



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' -- for the week of March 6, 2023 -- 'Albany still not hearing the message: We're Not Safe'

THOMAS F. O'MARA March 6, 2023

| ISSUE: **LAW AND ORDER**



Can we expect any changes or more common sense in Albany during the current legislative session? The early signs remain unencouraging, to say the least.

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, "Albany still not hearing the message: We're Not Safe"

One message keeps ringing loud and clear throughout New York State: Far too many New Yorkers, in far too many places, do not feel safe where they live, work, go to school, and raise their families.

Who do they blame? They blame the policies that keep flowing out of Albany -- from out of the halls of a New York government under one-party, all-Democrat control -- for emboldening society's criminal element, for inspiring an increasingly pervasive "no consequences" attitude toward law and order, and for a widespread climate of lawlessness and violence.

Can we expect any changes or more common sense in Albany during the current legislative session? The early signs remain unencouraging, to say the least. The Governor has the most power in the annual budget process, yet she has not put any meaningful retraction of these failed, soft-on-crime policies in her budget.

In late January, Senate and Assembly Democrats convened a nine-hours-long public hearing in Albany attempting to put forth, in their view, that crime data and statistics somehow show that New Yorkers' fears are the consequence of "media campaigns and fearmongering." That the numbers, somehow, tell a far different story. It continues to fly in the face of reality. The Democrat leaders controlling the hearing disinvited the outspoken Albany County District Attorney the night before the hearing. They did not want to hear from an outspoken critic, a black Democrat prosecutor, David Soares, who was prepared to testify that: "Recent criminal justice reforms have sent the wrong signal to criminals; a green light. The most devastating impact is clearly seen in black and brown communities. Victims in these communities are not just data points; they're people."

Meanwhile, progressive advocates have renewed calls for the enactment of even more progressive, extremely liberal criminal justice reforms in the new legislative session. On the agenda are proposals to eliminate mandatory minimum sentences, as well as resentencing and other radical changes to facilitate even more early prison releases.

It all keeps 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 and legislative Democrats show zero willingness to address.

The HALT Act took effect last April. The New York State Correctional Officers & Police Benevolent Association (NYSCOPBA) has repeatedly called on Governor Hochul to stop its implementation. Many legislators, including myself, whose districts include correctional facilities,

have also called for HALT's repeal.

In the 58th Senate District that I represent, the Elmira Correctional Facility is now the second-most dangerous prison for staff and inmates. Just last week, another attack inside that facility, this time by a violent murderer serving a life sentence, prompted this response from NYSCOPBA's Western New York Region Vice President Kenny Gold: "As we continue to advocate for the repeal of the HALT Act, this brutal attack on staff at Elmira is the exact reason HALT needs to be repealed. This attack was committed by a vicious inmate who brutally lured and beat a man to his death in 2015 after serving two previous stints in prison for other crimes. Even though he was placed in a Special Housing Unit after the attack, the level of disciplinary measures he faces amounts to a slap on the wrist. Because he is serving a life sentence with no chance for parole, there is little to deter him from attacking and injuring staff in the future because of the ridiculous HALT legislation. The State Legislature needs to wake up and stop pandering to the inmate advocates and realize their progressive policies have miserably failed and begin to support the men and women in law enforcement who keep them and their communities safe."

NYSCOPBA has repeatedly warned since HALT's enactment that it puts officers, inmates, and other staff at even greater risk within a prison system where inmate attacks on prison staff have reached record numbers and keep climbing. Assaults by inmates in NY's prisons are up 40% since HALT was implemented last April.

Albany Democrats have turned their collective back on this crisis. For them, it remains all about no consequences, weakened public safety, and chaos over security. They appear more than willing to continue their careless, dangerous, and irresponsible approach to law and order -- and to try to convince the rest of us that the numbers tell a story, and a reality, that we just do not believe.

###