



NEW YORK STATE SENATOR

Pamela Helming

## Helming and Local Law Enforcement: New 'Criminal Justice Reforms' Do Not Protect Victims

PAMELA HELMING December 18, 2019

| ISSUE: **CRIMINAL JUSTICE REFORMS**

Senator Pam Helming again spoke out against the dramatic changes to our state's criminal justice system that are set to go into effect in just a two short weeks. These changes will eliminate cash bail and pre-trial detention for nearly all misdemeanor and non-violent felony offenses. Offenders will be back on our streets, threatening the safety of victims, victims' families and the general public as a whole.

"Sadly, these 'reforms' have already brought serious and tragic repercussions including one we have seen right here in the Finger Lakes. Mr. Mark Knapp, a 59 year old hardworking, law abiding citizen who was loved by his family and friends, was struck and killed by another driver, Heriberto Perez-Velasquez who was in our country illegally and was driving drunk. He fled the scene on foot and is now facing multiple charges. Just one month prior to the fatal incident that took Mr. Knapp's life, Perez-Velasquez was arrested on aggravated DWI charges in Wayne County. My heart goes out to the Knapp family who is struggling with the sudden loss of Mark Knapp, who was a husband, father, and brother. His seat at the Thanksgiving table was empty and now his family must now spend this Christmas season without Mr. Knapp because of the actions of one man. As a horrific result of these new laws, changes made to the criminal justice system mean that cash bail and pretrial detention will

be eliminated for 90% of crimes committed. Despite taking an innocent life, a dangerous man like Perez-Velasquez will be eligible for mandatory release. More so, due to an exception to the new laws, Perez-Velasquez has requested bail be set to remain in the local jail so he may avoid being taken into federal custody,” Senator Helming said.

“My heart goes out to Mark Knapp’s family. When we say that some people are not sensitive enough to victims’ rights, it’s not a talking point. We mean it. For families who lose a loved one at the hands of a dangerous criminal like Heriberto Perez-Velasquez, it’s real and it’s unspeakably painful. The fact that some lawmakers would sanction someone like him walking out of his arraignment with nothing more than an appearance ticket is a grave threat to public safety. That’s why I sponsor legislation in the Assembly that would repeal this criminal justice overhaul. Reform is balanced and thoughtful. This program is reckless and wrong,” said Assembly Gary Finch.

“These new criminal laws are set to go into effect on January 1, 2020. They allow dangerous criminals to immediately get back onto the streets. Unfortunately, we’re already seeing examples of the effects of these reckless laws across the entire state. These changes were not thought out, debated or vetted. Even if I had twice as many staff as I currently have, we would still not be able to meet the requirements of these new laws on the caseload we currently prosecute. These changes in the criminal laws will not improve justice for anyone; not accused, victims, witnesses, or the public,” said Cayuga County DA Jon Budelmann.

“In the coming weeks, our local judges in Cayuga County will be forced to release dozens of accused criminals from the Cayuga County Jail due to what is being touted as bail “reform.” Numerous defendants facing charges such as Drug Possession and Sales, Promoting Prison Contraband, Possessing a Sexual Performance by a Child Less Than 16 Years Old, Sex Offender Failing to Notify of an Address Change, Assault, Arson, Aggravated DWI, Burglary,

Aggravated Vehicular Homicide, and many more will be released back into our local community with the hope that they will return to court and not reoffend. Even more disturbing are the new discovery demands that will place such heavy burdens on our criminal justice system that many cases will likely go without prosecution. We need to ensure that there is justice for ALL, including victims of crime and those accused, as well as protecting the public. We can do better; however, these “reforms” are way too broad. It is evident that our State Legislature and Governor will not be halting the implementation of these “reforms” before January 1st. We can only hope that they will pay close attention to the problems these changes will likely create moving forward and address them immediately moving into the new year. I urge our representatives to include members of law enforcement and our district attorneys in much needed discussions on these issues,” said Sheriff Brian Schenck, Cayuga County Sheriff.

“This legislation goes way too far and Mark Knapp and his family are just one of the many that have been affected by its implementation. In this new system, there is no care for the victims or their families and friends and this is not justice. And unfortunately, there will be more harm to come. As I have said before, this is not a Democrat or Republican issue; it is a matter of public safety. Without having a deterrent against committing a crime, our fates and the fates of our loved ones are held at the hands of those who have no regard for the safety of others. Emphasis should always be put on the victim and that is the biggest flaw in these new and dangerous laws. I will honor the life of Mr. Knapp and will fight with his family, my colleagues and law enforcement to continue to call for change to these bad reforms,” Senator Pam Helming said.