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Police: Woman, 64, dead after being violently raped by man freed twice under New York's "bail reform" law

| June 8, 2020 | [Featured](#), [News](#), [Patrol](#)

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EAST HARLEM, NY – She woman was only 64 years old – and now she’s dead. Police said she didn’t survive after being put into a medically induced coma following a violent attack.

We learned on Monday that the victim of the horrific rape died on May 27.

“38-year-old Frankie Harris has been [arraigned](#) on attempted murder, rape, strangulation and sex abuse charges. But now those charges are likely to be changed now that the incident has been deemed a homicide,” according to ABC 7.

Now we’re told that the suspect was previously [freed twice](#) from jail under New York’s bail reform law. Officials say he’ll undergo a psychiatric evaluation.

“Harris, who’s [accused](#) of spewing hateful remarks about Puerto Ricans in two earlier violent incidents, targeted 64-year-old Adalinda Delgado-Staiman on May 18, rolling up to her on a Citibike on E. 111th St. near Second Ave. and striking up a conversation,” the New York Daily News reported.

The reporter also said:

He left, only to return a few moments later and choke her from behind, assistant district attorney Justin McNabney said Tuesday.

He dragged her to the ground and choked her for three full minutes, until her legs stopped moving, the prosecutor said.

He raped her, and left her in a pool of her own blood and feces, neighbors told the Daily News.

According to the prosecutor, Harris allegedly stopped the attack and left the victim. He then allegedly returned to continue the assault TWICE before leaving her “completely lifeless body on the pavement”.

[🔗](#) LET Unity - It's being called the "Netflix" of the Emergency Responder and Veteran Community

He changed his story several times, according to police, after detectives showed the suspect [video footage](#) of the incident.

At first, he said the sex was consensual.

He later denied raping her and said he was only on top of the victim to try and revive her.

Then he tried to blame an imaginary “Puerto Rican man” for the horrific crime.



James A. Gagliano

@JamesAGagliano

She's in a vegetative state and expected to die in days after brutal assault and rape — and she's another victim of the state's demented bail “reforms”: Her alleged attacker was released twice without bail after arraignment on two prior assaults this year.

nypost.com/2020/05/27/new...

New York's no-bail laws claim another horrific victim

She's in a vegetative state and expected to die in days after a brutal assault and rape — and she's another victim of the state's demented bail “reforms”:

nypost.com

52 9:16 PM - May 27, 2020

[31 people are talking about this](#)

It's not his first time in trouble.

Harris was released not once, but twice in 2020 under bail reform guidelines. Both of the previous cases involved either violence or sexual misconduct.

On February 6th, police arrested Harris for allegedly slapping a woman's rear and he was subsequently charged with forcible touching and sex abuse. During a hearing on February 8th, Justice Gerald Lebovits attempted to set bail at \$10,000.

That bail amount only lasted three days.

At the request of the defense, another bail hearing was held with Justice Althea Drysdale handling the proceeding. Drysdale ordered Harris to be freed under a form of supervised release. Yet, in under two weeks' time, Harris was back in custody under new charges.



Andy Ngô
@MrAndyNgo

Update: The suspect has been identified as Frankie Harris. He was twice jailed and freed this year for assault. He was charged with sex abuse in one of the cases. nypost.com/2020/05/26/man...
[#RestorativeJustice](https://twitter.com/MrAndyNgo/stat...) twitter.com/MrAndyNgo/stat...

Man charged in cruel NYC rape was freed in two prior assault cases t...

A Brooklyn man accused of attacking a woman so viciously that he left her in a vegetative state had been charged in two prior assaults this year — but nypost.com

Andy Ngô @MrAndyNgo

NYPD asking for help in identifying a suspect who choked & raped a 64-year-old woman on camera. She was found facedown outside her home in a pool of blood next to a mural reading "Love, Peace & Respect" in Spanish. She is now in a coma. Call 800-577-TIPS. nydailynews.com/new-york/nyc-c...



1,087 2:23 AM - May 27, 2020

[648 people are talking about this](#)

Authorities say that in Harris' second arrest this year, he assaulted a mother in front of her two children, ages three and five years old, by punching her in the mouth. Harris allegedly spat on her and threatened to kill her, all in front of her kids.

Police say that Harris then punched another man in the face, and then spit on a third person as well. During the commission of these alleged crimes,

authorities say that Harris then called the victims “Puerto Rican f*ggots.”

These alleged acts landed Harris a whopping 16 charges, which included the likes of third-degree assault as a hate crime, aggravated harassment, endangering the welfare of a child, menacing and resisting arrest.



The image is a screenshot of a Twitter thread. The top tweet is from a user named 'Red Pilled Mando' with a profile picture of a red pill. The tweet text reads: 'Replying to @breannamorello Democrat Judge Hilary Gingold has blood on her hands for releasing this criminal under DNC #bailreform law.' The bottom tweet is from a user with a profile picture of a globe and the name '(((NameThisProfile-CivilDiscourse)))'. The tweet text reads: 'The judge "ordered him to participate in another supervised release program" for the 2nd time. Someone should check on these programs, they don't work. "A spokesman for the Brooklyn DA's office said none of the charges qualify for bail under the new bail reform laws." (?!) 4 10:31 AM - May 27, 2020'. Below the tweet is a link that says 'See (((NameThisProfile-CivilDiscourse)))'s other Tweets'.

Red Pilled Mando  @aQNpmeN · May 27, 2020
Replying to @breannamorello
Democrat Judge Hilary Gingold has blood on her hands for releasing this criminal under DNC #bailreform law.

(((NameThisProfile-CivilDiscourse)))  @SglNewYork

The judge "ordered him to participate in another supervised release program" for the 2nd time.

Someone should check on these programs, they don't work.

"A spokesman for the Brooklyn DA's office said none of the charges qualify for bail under the new bail reform laws." (?!)

4 10:31 AM - May 27, 2020

[See \(\(\(NameThisProfile-CivilDiscourse\)\)\)'s other Tweets](#)

Of course, bail reform came into play once again. When Harris faced Judge Hilary Gingold regarding these charges, he was released once again under a supervised release program. Despite having scheduled court appearances for these previous charges, police say that Harris never showed up to court once released.

It wasn't until the attack on the elderly woman transpired that authorities caught back up with Harris and placed him into custody.

Woman beaten, robbed for wearing respirator mask. Four teens arrested, walk free thanks to NY 'bail reform'.

April 3, 2020

HILTON, NY – Authorities in New York have stated that a woman was viciously beaten and robbed by a group of teenagers, allegedly because she was wearing a respirator mask inside of the store she was in.

Deputies say this crime all stemmed from a form of ignorance that manifested into violence.



Jennifer Hinkley ✂️ 100 🇺🇸 🇺🇸 ⭐️ Trump 🙌 🇺🇸 #MAGA #KAG
@JennifersGraphD

 crimeonline.com/2020/04/01/fou...

Four teens beat & rob woman for wearing respirator mask in Family D...

Four teens in New York are facing criminal charges for allegedly attacking and robbing a woman at a store late last month. On March 23, Monroe
crimeonline.com

2:03 PM - Apr 2, 2020

See Jennifer Hinkley ✂️ 100 🇺🇸 🇺🇸 ⭐️ Trump 🙌 🇺🇸 #MAGA #KAG 🇺🇸's other Tweets

The incident [took place](#) on March 23rd inside of a Family Dollar located at 82 South Ave in Hilton. Sheriff's deputies responded to a call of a robbery at the location, where a woman claimed she was attacked and robbed by four teenagers.

While the woman was inside of the store shopping, the group of teens were harassing her for wearing a respirator mask, according to deputies. The teens were claiming inside the store that the woman must be infected with COVID-19 as she was making her way through the store.

When the woman tried to leave the Family Dollar, she was then confronted by the harassing teens outside. Deputies stated that the victim was struck multiple times in the face by the group, and then had her wallet and car keys stolen.



NewsRadio WFLA 
@WFLANews

A woman who went shopping at a Family Dollar store in Hilton, New York, says she was punched in the face, then robbed by four teenagers, because she was wearing a respirator mask.

ihe.art/AvEzI6X

Woman Beaten, Robbed For Wearing Mask In New York Family Dollar ...

Four teens were arrested after they allegedly beat and robbed a woman for wearing a respirator mask to a Family Dollar in Hilton, New York.

wflanews.iheart.com

12:20 PM - Apr 1, 2020

[See NewsRadio WFLA !\[\]\(99f58673407353e96a019fbca558fd72_img.jpg\)'s other Tweets](#)

Authorities say that the woman sustained minor injuries during the violent encounter.

Deputies from the MCSO, along with the Ogden Police Department, were able to [recover the woman's stolen vehicle](#) in Ogden, a town not far from Hilton. When the vehicle was found and pulled over, deputies arrested four teens that were present inside of the stolen car.

Now, 18-year-old Rocco Gingello, 19-year-old Alexis Gingello, and 19-year-old Taya O'Connor are all facing charges of felony second-degree robbery.

The fourth teen of the group, 19-year-old Nicholas Henderson, is also facing the same robbery charges, but was additionally charged with fourth-degree criminal possession of a weapon along with some driving infractions.

Oh, since this is New York, you know bail reform came into play on this as well.



New York Post

@nypost

New York state budget deal includes overhaul of bail reform: sources
[trib.al/9HZrrol](https://www.nytimes.com/2020/04/01/us/politics/new-york-budget-bail-reform.html)



4 2:09 PM - Apr 1, 2020

[See New York Post's other Tweets](#)

Discussions began getting more frequent regarding what exactly to do about bail reform on March 18th, which is when Governor Cuomo [sat down with prosecutors, police officials and criminal justice](#) personas to discuss the topic.

Seeing that some resolution had to come to a head in time for the April 1st budget deadline, time was of the essence.

Yet, there was controversy around the idea of whether to reinstitute cash bail when jails are simultaneously trying to reduce populations due to the ongoing pandemic. Democratic Assemblyman Victor Pichardo voiced concerns on that topic:

“We cannot allow large sums of people to once again be stuck in the pre-trial phase. This would put more people at risk of COVID-19, in turn clogging up our overburdened hospitals.”



RaceNYU

@RaceNYU

"Ultimately, the reversal of New York's bail reform law will ensure that thousands of New Yorkers are exposed to a deadly virus while New York's hospitals are drastically overburdened." [slate.com/news-and-polit...](https://www.slate.com/news-and-polit...)

Cuomo's Bail Reform Reversal Risks Explosive Coronavirus Spread i...

If the governor's plan passes, thousands more New Yorkers may cycle through jails each year, drastically increasing the public's exposure to [slate.com](https://www.slate.com)

5 11:00 AM - Apr 2, 2020

[See RaceNYU's other Tweets](#)

On the other hand, there are those that feel rendering judges powerless in matters related to bail, remand, or releasing someone on their own recognizance creates their own version of public safety risks. Chief Judge Janet DiFiore had mentioned that notion earlier in the year:

“That goal cannot be accomplished if judges are rendered powerless to devise the best securing orders for those very few individuals who have been shown to pose a credible risk of danger.”

So, what exactly was passed in this budget that relates to bail reform?

Well, apparently [cash bail has been removed from the equation](#) all together regarding misdemeanors and non-violent arrests.

Does this mean the state is off worse than before with regard to bail reform in it's first iteration? It's not exactly worse, nor just as bad either, but it's [far from being "better"](#).



New York GOP
@NewYorkGOP

The legislature's "fixes" to the disastrous bail reform are no fixes at all.

This was always about political window dressing to silence critics, not actually making New Yorkers safe.nypost.com/2020/04/01/sor...

Sorry, New York: They failed to truly fix the no-bail law

As the epicenter of America's coronavirus outbreak, Gotham has a lot on its plate. High among the city's urgent headaches is the need to fix the Empire nypost.com

Woman beaten, robbed by 4 teens for wearing respirator mask in store, officials say — March 31, 2020



The four teens were arraigned in Parma Town Court and then released with an order to appear for court at a later date.

The fact that four teens can attack a woman and steal her car and then get released is just plain stupid.

New York said they would try to fix bail reform, but they seemingly haven't done that at all.

The first quarter of 2020 has seen the ramifications of bail reform impact the state of New York. From citizens becoming victimized by those being caught and released, to officials catching a wave of backlash from law enforcement and constituents over the enactment of such.

It was only a matter of time before Governor Andrew Cuomo [had to do something](#).

Which brings us to the “reform” of bail reform.

[See New York GOP's other Tweets](#)

When it comes to what's considered non-violent crimes and misdemeanors, a judge in New York cannot set a dollar amount for someone to be released from custody under really any circumstance.

Once an alleged crime crosses a certain threshold in severity, then appearance bonds can be ordered to obtain release.

However, some semblance of judiciary discretion has been afforded back to judges – even when reviewing non-violent felony charges.

LET has a private home for those who support emergency responders and veterans called LET Unity. We reinvest the proceeds into sharing their untold stories. [Click to check it out.](#)



In select cases where a judge wouldn't be able to set a cash bail, they may still be able to remand a defendant.


Although, the circumstances when a judge can remand a defendant is complex.

For one, a judge would have to articulate that there's a likelihood that the defendant would commit a violent offense if released back out to the public. To further complicate matters, a judge may only consider instances of remand based upon the current charges levied against a defendant; meaning criminal history cannot be cited.

Now, does that mean a judge won't be able to see said history and not silently ponder that information? Who knows, but if they ever did consider it, they'd have to be tight-lipped about that consideration.


In cases where judges are essentially forced to let someone walk free, they still have an ability to create certain release conditions.

Now, much like when considering remand, judges may only take into account the current charges a defendant is facing when creating release restrictions or guidelines.



preet basura @GymTanDefend · Mar 31, 2020
Replying to @GymTanDefend
This is the bill, released to the public HOURS before the budget deadline.
drive.google.com/a/aya.yale.edu...

Bail No Cash (2).PDF
drive.google.com

**preet basura**
@GymTanDefend

This bill expands judges' power to REMAND people without bail, pretrial, greater than ever before in New York history.

3 11:27 PM - Mar 31, 2020

[See preet basura's other Tweets](#)

What these non-monetary release conditions could look like is travel restrictions, forms of electronic monitoring, or even mandated check-ins akin to those on parole or probation.

Still, what really cripples judges in this “reformed” bail reform is the narrow scope that they’re allowed to consider when determining public risk, remand, and release conditions. Simply put, only considering the current charges that someone is facing is not a sensible way to determine public risk or likelihood to appear in court.

The fact that New York budged at all from the egregious bail reform can be considered a “win” to some, but it’s a very small “win” when reviewing what changes are in store.

Unfortunately, the discussion around bail reform, and reaching a sensible solution, was completely derailed by COVID-19 hitting New York as hard as it has.

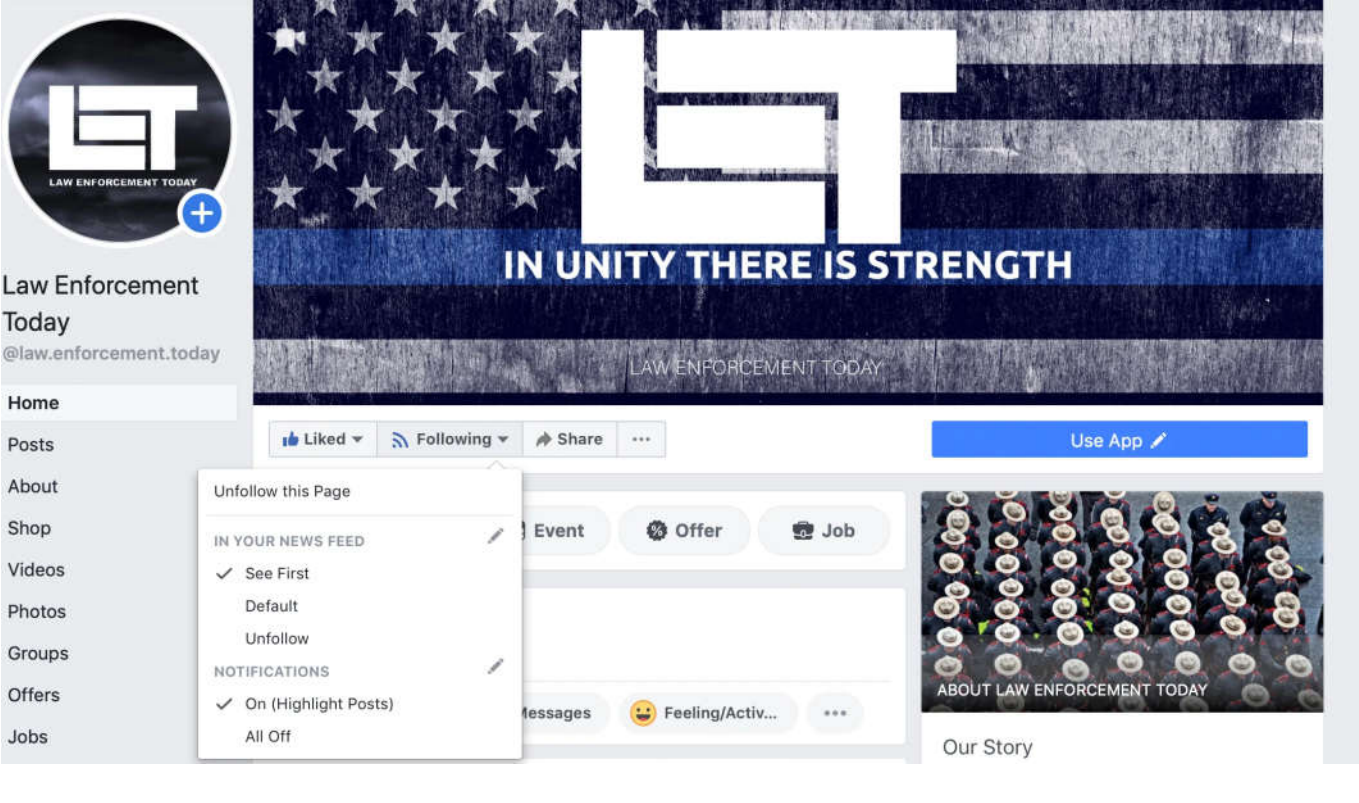
In short, we’re likely to still see the kinds of people that should be held in custody still getting released under the revised bail reform guidelines.

While there may be a sporadic defendant remanded every so often, or someone administered intense supervision upon pre-trial release, bail reform seems like it hasn’t changed that much at all.

—

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