



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara, Senate GOP get behind 'Protect Those Who Protect Us' legislation: Join sheriffs, other law enforcement calling for action against increasing anti-police violence and pro-criminal policies

THOMAS F. O'MARA July 22, 2020

| ISSUE: **CRIME PREVENTION**



Heightened anti-police rhetoric and disastrous pro-criminal policies like the “No Bail” reform law that took effect earlier this year have exacerbated violence locally and statewide.

Albany, N.Y., July 22—State Senator Tom O'Mara (R,C,I-Big Flats) and the Senate Republican Conference today proposed a legislative amendment to enact a package of legislation aimed at deterring violence against law enforcement by strengthening penalties for existing crimes

and establishing new crimes reflecting recent attacks on police officers throughout New York State.

The Senate GOP's "Protect Those Who Protect Us" legislative amendment, a package of proposals that was also recently put forth by sheriffs across the Southern Tier and Finger Lakes and statewide, was rejected by the Senate Democrat Majority.

O'Mara, the top Republican on the Senate Judiciary Committee, said, "We cannot sit back and simply accept and tolerate the ongoing attacks on the men and women in law enforcement serving to protect our communities and neighborhoods. They are risking their lives every day and every night, in an increasingly hostile environment throughout this state, to do their best to keep us safe from violent criminals who have no respect whatsoever for the law or for other lives. We have to take these steps to let our police officers know that we stand with them and that we have their backs, as well as to ensure that we are doing everything possible to prevent a complete breakdown of our society. There's a welcome place for peaceful protests to highlight unconscionable wrongs, but there can be no tolerance for shootings, destructive looting, and the attacks on the officers who are fundamental to public safety and security."

O'Mara said that heightened anti-police rhetoric and disastrous pro-criminal policies like the "No Bail" reform law that took effect earlier this year have exacerbated violence locally and statewide.

The Senate legislation included numerous proposals, including:

- > Increasing the penalty for resisting arrest to a Class E felony;
- > Creating a Class D felony for failing to retreat, if an individual defies an order to move 25 feet while an officer is performing his or her duties;

- > Increasing assault on a police officer by one degree for the current crimes pertaining to assault upon a police officer, and make all of them crimes for which a judge could require the posting of bail;
- > Creating a Class D felony of Aggravated Harassment of a Police or Peace Officer if an officer is struck by any substance or object including, but not limited to, bottles, rocks, bodily fluids, spittle, urine, seminal fluid, feces, flammable liquids or other noxious, hazardous or dangerous substances or objects;
- > Making any crime committed against a police officer because of his or her status as a police officer a hate crime, with the concomitant increase in penalty as is currently provided with respect to hate crimes against members of other protected groups;
- > Making it a Class D Felony, to falsely accuse a police officer or peace officer of wrongdoing in the performance of his or her duties, and create a private right of civil action for the officer against the false accuser;
- > Making it a Class D Felony to dox a police officer or peace officer because of the officer's status as a police or peace officer, or to dox any other person because of that person's relationship to, or affiliation with, a police or peace officer;
- > Making it a Class E Felony to follow or surveille a police or peace officer for no legitimate purpose, whether such officer is on or off duty, or to approach within one hundred yards of the private residence or place of lodging of a police officer, without the consent of said officer, for reasons related to the officer's status or service as a police or peace officer, or for the purpose of intimidating the officer or the officer's family;
- > Providing a \$500,000 benefit for police officers who are seriously disabled or die from injuries incurred in the line of duty; and

> Making Police Memorial Day on May 15 a State holiday in honor of the more than 1500 police officers who have died in the line of duty in New York.

Late last week, **members of the New York State Sheriffs' Association expressed their support for the proposals.**