



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara legislation continues to target meth crimes [UPDATED FEBRUARY 22nd: From the Hornell Evening Tribune, "METH EXPLOSION: Neighbors describe minutes after alleged meth operation went wrong"]

THOMAS F. O'MARA February 17, 2016

| ISSUE: **METHAMPHETAMINE**



Elmira, N.Y., February 17—State Senator Tom O'Mara (R,C,I-Big Flats) is continuing to sponsor legislation targeting the resurgence of methamphetamine-related crimes locally and across New York State by significantly increasing the criminal penalties for manufacturing, possessing and selling the illegal and highly addictive drug.

One piece of legislation targets the operation of meth labs and would increase the criminal penalties for the possession of meth manufacturing material and the unlawful manufacture of meth, implementing a series of increasingly severe felony offenses (**S1440/A5617**). The legislation is currently in the Senate Codes Committee.

“Meth labs, including the increasingly prevalent one-pot method, pose unacceptable risks to our neighborhoods, roadsides and wooded areas where children and others can be exposed to the hazardous and toxic residues of these labs. They threaten the safety of police officers and first responders, highway crews, hikers, kids playing outdoors and the public at large,” said O’Mara. “We need tougher laws against these dangerous and irresponsible meth cooks who have no regard for the health and safety of the rest of us.”

[UPDATE: See the attached article above from the February 22nd *Hornell Evening Tribune*, "METH EXPLOSION: Neighbors describe minutes after alleged meth operation went wrong"]

Over the past year, **Southern Tier law enforcement officials have issued warnings** about the increasing disposal of ‘one-pot’ meth labs along regional highways and roadsides, and in wooded areas, where they pose a danger to local residents, children, hikers and highway crews, as well as police officers and first responders.

O’Mara has highlighted the increasing frequency of meth lab-related arrests and other incidents across the Southern Tier and Finger Lakes regions over the past few years as the impetus for imposing stricter criminal penalties for possessing the material to make or for manufacturing the dangerous and highly addictive drug. The legislation he’s sponsoring includes a provision making it a Class A-1 felony, punishable by a maximum sentence of 20 years in prison, for criminals convicted of operating a meth lab for the second time in five years. That’s currently a Class B felony that carries a maximum prison sentence of nine years. The legislation also establishes the crime of manufacturing meth in the presence of a

child under the age of 16 as a Class B felony. The possession of methamphetamine manufacturing material in the first degree would increase from a Class E to a Class D felony, punishable by up to two-and-a-half years in prison.

In addition to a series of heroin-related measures he's co-sponsoring as a member of the Senate Task Force on Heroin and Opioid Addiction, O'Mara has also reintroduced and is again sponsoring the following meth-related legislation to:

> increase the criminal penalties for the possession and/or sale of the drug by implementing an increasingly severe set of felony offenses ([S1150/A5577](#)). The legislation was recently approved by the Senate Codes Committee and is expected to soon be voted on by the full Senate. If enacted into law, state penalties in response to meth would be brought more in line with the penalties for possessing and selling cocaine and heroin; and

> to enhance the ability of local police and district attorneys to track and prosecute violations of restrictions on over-the-counter sales of cold medications that are key ingredients used in the manufacturing of methamphetamine ([S627/A468](#)). O'Mara co-sponsors this measure in the Senate, noting that it also enjoys strong bipartisan support. Its prime sponsor in the Senate is Senator David Valesky (D-Syracuse) and it's carried in the Assembly by Assemblyman Steven Cymbrowitz (D-Brooklyn). The legislation is currently in the Consumer Affairs Committee in both houses of the Legislature.

The Senate has consistently given strong, bipartisan support to O'Mara's meth proposals over the past several years, but the measures have always stalled in the Democratic-controlled Assembly. O'Mara noted, however, that his legislation has gained Democratic sponsorship in the Assembly where it's currently sponsored by Assemblyman Sean Ryan (D-Erie County).

“From bath salts and heroin to meth and synthetic drugs, the resurgence of these drugs has become alarming across the Southern Tier and Finger Lakes regions,” said O’Mara. “The only byproducts of these drugs are addiction, overdoses, tragic deaths and violence. They increasingly burden local systems of health care, criminal justice and social services. Awareness and education, prevention and treatment are fundamental responses. But so are tougher laws and criminal penalties, and it’s time for the Assembly Democratic leadership to join us in acting this session.”

[see the attached article above from *The Evening Tribune* in Hornell]