



NEW YORK STATE SENATOR

Martin J. Golden

## SENATOR GOLDEN AND ASSEMBLYWOMAN MALLIOTAKIS ANNOUNCE SENATE PASSAGE "OFFICER RANDOLPH HOLDER LAW"

MARTIN J.GOLDEN February 9, 2017



**Brooklyn**– State Senator Martin J. Golden (R-C-I, Brooklyn) ) and Assemblywoman Nicole Malliotakis (R-C-I, Staten Island-Brooklyn) are announcing this week's Senate's passage of "Officer Randolph Holder's Law", (S27/A3404), a bill designed to make necessary reforms to judicial diversion programs to ensure and enhance public safety. The legislators hosted a joint press conference earlier this week at the State Capitol regarding the need for New York

State to adopt this bill.

The legislation is named for NYPD Officer Randolph Holder, who while on patrol in East Harlem on October 20, 2015, was senselessly murdered while responding to a report of shots fired. The person who committed this heinous and irrational crime had five previous drug convictions, was wanted by police in connection with a September 1, 2015 shooting, and had a warrant open for failing to participate in a court ordered treatment.

Court records show that despite a lengthy criminal history, the shooter was approved by the Court for a drug treatment program over the objections of the prosecutor, who argued in favor of incarceration given the perpetrator's history of violence.

“Sadly, we will always remember October 20, 2015 as the day in which NYPD Officer Randolph Holder was senselessly murdered by a repeat offender with five prior drug convictions. The shooter was approved by the Court for a drug treatment program over the objections of the prosecutor, who argued in favor of incarceration given the history of violence this criminal had displayed”, stated Senator Martin Golden. “The justice system failed Officer Randolph Holder and failed his family. Moving forward, it is important that the public and law enforcement officers are protected from violent individuals who take advantage of drug treatment programs to get back on the streets to commit further crimes,” said Senator Golden, a former New York City Police Officer.

"In no circumstance should any person with an extensive criminal history be afforded the privileges, and opportunities, substance abuse treatment programs afford people. These important drug programs should be granted solely to individuals with a limited non-violent criminal history and who do not pose a threat to society. This bill would narrow the eligibility requirements for those entering judicial diversion, prohibiting those who have more than two prior felony convictions."

"There is a gaping flaw in the justice system that Mayor de Blasio, former NYPD Commissioner Bratton, and many others have acknowledged and is yet to be addressed. Our bill would separate those afflicted with drug addiction from those who profit from their suffering, and ensure that they're sentenced accordingly. This is especially critical with our state facing a devastating heroin epidemic. Someone with four felony drug convictions should not be sent to treatment with addicts. If career criminal Tyrone Howard was put in jail where he belonged, Police Officer Randolph Holder would be alive today. The Assembly must step up and join the Senate in closing this disturbing loophole," said Assemblywoman Malliotakis.

PBA President Patrick J. Lynch said: "Police Officer Randolph Holder was murdered by a hardened criminal who should never have been allowed back on the streets. Any judicial diversion program that does not account for a defendant's criminal history and their risk to public safety is another tragedy waiting to happen. We applaud Senator Golden and Assemblymember Malliotakis for working to strengthen the safeguards on these programs."

The bill was sent to the Assembly.

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