



NEW YORK STATE SENATOR

Chris Jacobs

## Jacobs, Regional Law Enforcement Officials Call For Halt to New Criminal Justice Reforms

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(Buffalo, NY) – New York State Senator Chris Jacobs announced today that he is sponsoring legislation that will put an immediate halt to the imposition of controversial criminal justice reforms that will make communities all across the state considerably less safe.

“Could anyone imagine that the police could apprehend someone breaking into their home, and instead of putting them in jail, issue them an appearance ticket and send them on their

way,” asked Jacobs? “That may sound ridiculous, but that is exactly what can, and will happen, if these so called reforms are allowed to go into effect,” the Senator added.

Jacobs is referring to bail and discovery reform bills that were forced through during the budget process by the new one-party Democrat majority in Albany with no input from police, district attorneys, judges or any other stakeholders on the front lines of fighting crime. The reforms, which are set to go into effect January 1, 2020, eliminate in many cases a judge’s discretion to impose bail or hold defendants in custody. Jacobs said opposition is growing however as more extreme examples are coming to light of violent offenders who would be allowed to remain on the loose, despite the severity of the crimes they are charged with and the great risk posed to potential victims.

"Effective January 1st of 2020, newly passed New York State laws governing bail reform will have a devastating effect on public safety," stated Livingston County Sheriff Thomas J. Dougherty. "Our jails will be purged of those accused of very serious crimes between now and the New Year, and the very large majority of future offenders will be released on a ticket. Our state is essentially going to a catch and release jurisdiction and taking away an elected judge’s discretion to hold defendants on bail which should give us all grave concern for safety on our roadways, in public settings and even in our own homes."

District Attorneys across New York State have also been voicing concerns about the negative impact the reforms will have on public safety, their ability to successfully prosecute certain crimes, and how to cover the financial burdens being created by yet another unfunded mandate.

“I applaud Senator Jacobs’ actions to pause the new criminal justice legislation, as further analysis of the reforms will give law enforcement and local governments more time to work on new and innovative ways to protect victims, protect witnesses and prioritize public

safety,” said Monroe County District Attorney Sandra Doorley. “As the President Elect of the District Attorneys Association of the State of New York, I know firsthand that prosecutors want intelligent and reasonable reform to help make the criminal justice system more balanced for all parties. However, all stakeholders must be a part of the conversation, especially law enforcement and victim advocates. Taking time to further analyze the implications of this legislation is beneficial to all involved.”

“Judges who administer opioid treatment courts have told me they will lose their ability to direct people struggling with addiction into treatment, and in domestic violence cases, a crime with one of the highest risks of re-victimization, advocates have confirmed that violent offenders are more likely to be sent back into the community unsupervised and able to come into contact with their victims,” said Jacobs. “If these changes go into effect, they will pose an immediate life or death threat to vulnerable people in our community.”

Included in some of the more disturbing offenses where bail or remand would no longer be an option are burglary, robbery, and even aggravated assault and certain sexual crimes involving children. Jacobs said intentionally creating this level of risk is unacceptable, and contradicts the primary responsibility of government, which is to ensure the safety of residents. It is a sentiment that is shared by Erie County Sheriff Tim Howard who joined Jacobs at the announcement.

“Like many of my law enforcement brothers and sisters, I am speaking out about this so-called criminal justice reform. The legislation takes away law enforcement and judges’ ability to secure criminals deemed to be a threat to public safety. We do not impose bail on every subject we arrest, but we do for those subjects who pose a safety risk to others and the general public. Soon we will be forced to release the defendant and hope they don’t commit another crime or endanger someone,” said Sheriff Timothy B. Howard. “I support Senator Jacobs’ bill to step back and rethink the threat that this legislation will impose on the people

of New York State.”

The legislation he is sponsoring would change the effective date of the reforms to January 1, 2021. The delay in implementation would allow the legislature to hold a minimum of ten hearings in geographic regions across the state where this time the emphasis would be placed on listening to the experts in law enforcement, the courts, and parole and supervision who were not heard during last year’s budget process. In an effort to start the reform discussions, Jacobs is also introducing legislation that would restore bail and custody discretion for burglary and robbery in the second degree, as well as a bill that would provide judges the ability to weigh the risk of personal harm for an addicted person who would otherwise be released.

“Tying the hands of law enforcement, legal experts and those on the front lines of the fight against addiction, while tilting the scales of justice against victims and in favor of criminals is not the way to achieve reform,” said Jacobs. “I would implore my colleagues in both the Senate and the Assembly, let’s listen to the experts, let’s get the reforms right, and let’s protect the safety of the people we are sworn to protect” the Senator concluded.