



NEW YORK STATE SENATOR

Robert G. Ortt

Senate, Assembly Republicans & Law Enforcement Officials Call for Criminal Justice Changes

ROBERT G. ORTT March 28, 2022

| ISSUE: **BAIL REFORM, PUBLIC SAFETY, LAW ENFORCEMENT**



ALBANY, NY – New York State Senate Republican Leader Rob Ortt, Assembly Republican Leader Will Barclay, law enforcement officials and members of the Assembly and Senate Republican **Conferences** today called on Gov. Kathy Hochul and legislative leaders to reverse failed criminal justice policies and strengthen public protection in the 2022-23 State Budget.

“For the past three years, New Yorkers have seen the disastrous effects of One-Party Rule on their safety and well-being. Violent crime rates are up, security in neighborhoods is down. It’s time for Albany leaders to admit what we all know – their record on public safety has been an abysmal failure, and they must decisively change course in this year’s state budget. That means no more criminal coddling. Supporting law enforcement. Repealing bail reform, making Kendra’s Law permanent, and fixing New York’s discovery laws. Let’s restore public safety to our state,” **said Leader Ortt.**

“Bail reform has been a complete and utter failure – one that has made our communities less safe and the job of law enforcement more dangerous. The law was so poorly crafted it has already been revised once, and state leaders, in an election year, are saying they want to make more changes because of the fallout from this disastrous policy. Bail reform needs to be fully repealed. If my colleagues on the other side of the aisle are truly interested in creating a more fair and equitable justice system that keeps New Yorkers safe, then they need to work with law enforcement, correction officers, judges, district attorney's and other stakeholders to enact real solutions,” **said Senator Anthony Palumbo.**

“Since 2020, when so-called bail and discovery ‘reforms’ became law, crime rates have skyrocketed across the state. From 2019 to 2020, the murder rate increased by almost fifty percent while gun crime outside of New York City increased by nearly 30 percent. Cashless bail has been an unmitigated disaster and must be repealed. These soft-on-crime policies resulted in 3,460 offenders arrested and released to commit violent felonies while awaiting trial. That’s 3,460 crimes that could have been prevented if judges had full discretion to set bail. Reversing failed criminal justice policies and strengthening public protection must be job number one to ensure the safety and security of all New Yorkers. During our Senate Session later this afternoon, I’ll advance a common-sense amendment to strengthen public safety and I’m hopeful that my colleagues on the other side of the aisle will finally join us in

our ongoing effort to repeal cashless bail,” **said Senator Daphne Jordan.**

“The so-called bail reform legislation enacted by NY Democrats, over the objection of Republicans, has led to a historic rise in crime, jeopardizing the safety of every New Yorker. It must be fully repealed now,” **said Deputy Senate Republican Leader Andrew Lanza.**

“Public safety in New York state has plummeted to an unsustainable level. That deterioration directly correlates with the pro-criminal mentality that has seeped into Albany policymaking. We stand here today calling on our colleagues across the aisle and Gov. Hochul to finally fix what they have broken. I am pleased to see there has been interest in walking back some of these policies, but there is still much work to do. As we approach the deadline to pass the next state budget, I sincerely hope that progress manifests to state law,” **said Leader Barclay.**

“The transformative changes from the 2019 budget are not working as intended. We are not saying we need to completely undo these laws, but we do need to find ways to fix them. AND we must do it now, which means this budget cycle. We all know that some unintended consequences of our current bail, discovery and Raise the Age laws have allowed dangerous criminals to take advantage of those new laws and has contributed to an uptick in violent crimes and crimes against property, ALL leading to a loss of a sense of safety and security in our communities. If courts cannot consider the reality that certain defendants pose a risk to public safety, then courts are not serving public justice or public safety. A sensible balance between the rights of defendants and public safety is possible. Like all new laws adjustments prudently need to be made to ensure the intended outcome,” **said Washington County District Attorney J. Anthony Jordan, President of the District Attorneys Association of the State of New York.**

“Sheriffs have been stalwart in their opinion on bail reform. The original bail reform initiative, while well-intentioned, was a drastic overcorrection, and for the past several years we have been dealing with the fallout. It is past time that New York joins nearly every other state in the nation, as well as the federal judiciary, in allowing judges to consider a defendant’s risk to public safety when considering bail or remand. Sheriffs believe this simple change will alleviate many of the problems we are seeing today,” **said Kevin Mulverhill, Franklin County Sheriff and 1st Vice President NYS Sheriff’s Association.**

“It is far past time to return to our elected judges the discretion that was taken away from them with the passage of bail reform in 2019. This failed experiment has cost innocent people their lives, and left deep scars on the communities affected by the horrible crimes committed by people who present a clear danger to the public. We owe it to the law-abiding people of this state who want nothing more than to live peacefully in their neighborhoods to do away with this dangerous law,” **said Assemblyman Joseph M. Giglio.**

“As a former Lieutenant with the New York City Police Department, I know firsthand of the harm that the soft-on-crime policies developed by an out of touch political class can have on the safety of our citizens and the vitality of our economy. I remember New York City during its darkest days, when crime was rampant and unchecked. The bottom line is that, until we get serious about addressing the out of control crime that has gripped our state, there will be no great New York comeback,” **said Assemblyman Mike Reilly.**

In 2019, Democrats in Albany drastically overhauled New York’s criminal justice system. Those changes greatly diminished the public’s safety and enabled career criminals to enjoy wide latitude to operate in New York. As such, the Republican Conferences are calling for a substantial rollback of those policies, including increased judicial discretion in setting bail and changes to parole procedures.

After New York City Mayor Eric Adams, law enforcement officials and state lawmakers on both sides of the aisle criticized the wrong-headed liberal policies currently in place; reports indicate there may be an inclination to include changes in the budget.

Today's calls by elected officials and law enforcement build upon the Senate Republican plan to [Restore Public Safety in New York](#), unveiled as part of the [Take Back New York](#) agenda earlier this year. The plan involves:

- **Protecting Those Who Protect Us:**

- **Invest in law enforcement;**
- **Provide them with the support they need to make our communities safe and serve those in need; and**
- **Fight Democrat efforts to demonize and “Defund the Police.”**

- **Rejecting Dangerous “Reforms” like Cashless Bail:**

- **End cashless bail, restore judicial discretion and reject dangerous Democrat proposals to erase entire criminal databases;**
- **Require state agencies to be transparent about the effects of public safety policies; and**
- **Fix unworking discovery and “speedy trial” laws that have turned our justice system into a revolving door for repeat and violent offenders.**

- **Reforming the Broken Parole System:**

- **Recenter the Parole process around the protection and rights of crime victims and their families;**

- **Ensure that cop-killers, serial killers, child killers, and other dangerous murderers can NEVER be released; and**
- **Reject dangerous Democrat proposals to weaken the Parole System.**

- **Passing a Victims' Justice Agenda:**

- **Strengthen penalties for violent and repeat offenders, as well as hate crimes;**
- **Invest in proven mental health, addiction, homeless, and victims' programs and services; and**
- **Make Kendra's Law permanent, to ensure that those struggling with mental illness get the help they need.**