



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' -- for the week of November 28, 2022 -- 'Will Albany hear the call for commonsense criminal justice?'

THOMAS F. O'MARA November 28, 2022

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Will anything change in Albany during the upcoming legislative session? Will there be a turn toward more commonsense criminal justice? In the aftermath of the November elections, the early signs are not encouraging that any change is going to come.

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, "Will Albany hear the call for commonsense criminal justice?"

Throughout the past year, in public opinion poll after public opinion poll and in many other ways, one message kept coming through: New Yorkers, in far too many places throughout this state, do not feel safe where they live, work, and raise their families.

Furthermore, policies out of Albany are blamed for emboldening society's criminal element, and for a widespread climate of lawlessness and violence.

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Governor Hochul, for her part, hinted during campaign season that she would be open to revisiting failed policies like bail reform. Then, in one of her first post-election comments, she said, "I will take the time with my team, and people in [the Division of] Criminal Justice Services, my advisers and my legal team to come up with any way we think we can improve public safety." That's Albany speak for buying time and for not taking action.

In the election's aftermath, advocates immediately renewed calls for the enactment of even more "progressive" criminal justice reforms in the new legislative session beginning in January, when New York government will remain under all-Democrat control. On the agenda will be proposals to eliminate mandatory minimum sentences, as well as resentencing and other reforms to facilitate even more early prison releases.

All of that will be taking place, of course, while the climate inside the walls of New York's prisons has become a powder keg since the implementation earlier this year of a law known as the "Humane Alternatives to Solitary Confinement (HALT) Act" -- another crisis that Governor Hochul shows zero willingness to address.

The HALT Act took effect last April. It was first approved in 2021 by the Legislature's Democrat majorities and signed into law by former Governor Andrew Cuomo. The New York State Correctional Officers & Police Benevolent Association (NYSCOPBA) repeatedly called on Governor Hochul to stop its implementation. So did many legislators, including me, whose districts include correctional facilities. The Elmira Correctional Facility is now the second-most dangerous prison for staff and inmates.

HALT severely limits the use of special housing units in correctional facilities and restricts the ability of prison officials to discipline the state's most violent inmates, who commit criminal acts in prison, by separating them from the general population. NYSCOPBA has repeatedly warned since the law's enactment that it puts officers at even greater risk within a prison system where inmate attacks on prison staff reached record numbers in 2021 and where the numbers are even more serious this year.

Albany Democrats have turned their collective back on this crisis. They have shown no willingness whatsoever to address it moving forward. In fact, Governor Hochul and the Legislature's Democrat majorities appear ready to go on coddling violent criminals by severely hampering disciplinary sanctions, finding even more ways to parole violent inmates, and even further diminishing the ability of correctional officers to deal with violence inside prisons.

Weakened public safety and security, chaos over law and order, and no commonsense criminal justice have been hallmarks of the reign of Governor Hochul and Albany Democrats. They appear ready to continue their careless, dangerous, and irresponsible approach. New Yorkers better be ready to keep paying the price.

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