



NEW YORK STATE SENATOR

Robert G. Ortt

Elected Officials Push for Bail Changes After Arrest of Scammers Who Impersonated Police in Attempt to Steal Thousands from Local Resident

ROBERT G. ORTT February 11, 2023

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Lockport, NY – Senate Republican Leader Rob Ortt, Assembly Members Angelo Morinello and Mike Norris, and Niagara County Sheriff Michael J. Filicetti today called for changes to the state’s bail laws after two alleged scammers – who are in the country illegally – were released back into the community yesterday, and also reiterated their calls for changes to the disastrous criminal justice “reforms” pushed by Democrats that have led to increased crime in communities. In this case for example, judges were unable to set bail under the new law. However, since the culprits were in the country illegally, they were held temporarily under a federal detainer.

Last week, the North Tonawanda Police Department received a call from a resident about a potential scammer pretending to be a law enforcement official who was attempting to get her to pay \$40,000. Thanks to the quick work of the NT Police Department, they were able to set up surveillance and arrest the scammers, who were charged with a class D felony.

Unfortunately, due to New York's bail laws, these individuals were only eligible to be given appearance tickets under state law. Thanks to the quick thinking of the presiding judge, a federal detainer was able to be implemented, allowing law enforcement to hold these individuals while federal paperwork was processed. After the processing of the paperwork, the two individuals, who reside outside of Philadelphia, were released on their own recognizance.

“First and foremost, I want to commend the North Tonawanda Police Department for their outstanding work in quickly apprehending these scammers and saving a victim from losing tens of thousands of dollars. Who knows how many other unsuspecting victims have fallen prey to their impersonation of law enforcement. This incident is a perfect example of how our state's bail laws have failed the residents of New York State. The presiding judge being able to hold these individuals on a federal detainer for a short while, but now these two men that are here illegally to begin with, have been released back into the community to potentially do more harm,” **said Senator Ortt.**

“I would like to thank the North Tonawanda Police Department for their quick response and for the arrest of these two individuals. The victim almost had \$40 thousand stolen from her. Thanks to the Judge's quick thinking, they are being held on a federal detainer. But unfortunately, due to the state's bail laws, scammers like these two individuals will normally be given a measly appearance ticket then will be sent on their way,” **said Assemblyman Angelo Morinello.**

“The reason why these alleged criminals spent any time in custody is because of the federal immigration retainer. However, without it, after impersonating law enforcement officers, harassing, and persuading the victim to secure \$40,000 and then coming to her home to obtain it, the New York “bail reform” laws (which I voted against in 2019) would have automatically, after arraignment, let these alleged criminals back on the streets to potentially commit more crimes and threaten other law-abiding citizens. In my opinion, this just shocks the conscience of any reasonable person. Clearly, such state charges are very serious, and a judge must be allowed the opportunity to properly determine the dangerous nature of the alleged conduct at a hearing weighing all the factors, circumstances and history involved. This example, like the countless other stories we have seen lately, is why New Yorkers don't feel safe and the problem is only getting worse with innocent bystanders paying the price. Enough is enough already! The Governor and state legislature must repeal these ‘so-called’ bail reform laws and implement the dangerous standard now so judges and law enforcement are given the tools again to protect our communities,” **said**

Assemblyman Michael J. Norris.

“For quite some time I have been calling for change to bail reform along with other criminal justice reforms in New York State. Law enforcement needs to have a seat at the table and have input when criminal justice reforms are being considered. Thus far, drastic changes have been made without considering the impacts on public safety. The time is now to put our victims first and have serious discussions on reforms that work for all of us,” **said Niagara County Sheriff Michael J. Filicetti.**

The officials also issued a word of caution to help residents from being victimized by potential scammers. They advised the community to never give out personal or financial information over the phone, and to contact the local authorities if they are suspicious that they may be the target of a scam.

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