



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara's legislation targeting meth labs scheduled for Senate action later today (UPDATED at 5:37 p.m. with Senate approval)

THOMAS F. O'MARA May 19, 2015

| ISSUE: **CONTROLLED SUBSTANCES**



Albany, N.Y., May 19—The New York State Senate today approved legislation sponsored by Senator Tom O'Mara (R,C-Big Flats) to crack down on clandestine methamphetamine labs locally and across the state by significantly increasing the criminal penalties for manufacturing meth.

Like last year, the Senate approved O'Mara's proposal with strong bipartisan support by a vote of 54 to 8. The legislation is currently in the Assembly Codes Committee where it's sponsored by Assemblyman Sean Ryan (D-Erie County). It must be approved by both houses of the Legislature and signed by Governor Andrew Cuomo before becoming law.

If enacted, O'Mara's legislation ([S.1440/A.5617](#)) would increase the criminal penalties for the possession of meth manufacturing material and the unlawful manufacture of meth, implementing a series of increasingly severe felony offenses.

"Meth labs continue to pose unacceptable risks to our neighborhoods, threaten the safety of police officers and first responders, and burden local systems of health care, criminal justice and social services," said O'Mara, who also continues to serve as a member of the Senate Task Force on Heroin and Opioid Addiction. "The only byproducts of meth are addiction, tragedy and violence."

[Read more in *The Leader* [here](#) and WENY-TV [here](#) and the *Star-Gazette* [here](#)]

O'Mara has highlighted the increasing frequency of meth-related arrests and other incidents across the Southern Tier and Finger Lakes regions over the past few years as the impetus for imposing stricter criminal penalties for possessing the material to make or for manufacturing the dangerous and highly addictive drug. The measure being acted on by the Senate today includes a provision making it a Class A-1 felony, punishable by a maximum sentence of 20 years in prison, for criminals convicted of operating a meth lab for the second time in five years. That's currently a Class B felony that carries a maximum prison sentence of nine years. The legislation also establishes the crime of manufacturing meth in the presence of a child under the age of 16 as a Class B felony. The possession of methamphetamine manufacturing material in the first degree would increase from a Class E to a Class D felony, punishable by up to two-and-a-half years in prison.

O'Mara stressed that cooking meth involves the use of highly explosive, flammable and toxic chemicals, and meth labs pose a significant public health and safety threat, especially to young children and especially if they're located in residential neighborhoods. According to the United States Department of Justice, methamphetamine is one of the nation's greatest drug threats. A department report last year noted that the drug is at its highest levels of availability and purity -- and lowest cost -- since 2005. That's attributed to rising Mexican imports, but also because of the increased small-scale domestic production that's targeted by O'Mara's legislation.

In early March, the Senate overwhelmingly approved a [second piece of meth-related legislation sponsored by O'Mara](#) ([S.1150/A.5577](#)) that would increase the criminal penalties for the possession and/or sale of the drug by implementing an increasingly severe set of felony offenses. If enacted, state penalties in response to meth would be brought more in line with the penalties for possessing and selling cocaine and heroin. This legislation is also sponsored by Ryan in the Assembly and remains in the Assembly Codes Committee.

