



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara, Senate GOP get behind 'Protect Those Who Protect Us' legislation: During National Police Week, call for action against increasing anti-police violence and pro-criminal policies

THOMAS F. O'MARA May 11, 2021

| ISSUE: **PUBLIC PROTECTION**



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 can be no tolerance for attacks on law enforcement officers who are fundamental to public safety and security.

Albany, N.Y., May 11—State Senator Tom O'Mara and the Senate Republican Conference are calling for the enactment of a package of legislation aimed at deterring violence against law

enforcement by strengthening penalties for existing crimes and establishing new crimes to deter attacks on police officers throughout New York State.

The Senate GOP are advancing the proposals as part of their observance of this week's National Police Week.

According to a recent "State of Safety in America" by Safewise, New York is the "most worried about safety" state in the nation, with 70 percent of New Yorkers reporting that they are "concerned daily" about their safety. Additionally, only 40 percent of New Yorkers feel safe in their everyday lives, while 78 percent think crime is increasing.

O'Mara, who serves on the Senate's Judiciary and Codes committees, 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 can be no tolerance for attacks on law enforcement 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 in early 2020 have exacerbated violence statewide over the past few years.

The Senate is advancing numerous proposals, including:

- > Strengthening criminal penalties for assaulting a police officer;

- > Withholding state funding from any municipality that abolishes, disbands, or significantly reduces its police department;
- > 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;
- > 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.

The Senate GOP's "Protect Those Who Protect Us" legislative plan has been supported by county sheriffs and other law enforcement leaders across the Southern Tier and Finger Lakes and statewide.