



Written by [Bob Adelman](#) on July 10, 2023

NYC Democrats Calling Out DA Bragg Over His Non-enforcement of Laws

The third self-defense death in as many months finally has awakened some New York City Democrats from their slumber. City Councilwoman Kamillah Hanks, a black Democrat from Staten Island, [said](#), “Failure to enforce and mitigate shoplifting as a crime only leads to it become a more pervasive problem.”

Truer words were never spoken. When there are no consequences for bad behavior, bad behavior continues and increases.

At 12:30 am Thursday, Charles Brito, a serial shoplifter with 16 prior arrests who nevertheless remained free, decided to hit a midtown CVS again. When CVS employee Scotty Enoe confronted Brito (who had two inches and 40 pounds on the diminutive Enoe) the thug struck the worker in the face. Enoe defended himself and in the following melee killed Brito.

Instead of being lauded as a hero, Enoe is now facing two counts: murder, and illegally possessing a weapon.

That’s how the law works in New York City.

Democrats lauded District Attorney Alvin Bragg’s [Day One Memo](#), issued on January 3, 2022. But the consequences are now being felt, and Bragg’s chickens are coming home to roost. From his Day One Memo:

Not prosecuting minor offenses that have no impact on public safety — This will not only make us safer by not further destabilizing their lives, it will also free up prosecutorial resources to focus on violent crime....

Reduce Pretrial Detention — Particularly given the ongoing crisis at Rikers, and drastic rise in deaths in custody, we must reserve pretrial detention for very serious cases.

The data show that the overwhelming majority of those released pretrial do not commit a violent crime while at liberty. The data also shows that incarceration in and of itself causes recidivism, so unnecessary incarceration makes us less safe.

In Bragg’s upside-down world, letting petty criminals back out on the streets somehow makes those streets safer.



AP Images
Alvin Bragg



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His memo continues:

The memo instructs ADAs to make a common-sense difference between two very different types of cases: a person holding a knife to someone's neck, and someone who, usually struggling with substance use or mental health issues, shoplifts and makes a minimal threat to a store employee while leaving. We will not treat these cases equally....

"Certain low-level misdemeanors" will not be prosecuted:

We will not prosecute certain low-level misdemeanors that will not impact public safety, unless they are part of a larger felony case.

These include: marijuana, fare evasion, some trespass cases, driving with 1 or 2 license suspensions, noncriminal offenses such as traffic infractions, resisting arrest for any non-criminal offense, prostitution, and obstructing governmental administration.

What about serial shoplifters like Brito?

We will establish a taskforce to work with mom-and-pop business owners ... community leaders, advocates and law enforcement to develop community-solutions and support services to this serious issue.

A security guard at a Duane Reade Pharmacy close to the CVS store where Enoe defended himself told the *New York Post* that he witnesses up to 10 shoplifters pilfering and stealing *every day*: "That's a lot. They don't care if I'm here. They just come in and take stuff because they know we're not allowed to do [anything]."

A store clerk who works next door to the CVS told the *Post*:

Sometimes there are times where people want to be extra obnoxious and they want to do it anyways in front of our faces. So it's like, what can we do? Go ahead and hit him? Stab him?

We can't do anything really. That's tough and then if you call the cops they come much later.

Queens Democrat Robert Holden said, "We have to start doing something about this retail theft because it's out of control." The reason it's out of control: thefts in New York State (not just New York City) are charged as misdemeanors if the value of the items stolen is less than \$1,000. This automatically makes these crimes "ineligible for pre-trial detention" — i.e., you're free to go while waiting for trial.

A grand jury dropped Bragg's manslaughter charges against Jordan Williams, a 20-year-old subway rider who killed an ex-convict who was threatening him and his girlfriend while riding the subway on June 12.

The third case is against former Marine Daniel Penny, who was charged by Bragg with manslaughter over the death of another thug riding the subway on May 1.

The New York Post editorialized Friday about Bragg's unwillingness to charge the miscreants, while instead charging their victims:



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This is the fruit of progressives' years-long "justice reform" effort: two more lives destroyed. They've obliterated the ability of judges to set bail, even for truly dangerous defendants. With "Less Is More," they've given paroled crooks a free pass to stay on the streets. Prosecutors can no longer do their jobs, thanks to insane discovery requirements. And in the city, limits on qualified immunity have hamstrung cops with the threat of lawsuits. And progressives also elected Manhattan DA Alvin Bragg, who's dedicated to keeping the accused out of jail (unless their "crime" is confronting a criminal).... So now shoplifting — often by mentally ill homeless — is now endemic.

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