



NEW YORK STATE SENATOR

James L. Seward

Seward Bill Calls for Crackdown on Drug Related Arson

JEFF BISHOP, COMMUNICATIONS DIRECTOR June 20, 2018

| ISSUE: **METHAMPHETAMINE, ARSON**



ALBANY, 06/20/18 – State Senator James L. Seward (R/C/I/Ref- Oneonta) today announced senate passage of [legislation he sponsors \(S.7199A\)](#) to increase criminal penalties for individuals who cause a fire or explosion while manufacturing illegal drugs. This legislation was crafted in the wake of a fatal fire that claimed the life of a Homer man in 2016.

“When someone damages property or even worse, claims a life, while making drugs we need to have strong laws on the books to make sure the punishment fits the crime,” said Senator Seward. **“The loss of life and property in Homer in 2016 was tragic and it is imperative that we update New York**

State’s arson laws to properly address the disturbing surge in drug related fires.”

Senator Seward’s legislation was crafted after Homer Police Chief Robert Pitman and Cortland County District Attorney Patrick Perfetti pointed out loopholes in the current law regarding drug related fires following a tragic event in Homer.

Senator Seward joined law enforcement and fire officials in Homer earlier this year to announce introduction of the legislation and visit the site of the fatal fire.

“An innocent man lost his life and the entire Homer community was devastated by the criminal act of one individual. Speaking with the firefighters and police who responded to that fire, and seeing the site first hand, further illustrated to me the need for a stronger law,” Seward added.

On September 2, 2016, Brian Bermudez was making methamphetamines in a Homer apartment. The makeshift drug lab exploded, killing an innocent neighbor, Dewayne Block, and destroying a historic downtown Homer building. Despite the severe destruction of property and loss of life, Bermudez could not be charged with arson or a felony murder charge.

Cortland County District Attorney Patrick Perfetti said, “Since first taking office, I have made fighting meth, heroin, and other illegal drugs a top priority, but to truly make a difference, we need to update our laws. Senator Seward understands the need for change and I appreciate his partnership as we work together to improve community safety and honor the memory of Mr. Dewayne Block.”

Homer Police Chief Robert Pitman said, “Senator Seward has always demonstrated a strong commitment to law enforcement, providing police with the support they need to protect the community. By revising our arson laws, police will have the ability to appropriately charge suspects and send a message to others that the crime of drug-related arson will result in a long prison sentence. This law would not only honor, Dewayne Block but also the

firefighters, police officers, and other first responders who respond to fires or investigate them, not realizing that they may have been caused by someone manufacturing methamphetamine and thereby exposing them to additional hazards or risks.”

Homer Fire Chief Mahlon Irish said, “First responders put their lives on the line every time they answer a call; they understand the risks that come with the job, but also expect our laws to properly punish criminals that set fires. Senator Seward’s updated arson law puts firemen and law-abiding property owners first and is much needed.”

Senator Seward’s legislation would make it a class E felony, punishable by up to four years, for persons causing a fire or explosion during a drug manufacturing process, and a class C felony, punishable by up to fifteen years, for persons who recklessly cause a fire or explosion during a drug manufacturing process.

Companion legislation (A.10540) has been introduced in the state assembly by Assemblyman Anthony Brindisi and referred to the Assembly Codes Committee.

RELATED LEGISLATION

2017-S7199A

- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to the damage of a building or motor vehicle caused by fire or explosion in the course of the commission of a felony

January 02, 2018

In Assembly Committee

Sponsored by **James L. Seward**

Do you support this bill?