



NEW YORK STATE SENATOR

Joseph A. Griffo

Griffo calls for immediate changes to bail reform

JOSEPH A. GRIFFO January 4, 2020

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New York State Senate Deputy Minority Leader Joseph Griffo, R-I-C-Rome, today called on Senate Majority Leader Andrea Stewart-Cousins to take immediate action to address serious flaws with bail reform that went into effect Jan. 1 and to consider Senate Bill S6861 as soon as Session convenes next week. Deputy Minority Leader Griffo's request comes after the Majority Leader indicated that she would be open to considering such changes.

"In December, Majority Leader Stewart-Cousins told reporters that there wasn't majority support in her conference to modify the criminal justice reforms rushed through the Legislature last year," Deputy Minority Leader Griffo said. "But four days after bail reform has been implemented and with bank robbers, violent individuals and other miscreants being released back into the public, it appears the Majority Leader has had an epiphany about the real impact that the reform her conference pushed could have on our communities and state. It is my belief that this change of heart isn't motivated by a need to address a real public safety issue, but rather because it may be politically expedient for majority members to do so."

Criminal Justice reforms included in the 2019 State Budget included ending cash bail for everything shy of the most severe violent felonies. As a result of this change, several potentially dangerous individuals have been released back into their communities, including:

- Paul Barbaritano, an Albany man facing manslaughter charges in connection with a woman's death, was freed on cashless bail.
- Serial bank robber Christopher Seamans of East Syracuse/Dewitt was arrested for allegedly robbing a bank in Colonie but released without bail. Colonie Police said that Seamans has two previous convictions for bank robbery.
- Jorge Flores-Villalba, a unlicensed driver, was released without bail after he allegedly hit and killed a woman with his vehicle in Stony Brook and then left the scene.
- Tiffany Harris, who was released with no bail after she was charged with assaulting three Orthodox women in New York City and then committed assault again two days after her release.
- Michael Ross of Malta was charged with making a terroristic threat after he allegedly threatened to bring a firearm to a school. Ross was released on his own recognizance.
- Tyquan Rivera, who was convicted in 2009 of shooting a Rochester Police officer, was released on new drug charges.

To address this serious public safety issue, Deputy Minority Leader Griffo also is calling for the Senate's Rules Committee to immediately report legislation (S6861) allowing for courts to make an appropriate risk assessment based upon an individual's previous criminal history. Judges do not have such discretion under the law that went into effect at the beginning of the year.

"I am calling for immediate revisions to bail reform, including granting judges the authority to consider the dangerousness of the accused - a sentiment shared by even New York City Mayor Bill de Blasio," Deputy Minority Leader Griffo said. "Given the Majority Leader's willingness to now consider changes, I am urging the Majority to take such action when we

return to Session next week. The Majority also must provide law enforcement, district attorneys, crime victims and others are with the opportunity to give input on this matter – something the Majority didn't do previously.”

Since the bail reform was first proposed, Deputy Minority Leader Griffo has actively worked with law enforcement, district attorneys and others to raise the alarm regarding the impact that the changes would have across the state.

“I understand that criminal justice reforms are needed and acknowledge that the laws of our country provide the accused with the right to fair and equal treatment under the law, but it is imperative that the public is protected from dangerous individuals,” Deputy Minority Leader Griffo said. “We are seeing the adverse effect that this reform is having on public safety and it is clear that changes need to be made now.”

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