



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara urges Upstate localities to issue emergency orders in response to burgeoning migrant crisis

THOMAS F. O'MARA August 15, 2023

| ISSUE: **MIGRANT CRISIS**



At a news conference earlier today in Elmira, Senator O'Mara urged Upstate localities to issue emergency orders to stop the relocation of asylum-seeking migrants from New York City.

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Elmira, N.Y., August 15—State Senator Tom O'Mara (R,C-Big Flats) today urged counties, cities, towns, and villages throughout the Upstate New York region to issue emergency orders in an effort to prevent Governor Kathy Hochul and New York City Mayor Eric Adams from moving forward on mass

relocations of asylum-seeking migrants from the city to Upstate communities.

O'Mara said, "The migrant crisis is spreading out across this state as fast as Governor Hochul can find shelters and Mayor Adams can fill buses with migrants off the streets of New York City. It's a crisis that is only going to get worse. Upstate localities should take every possible step, including issuing emergency orders, to try to exert local control over Governor Hochul's plan to send migrants to the Southern Tier and Finger Lakes regions, and all over Upstate. The governor and her Democrat, New York City allies appear ready and willing to once again override local control in a crisis and begin shipping these illegal migrants anywhere and everywhere they can. Right now, it's the only plan on their table, besides setting aside billions of dollars in state taxpayer dollars to help New York City survive a crisis that they have no idea how to handle. It's a failed response on the state and federal levels. Our local communities should never be forced to bail them out of a disaster of their own making."

Since the spring of 2022, New York City, which has long declared itself a sanctuary city, estimates that more than 100,000 asylum-seekers have arrived in the city from the southern border. The number of migrants has overwhelmed the city's ability to find housing and provide food and other social services. As a result, Adams and Hochul have been working in tandem to identify shelters in communities around the state to move migrants.

Dozens of migrant advocacy groups are pressuring Hochul to take unilateral, executive action to overrule any county-level orders attempting to block the state from relocating migrants. Furthermore, **the Biden administration recently denied Hochul's request to utilize a largely vacant, 1,000+ acres, former military airfield in Brooklyn as a migrant camp.**

Many local communities have already issued emergency orders prohibiting hotels, motels, and other facilities from contracting with the city or state to accept migrants without local approval. New York City has filed a lawsuit against many of these local bans, particularly on Long Island, and is trying to have all legal challenges heard in Manhattan courtrooms. A Manhattan judge recently ruled against the city's attempt to centralize legal challenges and ruled, instead, that challenges should be heard in courts in the counties where orders are enacted.

Throughout the past year, O'Mara has joined members of the Senate Republican conference to highlight and strongly criticize the lack of leadership and transparency from state officials that has left New York communities in crisis dealing with a massive influx of migrants.

In May, Republican senators wrote a letter in the wake of a Hochul Executive Order declaring a State of Emergency due to the expected surge of migrants into New York State following the expiration of the Title 42 Order by the Biden Administration. In that letter, the senators asked for greater transparency as to where migrants will be housed, where monies are being spent, and better communication between the administration and local municipalities where migrants might be relocated.

"Local elected officials should have the option to decline hosting migrants in their communities should they not have the necessary accommodations and other resources. This local option is imperative to ensuring local municipalities are held harmless and are adequately prepared," the senators wrote. **They followed up the letter to Hochul with a letter to state Comptroller Thomas DiNapoli.**

In addition, legislation has also been introduced, which O'Mara co-sponsors, to help alleviate the ongoing crisis and prevent similar chaos in the future. One measure (**S6995**) would clarify that a local state of emergency supersedes a state of emergency issued by the Governor when the two are in conflict. This would restore local control and allow municipalities to make decisions in the best interests of their communities.

Another piece of legislation (**S7009**) would protect vulnerable populations – including veterans, victims of domestic violence, and the disabled – by prohibiting them from being ejected from a hotel, motel, or shelter in order to make room for migrants.