REFORM**



Legislation Would Make Body Dismemberment Bail Eligible; Strengthen Use of Ankle Monitors in Certain Situations

Senator Mario R. Mattera joined his colleagues Senators Anthony Palumbo (1st Senate District) and Patricia Canzoneri-Fitzpatrick (9th Assembly District) along with Assemblyman Mike Durso (9th Assembly District) and members of the Senate and Assembly Minority Conferences announced the introduction of legislation in response to the horrific case in

Babylon after body parts were discovered in a recreational park and several other locations, including a local neighborhood.

The suspects in the case were released under New York's notoriously flawed bail laws after being charged with the concealment of a human corpse by the Suffolk County District Attorney Ray Tierney's office as part of their ongoing investigation and ordered to remain in Suffolk County with GPS ankle monitors.

The newly proposed bills would make the crime of body dismemberment/concealment of a human corpse a bail eligible class E felony (S.8751); and would strengthen the use of electronic location monitoring (S.8778). in the most heinous cases, such as this one.

"The introduction of this legislation is a crucial step towards rectifying the dangerous oversights of our current bail reform laws. The tragic events in Babylon are shining a light on the realities and consequences of policies that prioritize criminal leniency over public safety. As legislators, it is our duty to protect the citizens of New York from preventable harm and the current state of our bail laws falls woefully short of this obligation. That is why, while I fully support these bills, it is clearly time to repeal the cashless bail fiasco and bring the police, the district attorneys and the judges into the discussion. The time for action is now since we can ill-afford to allow another community to suffer under the weight of legislative negligence."

"I don't think anyone would argue that a world where people charged with the crime of body dismemberment can walk back out onto the streets is a good place, yet here in New York, that is the world in which we are living thanks to Democrat's failed criminal justice policies. Measured in changes to the law, and proposed revisions, let alone the societal impact due to a skyrocketing increase in crime, bail reform has to be regarded as one of the worst bills ever passed in New York State history. Having to introduce new legislation to hold people

charged with the crime of body dismemberment/concealment of a human corpse merely reminds us of the severe shortcomings of the law and the priorities of the legislators who wrote it,” said Senator Anthony Palumbo (1st Senate District), Ranking Member of the Senate Judiciary and Codes Committees and a former Suffolk County Prosecutor.

“We must address the glaring gaps in our bail laws that allow individuals suspected of heinous crimes to walk free without appropriate safeguards. Despite GPS monitoring being intended as a less restrictive alternative to custody, New York State's bail reforms categorize it as a custodial condition similar to pre-trial detention, with the same time limitations before an individual must be released. While New York’s bail reforms still need a comprehensive overhaul, this horrific case in Babylon underscores yet another glaring loophole in the law that needs to be corrected immediately. Members of the community should not have to fear that those credibly suspected of such depraved acts may be released back into the community with no way to monitor them. My proposed legislation seeks to rectify this by ensuring that GPS monitoring is not treated the same as truly holding a suspect in custody,” stated Senator Patricia Canzoneri-Fitzpatrick (9th Senate District).

“To have to explain to members of the Babylon community, my constituents, that those suspected of chopping up a human being can be arrested and just walk free is horrifying. I was not in office when dangerous bail ‘reforms’ were passed, but I will fight like hell to undo broken policies that provide criminals more protection than they provide our communities. Our police and prosecutors are expected to do their jobs in a criminal justice system where the deck is stacked against them. The case in Babylon generated headlines not only for the gruesome details involved, but because it showed how obviously broken our criminal justice system is. I am proud to introduce legislation that addresses a glaring loophole in the state’s bail laws and strengthens the tools that prosecutors need to ensure our neighborhoods are safe from dangerous criminals,” said Assemblyman Mike Durso (9th Assembly District).

2023-S8751A

- 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 concealment and/or mutilation of a human corpse

March 07, 2024

In Senate Committee [Codes](#)

Sponsored by [Anthony H. Palumbo](#)

Do you support this bill?

2023-S8778

- 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 the custody of defendants who are subject to electronic location monitoring

March 11, 2024

In Senate Committee [Codes](#)

Sponsored by [Patricia Canzoneri-Fitzpatrick](#)

Do you support this bill?