



NEW YORK STATE SENATOR

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## Bail reform is leading to increased drug trafficking in Essex County

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Senator Dan Stec and Assemblyman Matt Simpson, along with Moriah Town Supervisor Tom Scozzafava, County Board Chairman and Willsboro Town Supervisor Shaun Gilliland and District Attorney Kristy Sprague, say New York State's bail reform laws have made it harder to stem an increase of drug trafficking in rural communities.

Sprague's office announced on August 31 the arrests of twelve people in a drug sweep that included charges of possession and/or sale of fentanyl, heroin and buprenorphine. Many of the arrests were in Moriah and all but two of the individuals were released without bail as state law currently requires.

Stec and Simpson sent a letter to Governor Kathy Hochul last week requesting that she consider changes to bail reform that would allow judges more discretion to hold certain felony drug offenders.

“The ‘revolving door’ of justice created by bail reform gives felony offenders plenty of leeway to do what they want with little to no regard,” said Senator Dan Stec. “Drug dealers are being arrested for very serious crimes and within hours returning to the community to continue selling. Community members are frustrated and afraid and drug addicts who need help can instead count on the steady supply of narcotics to continue. Local law enforcement is struggling to keep up.”

“Whatever the intent behind bail reform laws were, it has become abundantly clear that they have had a damaging effect on our North Country communities,” said Assemblyman Matt Simpson. “Those who pushed these laws have had zero interest in following up to gauge their effectiveness and even worse, shown zero interest in follow through where the reforms fall short. The negligence is harrowing and heartbreaking. Both residents and the law enforcement officers entrusted to protect us and our loved ones continue to endure undue suffering all while drug dealers continue to line their pockets in the wake of their destructive and enabled behavior.”

“The Town of Moriah has experienced a significant increase in criminal activity and drug related offenses,” said Supervisor Tom Scozzafava. “Our community of 5,000 people have also seen an increase in drug related overdose and death. Being in the office of supervisor for over three decades, I can attribute much of this to Bail Reform. When drug dealers are released back into the streets within hours of their arrest, when a burglar is issued an appearance ticket, and face no consequences for their actions, it creates an environment of fear and helplessness for law abiding citizens and also the victims.”

“This legislation was a broad brush stroke to target a narrow localized problem,” said Supervisor Shaun Gilliland. “The secondary and tertiary effects of it are devastating to our communities and our public safety system. Essex County citizens are losing confidence in their criminal justice system, and as a community we feel much less safe due to the revolving door that allows criminals out on the street when they should be held.”

“I along with many of my colleagues, voiced valid concerns regarding bail reform prior to its enactment,” said District Attorney Sprague. “These views fell on deaf ears. From a law enforcement perspective, not allowing discretion to play a role in setting bail for repeat offenders, for serious felony offenses and crimes that pose a safety risk to the community is not helping

public safety in any way. We expend valuable resources to lengthy investigations that result in arrests, to only have these individuals released quickly back into our communities to continue the same conduct they were arrested for. We are missing opportunities to provide help for those truly addicted and allowing them to spiral downward to continue in more criminal conduct, which hurts everyone. Safety of our witnesses are jeopardized with this bail reform and confidence of our good Samaritans who are willing to provide information to law enforcement is dwindling. Common sense and structured discretionary amendments to this very rushed bail reform legislation, would be one step in the right direction.”

Stec and Simpson noted in their letter that Moriah is not the exception and that they hear similar concerns from district attorneys and law enforcement departments in all of the counties they represent.

Stec and Simpson concluded their letter to Hochul: “As your legislative agenda takes shape, we welcome the possibility of what a new perspective may mean on a host of issues. We respectfully ask that you consider statutory changes so that judges may once again have discretion to consider setting bail for high-level and repeat drug offenses.”