



NEW YORK STATE SENATOR

Jack M. Martins

From the Desk of Senator Jack M. Martins

JACK M. MARTINS January 20, 2015

Thoughts As We Honor Dr. King

I grew up in what can only be described as a blue collar household, in a community where a premium was placed on hard work, self sufficiency, and respecting authority in all forms - parents, teachers, elders, and the police. There was no backtalk or mouthing off and certainly no attacking those in authority. It wasn't even imaginable.

That's why what I see worries me. What recently started as lawful protests to specific events has degenerated into waves of people resisting arrest and in some cases, even attacking and killing police officers. I can only shake my head as I watch the endless stream of social media videos chronicling young people doing so in the name of civil rights. That's not only wrong, it's dangerous and as a father, a neighbor, a lawyer and your senator I feel I owe it to you to clarify some very false and risky presumptions.

Much of the strife involves individuals asserting themselves against traditional authority as reflected in our police, essentially attacking them for maintaining the role we entrusted them as societal guardians. And that is precisely what police officers are, guardians of our families and our communities. Make no mistake, as a society we collectively, and each of us individually, invite them to serve, train them, and ultimately ask them to enforce our laws. That is their specific charge. We do not ask them to defer to those who would break our laws.

To the contrary, we empower police officers to impose our collective will, the will of law on those who break it. Having granted them this authority we also defer to their judgment. That's been the underpinning of civil society for a very long time. So let's set the record straight: police officers do indeed have the right, as bestowed upon them by each of us collectively, to use discretion in how they perform their duties. If there is one thing we can be certain of, it's that policing is not a cookie cutter job – each encounter presents challenges and dangers – and their training coupled with their discretion is what we rely on to ensure our laws are enforced.

Also, resisting arrest is very rarely, if ever, legal. Even if you wholeheartedly believe that an arrest is improper or even unlawful, you are not entitled to resist it. Rather, the law requires us to comply with an officer's instructions and make our case in court – not combatively in the street. Sadly, that's when tragedies occur.

So, how did we get here? Where is the misunderstanding? Why do some believe they have the right to impose their own judgment on the law without consequence? They argue that they are merely advancing civil rights but as we honor Rev. Dr. Martin Luther King, Jr. we can look to his example to see just how wrong they are. Dr. King used the power of unified protest to fight injustice. And even at the fevered height of the civil rights movement, he and his supporters willingly submitted to arrest to draw the world's attention to injustice. He never suggested that each person should follow the laws they wanted and ignore others as suited them individually. That's not pursuing civil rights, it's embracing anarchy. And had the civil rights movement taken that approach it would have been immediately written off by the very people it sought to persuade.

For me, I'll continue to defer to our police. I will continue to give them the benefit of the doubt. And when they break the law or abuse that trust, I will continue to insist they be prosecuted. But I will not attack the very people whom we've asked to enforce our laws and

to protect our communities and families. Instead, I will remind people of the Reverend from Atlanta, the champion of non-violence who changed our nation's history.