



NEW YORK STATE SENATOR

Joseph A. Griffo

Griffo and other officials: Quit playing politics with public safety!

JOSEPH A. GRIFFO October 28, 2019



UTICA – On the day that the Senate majority held a public hearing on the implementation of discovery reform legislation passed as part of the State Budget, several Upstate New York elected officials and others gathered for a news conference to raise the alarm about the detrimental effect that this and other reforms and bills will have on many state residents.

Officials taking part in today's news conference included New York State Senate Deputy Minority Leader Joseph Griffo, R-I-C-Rome; Assemblyman Brian Miller, R-I-C-Ref-New Hartford; Oneida County District Attorney Scott McNamara; New York State Sheriff's

Association President and Oneida County Sheriff Rob Maciol; Lewis County Sheriff Michael Carpinelli; Oneida County Clerk and New York State Association of County Clerks President Sandra DePerno; Lewis County District Attorney Leanne Moser; St. Lawrence County Sheriff Kevin Wells; Madison County Chief Assistant District Attorney Robert Mascari; and Ann Rushlo, Executive Officer of the Mohawk Valley Association of REALTORS®.

Concerns included:

Criminal Justice reforms included in the State Budget that provide for new measures, such as an end to cash bail for everything shy of the most severe violent felonies, that will tie the hands of the prosecutors and law enforcement officials who work tirelessly to pursue justice for victims and to keep communities safe.

Legislation that will bring New York City-style rent control and regulations to the entire state. This statewide rent control will create bureaucratic hurdles to making necessary improvements to existing housing units, could lead to blight because landlords may have difficulty with the upkeep of their housing units and could depress local housing markets.

Placing costly new mandates on counties and local governments for initiatives such as early voting.

Changes to the way Aid and Incentives for Municipalities (AIM) funding is distributed to municipalities. As a result of the State Budget passed earlier this year, counties will have to pick up the cost of AIM and pay for it by splitting \$160 million in revenue from a new internet sales tax.

Driver's licenses and free college tuition for illegal immigrants.

Participants in today's news conference urged the public to call, email and write Gov. Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins and Assembly Speaker Carl Heastie to express their displeasure with the upcoming changes. Their contact information is below:

Gov. Cuomo

Phone: 518-474-8390

Address: NYS State Capitol Building, Albany, NY 12224

Email: <https://www.governor.ny.gov/contact/NYCitizensCampaign/index.php> (fill out form)

Majority Leader Stewart-Cousins

Phone: (518) 455-2585

Address: 188 State Street Room 907, Legislative Office Building, Albany, NY 12247

Email: scousins@nysenate.gov

Speaker Heastie

Phone: 518-455-3791

Address: LOB 932, Albany, NY 12248

Email: Speaker@nyassembly.gov

Deputy Minority Leader Griffo said, "The serious, legitimate and alarming concerns raised by a number of organizations, groups and individuals about many of the reforms and legislation passed this year should not be taken lightly. As I have always said, it is imperative that we listen to the stakeholders who will be tasked with carrying out these new changes. The

majority in the Legislature didn't think this input was important. Instead of listening to the New York State Sheriff's Association, the New York State Association of County Clerks, the New York State District Attorneys Association and many other important stakeholders, the majority hastily pushed bills and reforms through in search of a flashy headline and decided to worry about the consequences later. I am calling on the downstate and New York City controlled Legislature to address these concerns and revise these so-called reforms in a special session before the end of the year or as soon as we return to Albany in 2020. I also urge New Yorkers to stand up and voice their concerns to the Governor, Senate Majority Leader and Assembly Speaker. It's time to let them know that enough is enough and the insanity must end."

Assemblyman Miller said, "A great deal of legislation was passed this year that will be very detrimental to our communities and our residents. We saw a downstate-driven agenda that will yield alarming consequences in 2020, forced on upstate residents. The end of cash bail for most criminal offenses will put dangerous criminals back on the street while awaiting trial. Make no mistake, this isn't just a possibility, it is a fact that this will happen. Rent-control, a policy largely unique to New York City, will now be forced upon upstate landlords making it more difficult for them to maintain their properties as costs rise, but the amount they collect will largely remain flat. These are just a couple of examples of the legislation passed this year that will drive more residents to other states."

Oneida County Executive Picente said, "Several pieces of legislation are currently being implemented in New York State that benefit downstate communities at the expense of the needs and values of upstate. While many of these policies will negatively impact Oneida County, I am particularly concerned with cash bail reform which would lead to about 120 criminally charged individuals being released back onto our streets. While reform is necessary to ensure everyone gets a fair shake when it comes to the criminal justice system,

these changes are dangerous and will threaten the safety of our residents.”

New York State Sheriff's Association President and Oneida County Sheriff Robert Maciol said, “As the Sheriff of Oneida County, I have significant concerns about the safety of the public once these changes take place. Releasing someone with a ticket to return to court when they were just charged with a violent crime such as breaking into an occupied home (Burglary 2nd degree) or when they knock an elderly person to the ground and steal their money (Robbery 2nd degree) is completely insane. Allowing a rapist to return to the home of the victim so they can inspect the crime scene and take photographs is unacceptable and will surely cause further pain and suffering to those victims. Clearly, these changes offer no help or assistance to the innocent victims of crimes and ties our hands when it comes to us keeping those same victims safe.”

Lewis County Sheriff Carpinelli said, “As a result of the reforms pushed for and passed by downstate and New York City politicians, a sheriff's deputy, police officer and state trooper will no longer be able to arrest perpetrators who commit certain crimes. This means that, if a person breaks into your home, steals your property, the police are called, arrive and see the perpetrator, all the officer can do is take the person's information, fill out an arrest report and issue the perpetrator an appearance ticket to show up at court. These so-called reforms will endanger the respect and authority the men and women who put their lives on the line every day to keep our communities safe and will potentially put victims in danger.”

St. Lawrence County Sheriff Wells said, “We, as law enforcement officers within this state, take our responsibility of keeping our communities safe very seriously. It's what we do. This action by the Legislature is a slap in the face to those who serve and protect but especially damaging to the victims we represent. This isn't reform. These actions they have taken are a direct hit at the safety of the people of our state. I have not found anyone in my county that fully supports these changes and the majority are mystified that these ‘reforms’ would ever

be enacted in our society. There are crimes, situations and post-arrest issues that need to be handled through an arraignment process and certain people need to be incarcerated until they have had a chance for the process to work. This includes orders of protection issued, victims made safe and things sorted out. The people being charged many times receive lifesaving services during their initial incarceration such as mental health evaluation and substance abuse that they will not get, even if referred, on the street.”

District Attorney McNamara said, “Many of the criminal justice reforms passed this year will have a profoundly adverse impact on public safety, will make our jobs more difficult and will financially burden the counties and municipalities responsible for implementing these changes. In addition to handling over 5,400 felony and misdemeanor cases each year, my office prosecutes all of the traffic tickets issued in Oneida County. Not all the District Attorney’s offices in New York State handle traffic offense, but we do. We prosecute an average of 53,000 tickets per year. That amounts to over 1,000 tickets a week. Assuming I could complete full discovery on each ticket (as will be required under the new law) in thirty minutes, that would result in 500 hours of discovery per week. My assistants work 35 hours per week. I would need an additional 14 full-time assistants to properly handle these cases. With an average salary including fringes of \$75,000, the cost to Oneida County would exceed \$1 million.”

Lewis County District Attorney Moser said, “The average New York State citizen hears the phrase ‘criminal justice reform’ and would believe that changes were made by stakeholders after thoughtful debate and legislative hearings based upon proposals from law enforcement agencies who work within the criminal justice system. This sweeping new ‘criminal justice reform’ was passed without such input and the legislation’s impact will in effect be turning the criminal justice system upside down. The ‘least restrictive means’ of release mandates most defendants to be released upon arraignment, taking away authority

and decision-making power of local magistrates and superior court judges. The new discovery and speedy trial reform measures are not reflective of ideals of transparency but designed as impediments to effectively, ethically and judiciously prosecute criminal offenders. We as prosecutors and law enforcement have been, and always remain diligent, in our efforts to maintain and protect the safety of our community and to ensure that the rights of all citizens are protected. This legislation grossly fails to do just that."

St. Lawrence County District Attorney Pasqua said, "The so called criminal justice reforms passed in Albany will drastically affect the ability of law enforcement to keep the citizens of New York State safe on January 1, 2020. They have removed the ability to keep violent and dangerous offenders incarcerated pending trial, including every defendant charged with selling or producing Cocaine, Heroin or Methamphetamine. In addition, they have placed requirements on law enforcement and prosecutors that can't be met under current staffing and funding levels. No additional funding was provided by the state to help law enforcement or prosecutors meet these new requirements despite these reforms being passed as part of the budget."

Madison County Chief Assistant District Attorney Robert A. Mascari said, "Prosecutors across the state are in favor of true bail reform and discovery reform. What was enacted is not so much reform as it is repeal and replace. The replacement laws threatens public safety, make witnesses less likely to come forward, and re-victimizes victims. To make matters worse, it comes at an enormous unfunded cost to the counties and to law enforcement. Sadly, it is very likely the laws will not be changed until someone gets hurt or killed."

Oneida County Clerk DePerno said, "The 'Greenlight Bill' was passed and signed into law by Gov. Cuomo at the last hour of the 2019 Legislative Session. Many County Clerks serve as county-level commissioners of the New York State Department of Motor Vehicles. The passage of this bill changes the requirements for issuing a drivers' license. County-level

DMVs will be required to verify the authenticity of a foreign document and accept a signed affidavit that the applicant has ‘not been issued a social security number,’ something never required in the past. This change will result in the need for additional staff. This rushed through legislation does not provide solutions to the implementation changes nor provide increased funding for counties to address these issues.”

Mohawk Valley Association of REALTORS® Executive Officer Rushlo said, “The Emergency Tenant Protection Act was specifically designed for New York City and those communities immediately surrounding it. Rent stabilization simply will not address our region’s needs but will instead exacerbate economic challenges facing much of upstate New York. While some may benefit from capping rent increases, it will be accompanied by deteriorating housing quality and less affordable housing for others. Furthermore, taxpayers will bear the cost of establishing county-run rent stabilization boards. MVAR and NYSAR mutually encourage municipalities to refrain from adopting a one-size-fits-all set of rent regulations and instead work with developers and real estate investors to provide incentives for the construction of affordable housing.”

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