

ASSEMBLYWOMAN NICOLE MALLIOTAKIS

Governor Andrew M. Cuomo
The Executive Chamber
Capitol
Albany, NY 12224

December 9, 2019

Dear Governor Cuomo:

New Year's Day is less than a month away and my constituents, as well as, the vast majority of law-abiding New Yorkers are deeply concerned about the Criminal Justice Reforms set to take effect on January 1st, 2020. Perhaps the most concerning provision in this package of "reforms" are the changes that will transform how bail is used and administered in criminal courts across New York State.

It's estimated that under the bail reforms approximately 90% of those arrested will either be set free within a matter of hours with nothing more than their court papers and their promise to appear for their court date or in many cases, will simply receive a desk appearance ticket and continue on their merry way without even being arrested. What makes these drastic changes all the more troubling is the fact that this legislation was passed in the middle of the night, as part of the state budget process, with no input or testimony from law enforcement, District Attorneys, or the court system that is charged with administering the reforms. In short, this was an end run by the Democrats in the state legislature to bypass any meaningful hearings or debate which was in turn affirmed and made into law by your signature as governor.

It is widely acknowledged that the first role of any government is the protection of its citizens. The bail reform legislation turns that concept upside down by giving protections to the criminal class while putting the property and well-being of law-abiding citizens at imminent risk starting at 12:01am on New Year's Day.

This is not a partisan issue; it's a common sense issue that must be addressed. Just ask Richmond County District Attorney Mike McMahon, a Democrat, who will tell you why bail reform is wrong for our city and state, or read the Op-Ed (NY Post-6/16/19) written by David Soares, the Albany County District Attorney, another Democrat and a self-described "progressive prosecutor" who believes the reform package to be "laws dismantling order."

Reach out to law enforcement around the state, including the unions representing the men and women of the NYPD and question them about their concerns and what they feel needs to be done. Talk to the State Troopers, Sheriffs and municipal Police Chiefs who patrol rural areas of the state about their views and the impact it will have on the communities they protect. Whether they patrol the streets of Manhattan or huge areas of the Adirondacks, their response will be pretty much the same; these so-called reforms will put the lives and property of New Yorkers at risk.

The following issues need to be immediately addressed: