



Legislation Details (With Text)

**File #:** Res 0366-2022      **Version:** \*      **Name:** Amend the NYS Criminal Procedure Law in relation to setting bail for defendants who pose a threat to public safety. (A.1705/S.1521)

**Type:** Resolution      **Status:** Filed (End of Session)

**In control:** Committee on Public Safety

**On agenda:** 10/27/2022

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.1705/S.1521, which would amend the New York State Criminal Procedure Law in relation to setting bail for defendants who pose a threat to public safety.

**Sponsors:** Robert F. Holden

**Indexes:**

**Attachments:** 1. Res. No. 366, 2. October 27, 2022 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 10-27-22, 4. Minutes of the Stated Meeting - October 27, 2022

Date	Ver.	Action By	Action	Result
10/27/2022	*	City Council	Introduced by Council	
10/27/2022	*	City Council	Referred to Comm by Council	
12/31/2023	*	City Council	Filed (End of Session)	

Res. No. 366

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.1705/S.1521, which would amend the New York State Criminal Procedure Law in relation to setting bail for defendants who pose a threat to public safety.

By Council Member Holden

Whereas, The current climate in our country and city has deteriorated to the point where nefarious individuals have been emboldened, through various recent bail reform policies and laws, to commit serious crimes and threaten public safety; and

Whereas, Crime has spiked throughout the City including residential neighborhoods, recreational and tourist areas, and subways; and

Whereas, According the New York City Police Department, there has been a significant increase in major felony crimes in the City from 95,369 in Fiscal Year 2021 to 119,742 in Fiscal Year 2022; and

Whereas, These crimes include robberies, forcible rapes, felonious assaults, and grand theft auto; and

Whereas, Recent actions taken by the State to create new bail reforms have handcuffed the judicial system's discretion to properly handle cases involving serious crimes; and

Whereas, An individual accused of a serious crime should be remanded and should not be released if the court makes the determination that such individual is a threat to public safety; and

Whereas, A.1705 introduced by New York State Assemblymember Angelo Santabarbara, and companion bill S.1521, introduced by New York State Senator James Tedisco, would amend the New York State Criminal Procedure Law in relation to setting bail for defendants who pose a threat to public safety; and

Whereas, A.1705/S.1521 would allow for greater judicial discretion in setting a securing order with respect to a defendant's prior felony convictions, failure to make an appearance in court, or subsequent arrests while awaiting a preliminary hearing or trial; and

Whereas, Permitting pretrial detention provides judges with the option to meaningfully address dangerous crimes and better protect the public; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.1705/S.1521, which would amend the New York State Criminal Procedure Law in relation to setting bail for defendants who pose a threat to public safety.

WJH  
LS 5226  
10/6/22