



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senate approves O'Mara legislation targeting meth crimes: Repeat offenders, those cooking meth in presence of a child, would face harsher penalties

THOMAS F. O'MARA June 14, 2018

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Meth labs pose unacceptable risks to our neighborhoods, as well as 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, and the public at large.

Albany, N.Y., June 14—The New York State Senate has approved legislation sponsored by Senator Tom O'Mara (R,C,I-Big Flats) targeting the resurgence of methamphetamine-related

crimes locally and across New York State by significantly increasing the criminal penalties for manufacturing, selling, and possessing the illegal and highly addictive drug.

The legislation ([S2123](#)) targets meth labs. It 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. It 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. Currently that Class B felony 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.

“Meth labs pose unacceptable risks to our neighborhoods, as well as 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, and the public at large,” said O’Mara. “We need even tougher laws against these dangerous and irresponsible meth cookers who have no regard for the health and safety of the rest of us.”

O’Mara is also sponsoring legislation to:

> increase the criminal penalties for the possession and/or sale of meth by implementing an increasingly severe set of felony offenses ([S2824](#)). 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;

> 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 (**S1236**). O'Mara co-sponsors this measure in the Senate; and

> target one of the worst dangers associated with clandestine meth labs: explosions and fires. The legislation calls for adding the crime of first degree arson, a Class A-1 felony punishable by up to 20 years in prison, to the list of charges that could be levelled against a meth cooker who causes a fire or an explosion that damages property or injures another person (**S7673**).

O'Mara has highlighted the increasing frequency of meth lab-related arrests and other incidents across the Southern Tier and Finger Lakes regions 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 now goes to the Assembly.