



NEW YORK STATE SENATOR

Robert G. Ortt

Senate & Assembly Republicans Unveil Plan to Create a Safer NY

ROBERT G. ORTT January 23, 2023

| ISSUE: **BAIL REFORM; CRIMINAL JUSTICE; DISCOVERY; LAW ENFORCEMENT; PUBLIC SAFETY**



ALBANY, NY – Senator Tom O’Mara and Assembly Republican Leader Will Barclay, along with Senator Alexis Weik, Assemblyman Robert Smullen, members of law enforcement, victims’ advocates, and members of the Senate and Assembly Republican Conferences today unveiled a legislative package to Create a Safer New York. In contrast with Albany One Party Rule’s disastrous pro-criminal “reforms,” these comprehensive policy solutions would support our brave members of law enforcement, fix the state’s broken criminal justice system, crack down on illegal gun crime, and protect victims and innocent New Yorkers.

“As crime is on the rise throughout New York State, our Democratic colleagues in the Legislature continue to double-down on more soft-on-crime policies that will put our communities at greater risk.

Public safety remains a top priority for Senate Republicans, and we will continue to advocate for common-sense proposals to support law enforcement, put victims over criminals, and end the revolving door of our criminal justice system. We cannot have a strong, healthy state without public safety,” **said Senate Republican Leader Rob Ortt.**

“New Yorkers are not adequately protected under current state law. Qualified judges are prohibited from using basic, common-sense assessments of threat levels posed by the individuals coming before them, and the results have been critically disastrous. We have seen the full measure of what these policies are doing to our communities, and it is abundantly clear we must drastically change course now, before the situation deteriorates any further,” **said Assembly Republican Leader Will Barclay**

“From misguided bail, prison discipline and parole reform stemming from the ‘defund the police’ movement, we have seen over the past several years this Legislature move in directions that many of us believe pose a serious danger to public safety and security throughout New York State. This state has become less safe and we need to keep working against the extreme Albany Democrats’ criminal coddling law enforcement policies, stand behind our police officers, and resist radical efforts that threaten the safety and stability of our communities and neighborhoods,” **said Senator Tom O’Mara, SD 58th.**

“In communities all throughout the state: murders are up, illegal gun crime is up, hate crimes are up – when crime increases, so does the number of victims. It’s clear that our Democrat colleagues put the interests of criminals over the rights of victims. Enough is enough – we stand with victims and it’s about time our colleagues do the same,” **said Senator Alexis Weik, SD 8th.**

“We have seen repeatedly the damage these criminal justice policies have had on our communities and families. We have heard from countless victims, advocates and law enforcement agencies all over New York and the message has been loud and clear – we must restore order in New York. I sincerely hope today’s call to action finally helps push the far left away from these unjust policies so we can begin to undo some of the devastation they have caused,” **said Assemblyman Robert Smullen, AD 118.**

“It is time to give discretion back to the judges and keep violent criminals off our streets. If this had happened before, my dad would be with us today. Although nothing will change for my family, I am hoping to save other families from the trauma and grief that we have experienced,” **said Tammy Patrick, daughter of murder victim John Lee.**

“Every day we hear of another blanket release mandate for even the most violent of criminals. We hear how they are deserving of the second chance at life they robbed our families of. But I have yet to hear how those that are being released back into society have been rehabilitated. Instead of issuing these blanket release mandates Governor Kathy Hochul and her majority should be focusing on investing in the

rehabilitation of the nonviolent offenders to prevent victimization in the first place, before it is too late for families like ours and the offenders themselves. The current revolving door system they have created clearly is not working,” **said Jennifer Harrison, Founder of Victims’ Rights NY.**

“It is abundantly clear that we need a plan to create a safer New York. That is why I am joining with my legislative colleagues to offer common sense solutions that roll back soft-on-crime policies and support law enforcement. We need to work together to put victims ahead of criminals,” **said Senate Deputy Leader Andrew Lanza.**

“There is nothing just or fair about refusing to fix a bad law because you believe it’s bad politics. Crime victims, law enforcement officials, and Democrats in other states who worked to reform their bail practices all know that judicial discretion is sound policy. We need to restore it. We need to provide our police officers with the resources they need to do their jobs, and we need to expand funding for mental health and drug treatment programs so more New Yorkers can turn their lives around before they cause harm to innocent people,” **said Senator Jake Ashby, SD 43rd.**

“New Yorkers have told us repeatedly that their number one concern is the state’s rising crime rate. While New York’s Democratic leaders continue to ignore those pleas to restore public safety, our Conference is taking the lead with a package of proposals that will end the catch-and-release system that has emboldened criminals, demoralized our law enforcement community and made our streets more dangerous. The number one job of elected officials is to keep their citizens safe. It’s time for our colleagues on the other side of the aisle to work with us to meet that responsibility,” **said Senator George Borrello, SD 57th.**

“It is our obligation – and a top priority of mine – to thoughtfully pass legislation that protects our residents. In their rush to reform, Albany democrats have jeopardized public safety by refusing to reform bail laws and other measures that hinder local law enforcement’s ability to do their jobs to keep our communities safe. It is critical that elected leaders restore common sense to our criminal justice system by working alongside law enforcement to ensure we have fair and sensible policies in place that prevent crime and protect New Yorkers,” **said Senator Patricia Canzoneri-Fitzpatrick, SD 9th.**

“Keeping our residents safe should be our number one priority. Reforms to our criminal justice system have made our communities less safe and it is time to reverse those changes, starting with bail reform. We must protect the rights of law-abiding citizens and restore the authority taken from judges. We should also increase our investment in law enforcement to ensure police have the tools needed to investigate crimes, including drug activity and the illegal use of firearms,” **said Senator Patrick Gallivan, SD 60th.**

“While I recognize that there is a need for criminal justice reform, it is clear, as I have said since the beginning, that the hastily enacted changes made to the state’s criminal justice system by the legislative majorities and without input from all stakeholders are not working. These flawed policies have had a

detrimental effect on New York's communities and have resulted in rising crime, repeat offenders released back onto the streets because there are no repercussions for their actions and a prioritization of criminals over crime victims. Our plan offers a common sense and much-needed approach that will enhance and strengthen public safety and protect New Yorkers throughout the state," **said Senator Joseph Griffo, SD 53rd.**

"One of government's primary responsibilities is providing for the safety and security of its citizens. It is way past time we fix the laws that prioritize criminals over the safety of our communities, that is why I am proud to support this plan. We need to empower our men and women in law enforcement to do the jobs they are trained to do. We must empower our judges with the ability to keep criminals where they belong, behind bars. Our streets are not safe, and we must enact laws that make a difference for the people we serve." **Said Senator Helming, said Senator Pam Helming, SD 54th.**

"Every single day we see more and more stories about rising crime and the effect that is having on our residents. Our Safer New York plan will change that by making our communities safer, giving our families the peace of mind they deserve, supporting our men and women in blue and ensuring the voice of our law enforcement leaders is part of any discussion. This is a common sense to repeal the ill-conceived policies and protect New Yorkers," **said Senator Mario R. Mattera, SD 2nd.**

"Since 2020, crime rates have been skyrocketing across our state. Revolving door justice has failed. The catch and release policy that is presently in place has eroded public trust, and resulted in our state being a national joke. The only way to change this is by sending a strong message to criminals - if you commit a crime in New York, you will receive a swift, severe, and certain punishment. The time has come to prioritize our New York families over a 'woke' ideology," **said Senator Jack Martins, SD 7th.**

"There is a correlation between the rise in crime and the outward migration of residents in New York State. We need to reverse this scenario and begin to attack the problem head on. Our residents deserve better, our communities need their elected officials to provide common sense solutions to keep all New Yorkers safe. With the Senate and Assembly Republican Conference's legislative package to Create a Safer New York, we can begin the process of bringing safety back to our streets and giving our residents another reason to stay here in New York," **said Senator Dean Murray, SD 3rd.**

"Protecting the public is one of the most important responsibilities of government, and when a crime has been committed, the victim, not the criminal, should be our first concern. For some inexplicable reason that fundamental tenet has been tossed aside over the last several years under one party rule. The so-called bail reforms have allowed dangerous criminals out on our streets and made it more difficult for police officers to do what is already a demanding job while repealing the HALT Act has endangered corrections officers and inmates alike – and that is only a small portion of Albany's public safety failures. It is time to return sanity and safety to our streets," **said Senator Peter Oberacker, SD 51st.**

“The increase in crime brought about by ill-conceived policies has not only made our state more dangerous but has also had a real impact on New Yorkers' quality of life. Restoring sound public safety measures, supporting law enforcement, and bolstering support for crime victims and their families is the only way we can end the crime crisis and make the state safer for all New Yorkers,” **said Senator Anthony Palumbo, SD 1st.**

“Voters rejected Albany’s radical agenda that has endangered our police and the public they are sworn to protect. Our comprehensive plan restores public safety with common-sense reforms that roll back bail and discovery laws and protects the rights of the victims of crime, instead of those that commit them,” **said Senator Steven Rhoads, SD 5th.**

“You can’t have strong communities without safe communities. My nearly three decades of experience as a police officer taught me the unmistakable link between public safety and a well-functioning society and economy. I’ve also listened to countless residents and law enforcement personnel who are concerned about rising crime rates and declining standards of civility and security. The message is clear: Albany must act. As a member of the Crime Victims committee, I am committed to working with my colleagues of both parties to address the major drivers of crime in our state, defend victims, and support law enforcement by providing them with the tools they need to keep us safe,” **said Senator Rob Rolison, SD 39th.**

“In poll after poll, a strong majority of New Yorkers have made it clear that public safety is a serious issue that must be addressed. I’m proud to join my Senate and Assembly colleagues in calling for common sense reforms that protect law-abiding residents and ensure repeat, violent offenders can no longer prey on vulnerable communities. I urge the governor and Democrat lawmakers to take up these measures, so we can make sure all New Yorkers can feel safe in their neighborhoods again...,” **said Senator Dan Stec, SD 45th.**

“With Governor Hochul’s and the Majorities’ criminal justice failures now, there needs to be a new name for ‘crime victims’: It’s ‘Forgotten People!’ I’m proud to join my colleagues and my former constituent, Tammy Patrick, whose late father John Lee, was allegedly killed on June 20 by an individual who was arrested and charged with assaulting another man the day before Mr. Lee’s murder, and then released because of the failure of New York’s cash bail law. Tammy Patrick is in full support of my bi-partisan legislation to repeal the broken bail reform law and give judges real discretion to protect our communities and close the revolving door of danger and disaster,” **said Senator Jim Tedisco, SD 44th.**

“Communities across the state are showing crime rates at dangerous levels, and Democrats in Albany aren't proposing solutions. We are. I’m proud to stand with the problem solvers today to unveil a plan that truly will make our communities safer; by putting common sense policies in place to support law enforcement, repealing HALT, fixing bail, and prioritizing public safety,” **said Senator Mark Walczyk,**

SD 49th.

“As someone who grew up in a law enforcement family and with a mandate from my district's residents, I fully support the Republican Conference’s mission to create the SAFER communities grant program, fix the broken criminal justice system, and crack down on illegal gun crime,” said **Senator Bill Weber, SD 38th.**

To provide much-needed support to law enforcement, fix the state’s broken criminal justice system, crack down on illegal gun crime, and protect victims and innocent New Yorkers, Republicans proposed:

• **Support Law Enforcement**

- Creating the SAFER Communities Grant Program to invest in critical investigatory and prosecutorial resources designed to increase case clearance rates for homicide and gun crimes;
- Repealing HALT to protect our corrections officers; and
- Allowing the use of familial DNA to give law enforcement more investigatory tools.

• **Fix the Broken Criminal Justice System**

- Rolling back disastrous bail and discovery laws, and providing for judicial discretion to stop the revolving door in our criminal justice system;
- Opposing soft-on-crime policies being advanced by the Democratic Majorities, including the so-called “Clean Slate” Act, “Elder Parole,” and others; and
- Increasing penalties for habitual repeat offenders who commit crimes that harm New Yorkers’ quality of life.

• **Crack Down on Illegal Gun Crime**

- Reducing the use of illegal firearms with increased funding for gun interdiction efforts;

- Increasing penalties for crimes committed with stolen firearms, and mandatory consecutive sentencing for crimes involving illegal firearms; and
- Making any misdemeanor or felony offense involving an illegal firearm bail eligible, and amending Raise the Age to ensure 16- and 17-year-olds charged with certain gun or gang-related crimes are prosecuted as adults.

• **Protect Victims and Innocent New Yorkers**

- Restricting the release of identifying information in certain cases, and putting in place policies to protect victims' rights during parole process;
- Increasing the caps on Office of Victim Services reimbursements for crime victims, and investing in victim support programs; and
- Authorizing judges to set lifetime orders of protection for certain crimes, such as violent and domestic violence felonies.

The package outlined today is the first in a series of comprehensive proposals that will be put forth by the Republican Conferences this session in order to reduce crime, strengthen public safety, and protect victims and innocent, law-abiding New Yorkers.

Earlier this month, Senate Republicans unveiled the “[Rescue New York](#)” 2023 Legislative Agenda, including the creation of a Safer New York. Partly outlined today, the Republican agenda would:

- Restore common sense to our criminal justice system to prevent crime and protect New Yorkers;
- Increase efforts and investments to end the opioid and mental health epidemics; and
- Support and protect our seniors and other vulnerable New Yorkers.

The full press conference can be viewed [here](#).

###