



NEW YORK STATE SENATOR

John J. Flanagan

Suffolk Rallies To Restore Sanity To Bail System

JOHN J. FLANAGAN January 24, 2020

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As Suffolk residents wake up to the realities of the new state law eliminating bail for almost all misdemeanors and various felonies, dozens of local officials and concerned citizens rallied at the county Corrections Officers Association headquarters today to call on the governor to fix the problem.

Speaking at the rally, organized by Assemblyman Joe DeStefano, was Victor Maldonado, father of Jonathan Armand Flores-Maldonado of Hampton Bays, who was killed in an accident on William Floyd Parkway involving Jordan Randolph of Bellport.

Randolph was released under the new law with no bail even though he was convicted of a misdemeanor DWI in 2011 and felony DWI's in 2016 and 2018, prosecutors said, and had been arrested earlier this month for interfering with an ignition interlock device, which requires motorists to pass breath-alcohol testing before they can start their car.

"It breaks my heart to know that the man who is accused of killing my son while driving drunk has a long history of drunk driving and was released with no bail thanks to these ridiculous new laws," said Victor Maldonado, Jonathan's father. "What is to prevent this repeat offender from getting behind the wheel and destroying another family?"

"Concerned citizens are joining local officials in calling on the governor and the legislators who approved these laws to immediately revise them," DeStefano said. "We are fighting to make sure these irresponsible bail laws are changed so repeat offenders like Jordan Randolph don't walk free to cause other tragedies."

Senate Republican Leader John J. Flanagan said: "The number one priority of any government is to keep its citizens safe. By creating this new bail law, Democrats in the Senate and Assembly have failed that test miserably. I'm pleased to gather today with victims' families, concerned citizens and my partners in government to urge Democrats to join us in protecting Long Islanders. Now is not the time for small tweaks or minor changes to this new law. It's time to listen to district attorneys, law enforcement professionals and law-abiding families, and to repeal this new bail law now."

"These so-called bail reform laws are a huge threat to public safety and many residents are naturally upset," said Assemblyman Anthony Palumbo at the rally. "These laws were supposed to apply only to 'non-violent' crimes, but what we're seeing are acts of violence with perpetrators released almost immediately."

“Our entire justice system is being turned upside down,” Louis Viscusi, the Correction Association president, told the crowd. “Now it’s almost impossible for prosecutors to do their jobs, law-enforcement’s daily efforts are hampered and judges are constrained from doing what’s best for our communities. These laws need to be revised now.”

Bad examples of the repercussions of the new laws are coming in from all over the state, DeStefano said. Maria “Rosie” Osai, a 35-year-old mother of three was struck and killed by an unlicensed, hit-and-run driver in Rockland County on Christmas Eve. The driver was immediately released without bail pursuant to the new law. There is also the case of Sarah

Tombs, who was shot and killed in April by her live-in boyfriend in Syracuse. He was charged with reckless manslaughter and released last week under the new law.

“As the chairman of the Suffolk County Legislature’s Public Safety Committee, I have a responsibility to help all of our residents. However well-intentioned this new law may have been, it is clearly not working and places citizens at risk,” said Legislator Tom Donnelly.

“Criminal justice changes should be made by criminal justice professionals. I call on Albany to take a step back and put a halt to it until they can find the proper balance between providing fairness and protecting the community.”

Also speaking at the event, was Daniel Levler, president of the Suffolk County Association of Municipal Employees, who noted another problem with the new laws. “Prosecutors now have only 15 days to turn over all evidence in a case, no matter how complex,” he said. “This will put an enormous burden on both employees and the taxpayers as offices struggle to fulfill the new mandates.”

Levler explained that the new discovery laws will make communities less safe as perpetrators, now free with no bail, can quickly access information on victims and witnesses and other details of their crimes. “Imagine having your home robbed by someone who has a number of similar charges pending,” Levler said, “and he is arrested with maps of all of your neighbors and a trunk load of stolen goods and burglar tools? He’s immediately freed on bail and will soon have all of the information on his victims.”

“Criminal justice reform is a major issue and victims’ rights must be part of the reform,” said Jen Harrison of the group, LI/Metro Area Parents & Other Survivors of Murder Victims Outreach. “In this New York, victims have no rights, police are vulnerable and our children are not safe as they roll out the red carpet for convicted criminals.”

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