



NEW YORK STATE SENATOR

James Tedisco

Tedisco, Montgomery County Exec & Legislature Chair & 4 County Sheriffs: “Time to End Catch & Release Bail Law” to Keep Public Safe

SENATOR JAMES TEDISCO March 17, 2022



Fultonville, NY -- Senator Jim Tedisco (R,C-Glenville) joined Montgomery County Executive Matt Ossenfort, Montgomery County Legislature Chairman Mike Pepe, Fulton County Sheriff Richard Giardino, Herkimer County Sheriff Scott Scherer, Montgomery County Sheriff Jeffery Smith and Saratoga County Sheriff Michael Zurlo on March 16th to address New York’s surging crime wave by ending the catch and release bail law that’s created a revolving door of danger and disaster by giving “get-out-of-jail-free cards” to dangerous criminals.

County Executive Ossenfort, County Chairman Pepe, and Sheriffs Giardino, Scherer, Smith and Zurlo also announced their endorsement of Senator Tedisco to be the Senator for the 51st Senate District.

Tedisco is sponsoring legislation, which the County Executive and four county Sheriffs support, to repeal the bail and discovery reform law ([S.1523A](#)) and start over with real input from all stakeholders and a separate bipartisan bill that puts forth a reasonable compromise ([S.1521/A.1705](#)) to bring discretion back to our judiciary, reduce crime and restore common sense to our criminal justice system.

Senator Tedisco's legislation for judicial discretion, which is sponsored by Republicans and Democrats, allows (not mandates) judges and courts to make an appropriate risk assessment based on a defendant's prior felony conviction(s), a failure to make a court appearance, or a subsequent arrest while awaiting a preliminary hearing or trial.

Under the new cash bail law, many criminal offenses such as burglary and robbery in the 2nd degree, which are considered violent felony offenses, arson, vehicular assault, menacing, stalking, and several domestic violence offenses are not eligible for bail and remanding in jail.

The Cuomo/Hochul Administration and the progressive Democratic Legislative Majorities said their goal was to mitigate criminal justice discrimination and reduce crime. However, the crime statistics so far illustrate the best of intentions has led to the very worst of unintended consequences. According to the [Times Union](#): "Between July 2020 and June 2021, there were 3,460 cases in which adults were rearrested on violent felony charges, including 773 with a firearm, after first being charged with crimes for which judges can no longer set bail or keep the defendant jailed. Examples of crimes that (were committed while released on bail for lower-level crimes) are considered violent felonies include assault, rape and attempted murder."

In the 51st Senate District, between 2019 and 2020, violent crime with a firearm increased in Fulton, Montgomery, and Schenectady Counties, while property crime saw a surge in Herkimer, Montgomery, Otsego, Schenectady and Schoharie Counties, according to the [state Division of Criminal Justice Services](#).

"The catch and release bail law championed by the Cuomo/Hochul Administration and the Legislative Majorities has been a big mistake that's made New Yorkers less safe by removing discretion from judges to hold those they deem a danger to the public, creating a revolving door of danger and disaster. While alleged criminals are walking free back on the streets with appearance tickets, innocent, law-abiding citizens who live in our communities are being discriminated against by increased levels of the criminal element who are committing violent crimes," said Senator Jim Tedisco. "I want to thank Montgomery County Executive Ossenfort, Montgomery County Legislature Chairman Pepe, Fulton County Sheriff Giardino, Herkimer County Sheriff Scherer, Montgomery County Sheriff Smith and Saratoga County Sheriff Zurlo for their work in support of law enforcement and their support for my candidacy and legislation to restore judicial discretion and common sense to our criminal justice system to keep people safe."

“Public safety is a top concern of Montgomery County residents. I’ve known and worked closely with Senator Tedisco for many years and would be proud to finally call him my Senator and continue to work closely with him for the betterment of Montgomery County residents on public safety legislation and on all aspects of safeguarding our quality of life,” said Montgomery County Executive Matt Ossenfort.

“It is obvious bail reform has not unfolded as originally intended and there’s a need to adjust the original legislation and give judges discretion as Senator Tedisco is proposing, which is the right recipe to make this as effective as intended. I’m happy to support Senator Tedisco’s efforts and endorse him as our Senator,” said Mike Pepe, Republican Chairman of Montgomery County Legislature.

“The bail law as written takes the handcuffs off the accused and places them on the police and prosecutors which has led to not only an increase in crimes being committed but more of our citizens being victimized. As a former judge, district attorney and now county sheriff, I believe Senator Tedisco’s bill to restore judicial discretion makes imminent sense. I’m proud to support Senator Tedisco’s legislation and continue to endorse and support him as our Senator,” said Fulton County Sheriff Richard Giardino.

“Public safety always has been a top priority for Senator Tedisco. Whether it’s fighting to close the revolving door of criminals getting sprung from jail caused by the new bail reform law, opposing efforts to defund our police or passing Buster’s Law animal felony cruelty law to protect pets and people, Jim Tedisco has been a strong voice to fight crime and protect our communities. We need to pass his legislation and we need to keep Jim Tedisco in the state Senate,” said Herkimer County Sheriff Scott Scherer.

“Senator Jim Tedisco has consistently been one of the most outspoken and effective voices standing up for public safety and the men and women of law enforcement. Senator Tedisco’s bill to bring some discretion back to the bail process will help keep our citizens safe and bring some consistency back to the criminal justice system. This legislation and Senator Tedisco have my full support!” said Montgomery County Sheriff Jeffery Smith.

“I’m not opposed to criminal justice reforms, but they should be done in a sensible way and the state should have done a much better job of engaging input from all parties involved including law enforcement and not have rushed bail and discovery reform through the legislature in such a ham-handed way. I support Senator Tedisco’s common sense legislation for judicial discretion so we can get it right and not put the safety of our citizens at risk,” said Saratoga County Sheriff Michael Zurlo.