



NEW YORK STATE SENATOR

John J. Flanagan

## Long Island Republican Delegation: We Must Bail Out New York From Dangerous Criminal Justice “Reforms”

JOHN J. FLANAGAN December 31, 2019

| ISSUE: **LAW ENFORCEMENT, QUALITY OF LIFE, NEW YORKERS, BAIL REFORM, CRIMINAL JUSTICE**



In the wake of a series of shocking crimes and dangerous perpetrators immediately released into communities where they committed them, the Long Island Republican delegation today stood with law enforcement officials and demanded the immediate passage of a series of common sense measures to protect the public.

The so-called criminal justice “reforms,” which have been slowly implemented in some localities, go into full effect across the state tomorrow.

Since passage in March, Republicans have called out major flaws in the new pro-criminal laws — notably that many serious crimes including vehicular manslaughter, assault, and burglary are mandatory release crimes.

“It is unconscionable to put the public’s safety at risk to pander to criminal activists, but that’s exactly what’s happened under One Party Rule. Already we are seeing repeat criminals back on the streets to commit crimes again and even a killer right back on the streets before this bad takes full effect. This is not what justice looks like. Democrats have abandoned crime victims, law enforcement, and the public in favor of criminals. Republicans in the Senate and the Assembly want common sense to rule the day, and we will continue to fight to put our law-abiding citizens first,” **said Senate Republican Leader Flanagan.**

“The people of the state of New York put their trust and faith in us, as their elected officials, to promote policies that will keep their families and our communities safe. This past year can be described only as the ‘Year of the Criminal’ where we saw sweeping changes that stand to benefit those who break our laws, with blatant disregard to crime victims and the law enforcement officers that keep our communities safe. Today we are calling for decisive action to be taken to restore judicial discretion and return balance back to the scales of justice,” **said Assemblyman Doug Smith.**

Democrats falsely insist that their criminal justice ‘reforms’ only permit non-violent criminals mandatory release, but many recent cases have shown that this is not the case. Republicans plan to introduce legislation to put all violent or potentially violent crimes back into charges eligible for pre-trial detention.

- On Christmas Eve, Jorge Flores-Villalba fatally struck and killed Marie “Rosie” Osai, a mother of three, and **fled the scene of the accident**. The illegal immigrant, who was driving without a license, was released for this violent and fatal crime.

Republicans also demanded that judges are authorized to do “risk assessment,” instead of only considering if a person is a flight risk, to ensure that criminals who pose a public safety risk can be held pre-trial. State Senators Patrick Gallivan and Sue Serino introduced common sense legislation ([S.6840](#)) to grant this important judicial discretion.

- Over the summer, Hanukkah stabber Thomas Grafton was charged with menacing and reckless endangerment, and although the Rockland County DA sought no bail that option was **no longer available to the judge because of the new criminal justice ‘reforms’** and he was released. He went on to commit his brutal, anti-Semitic attack where he slashed five Jewish individuals during a Hanukkah party, and bail was set at \$5 million.

Some of the serious incidents that have occurred within the past week involve repeat offenders. Senator Phil Boyle introduced legislation today to allow judges to hold individuals on bail if they have committed a misdemeanor or felony within the preceding five years.

This legislation could remedy cases like this by putting public safety first:

- **Steven Haynes** sucker-punched a police officer in Brooklyn. Despite his 24 priors, a judge had to set him free under the new rules already implemented in New York City.
- **Tiffany Harris** assaulted three Orthodox women during a spree of anti-Semitic incidents in Brooklyn, but despite the violence and repetition, a judge had to set her free. While out she did it again. She already had open cases for harassment and assault and had been recently released for felony criminal mischief

Domestic violence victims and sex crime victims are also at risk because of the new Democrat “reforms” that left out many domestic violence and sex crimes charges from pre-trial detention, instead making them mandatory release. Many abuse victims seek help while their abusers are arrested and in pre-trial detention. Senator Sue Serino has introduced legislation to correct this loophole (S.6839).

Every Republican in both the Senate and Assembly voted against criminal justice reform, while warning of the impact to the public. Democrats, meanwhile, including every Long Island Democrat state Senator, voted for the measures. The legislation was crafted without consulting law enforcement, prosecutors, crime victims or the public.

“I voted against bail reforms adopted last year because they are not in the best interest of all New Yorkers. Common sense dictates that judges should have discretion in weighing the potential danger of releasing someone who could have violent tendencies or constitutes a real threat to our community. Protecting our citizens must always be the priority when looking to reform our criminal justice system,” **said Senator Ken LaValle.**

“We are already seeing the dangerous effects of these laws. It’s not a matter of if, but when, tragedies will occur as a result of these changes,” **said Senator Phil Boyle.**

“The criminal justice reforms that are going to take effect tomorrow are dangerous and were enacted with purely political motives. Taking all discretion from our judiciary regarding bail is not “just” in any respect because it has no regard for victims’ rights. We will address these unfair and reckless reforms in the 2020 Session,” **said Assemblyman Anthony Palumbo.**

“This law was passed in haste with no input from law-enforcement or prosecutors and has many unintended consequences which are detrimental to the public,” **said Assemblyman Mike**

**Montesano.**

“It has become clear that the criminal justice reforms set to take effect are deeply flawed and flat out reckless, just as many of us had warned. As public officials, we cannot stand idly by while public safety is put at risk,” **said Assemblyman Andrew Garbarino.**

“I truly fear what is ahead of us with this bail reform law. One of the suspects from one of the multiple anti-Semitic attacks just last week, wasn’t held at all - just released! The suspect who sucker punched a police officer - not held - just released! We are already seeing evidence of the nightmare unfolding - individuals committing new crimes shortly after being released because of the bail reform law. This is madness and our safety is at risk,” **said Assemblywoman Melissa “Missy” Miller.**

“The misguided and detestable policies of radical left-wing politicians have turned our once peaceful neighborhoods into lawless hunting grounds where police officers are disrespected and criminals are emboldened. They claim their gross overstep of the judicial system is in the name of ‘justice reform,’ but the sad reality is that their actions have only served to strip our judges of their power and handcuff the officers who keep us safe. It’s time to end this political charade, restore common sense measures, and send a message to the Democratic monopoly in Albany that they crossed a line every hard working law-abiding New Yorker simply won’t tolerate,” **Mike LiPetri.**

“While proponents use New Jersey and other states to justify their actions they ignore that over 60% of New Jersey residents voted to allow for pre-trial remand where the defendant poses a danger to the public. It’s time New York’s Democratic Leaders admit their mistake and put the safety of New Yorkers ahead of appeasing left wing activists,” **said Assemblyman Edward Ra.**

“The new bail reform measures that will be put into effect tomorrow are dangerous and it will allow many inmates to be released. We must reverse this in Albany with common sense legislation,” **said Assemblyman John Mikulin.**

Please [click here](#) to join the effort to **REPEAL BAIL REFORM!!!**

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#### RELATED LEGISLATION

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### 2019-S6839

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- 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 adding certain offenses committed by a family member to the list of crimes qualifying for bail](#)

November 08, 2019

In Senate Committee [Codes](#)

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## 2019-S6840

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- 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 setting bail for defendants that pose a current physical threat to public safety](#)

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