



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' -- for the week of May 13, 2024 -- 'Done with law and order?'

THOMAS F. O'MARA May 13, 2024

| ISSUE: **LAW AND ORDER; CRIMINAL JUSTICE**



Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature.

One of the latest statewide polls revealed, for example, that 60% of New Yorkers are concerned about being a victim of crime. Sixty percent. That's startling. Or at least it should be.

Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more. Stop back every Monday for Senator O'Mara's latest column...

This week, **"Done with law and order?"**

It was about this time last year, shortly after the enactment of a state budget that paid Democratic lip service to the need to end New York's failed and dangerous bail reform experiment, that Governor Hochul said, "We are done with bail. We accomplished what we needed to do."

It looks like she meant it too because since then the governor and the Legislature's Democrat majorities have done nothing to fix a continually failing and exceedingly dangerous law that they put in place and that has turned the criminal justice system in this state upside down -- for the worse.

The plain fact is that Albany Democrats are happy with the status quo that keeps giving away streets and neighborhoods in every region of New York to the chaos and violence of their "no consequences" approach to law and order.

Forget about their claims this time last year that all would be well on bail reform. It's not. It's a failed policy that just keeps waiting for the next victim. Failed bail reform remains the law of the land and the criminals in this society know it. The criminals know that Albany Democrats have their back, that an overriding policy of no consequences for far too many bad actors remains in place, and a climate of chaos over security reigns supreme in far too many places.

"We have accomplished what we needed to do," Governor Hochul said one year ago. The vast majority of New Yorkers continue to believe otherwise. Strongly otherwise. One of the latest statewide polls revealed, for example, that 60% of New Yorkers are concerned about being a victim of crime. *Sixty percent*. That's startling. Or at least it should be.

Albany's powers that be may be done with getting tough on crime but the citizens they represent are far from done being worried about it. And they blame the bad policies that keep flowing out of Albany for the mess. What's especially troubling is that Albany Democrats appear far from done trying to make New York State softer and softer on crime, and less and less concerned about law and order.

Last week we observed National Correctional Officers' Week. Repeatedly throughout the past few years, I have stood beside the men and women of the New York State Correctional Officers & Police Benevolent Association (NYSCOPBA) to call on Governor Hochul to repeal one of New York State's most egregious policies and practices. It's a law known as the "Humane Alternatives to Solitary Confinement Act" or HALT. In short, HALT has effectively undermined, and in some cases eliminated, the ability of correctional officers to discipline even the worst of New York's prison

inmates by placing them in Special Housing Units, separated from the general population.

Once again the criminals, in this case the inmates, know it. HALT has produced a powder keg within our prisons. Rates of assaults in prisons have skyrocketed.

NYSCOPBA President Michael Powers has said, “The HALT Act has done irreparable harm to the hard-working men and women who work inside our facilities and has also emboldened inmates who look for opportunities to prey on others as there are now no meaningful consequences for their actions ... Unfortunately, the state turns a blind eye to this and the record-breaking violence data and instead try to place blame on anyone but themselves.”

Since the HALT Act took effect over two years ago, many of us have repeatedly called on Governor Hochul to stop its implementation. Many legislators whose districts, like mine, include correctional facilities, have made it known that this practice remains a calamity.

In early March, eight officers were assaulted by inmates at the Auburn Correctional Facility. Three weeks ago, officers were attacked in the latest incident at the Elmira Correctional Facility.

NYSCOPBA Western Region Vice President Kenny Gold said recently, “There is no end in sight to the violence and it will continue with the inaction of the state Legislature to adequately address the violence as they are more worried about the individuals that don’t pay taxes rather than the taxpayers that serve their communities.”

Yet, Albany Democrats do, in fact, appear to be done. Done with hearing about crime and violence. Done with fixing bail. Done with HALT, or parole reform, or Raise the Age, or any of the other failed, soft-on-crime policies that under their watch are delivering this state to the criminals.

Albany Democrats appear done with protecting innocent, hard-working, law-abiding, responsible New Yorkers.

###