



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' ~ for the week of October 4, 2021 ~ 'Have we turned the page to a new governor?'

THOMAS F. O'MARA October 4, 2021

| ISSUE: **EXECUTIVE AUTHORITY**



We took to calling it “government by Cuomo executive order.” While it began at the start of the COVID-19 pandemic, when we were largely facing the complete unknown, the former governor quickly recognized that the Legislature’s Democrat majorities were happy to let him get away with a massive abuse of executive authority. It would end up causing a great deal of harm to local communities, economies, and taxpayers – damage that we’ll be trying to fix it for years to come. 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, "Have we turned the page to a new governor?"

Under disgraced former Governor Andrew Cuomo, beginning in March 2020, we witnessed an unleashing of state government by executive order unlike ever before.

Cuomo utilized at least one hundred Executive Orders that allowed him to unilaterally change hundreds of state laws, as well as implement rules and regulations and make spending decisions, without legislative approval or local input. Any semblance of legislative checks and balances was abandoned. The same was true for local decision making.

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Now that we've turned the page to a new governor, it's become fair to ask: Have we turned the page to a new governor?

Consider just a few of the actions taken by new Governor Kathy Hochul recently, including:

> Expanding the state's mask mandate to cover day care centers and to apply to children as young as two years old.

> A controversial blanket mandate requiring all health and home care workers to be vaccinated, which threatens to exacerbate New York's preexisting healthcare worker shortage. Thousands of these workers are tenuously hanging on under religious exemptions which are pending Court action.

Then there's Governor Hochul's ongoing implementation, by executive action, of a new law known as the "Less Is More Act" act whereby hundreds of state inmates being held for so-called "technical" parole violations are being released statewide. The new law doesn't take effect until next March, however Governor Hochul is moving ahead on her own authority to immediately release inmates, including violent criminals.

I voted against and strongly opposed the Less Is More legislation (S1144/A5576) when it was first approved by the Senate in early June. It continues a troubling overhaul of the state's parole system

that started under former Governor Cuomo and the Democrat supermajorities in the state Senate and Assembly.

It's the latest in a long string of pro-criminal, anti-police, anti-victim actions that make this state less safe – and it's being denounced, rightly so, by law enforcement and crime victims advocates.

The executive director of the New York State Association of Chiefs of Police reacted to Less Is More this way, “At some point, common sense has to enter into the equation. Elected officials continue to politicize public safety and gamble with people's lives.”

Well said. There's no common sense coming out of Albany. There's hasn't been for some time with state government under one-party control. On this criminal justice front, that's exactly right, they are putting far-left politics over public safety, and they are gambling with lives.

In other words, Governor Hochul is falling in line with the continuation of what has been disastrous, dangerous, radical parole reform driven by pro-criminal, anti-police, so-called progressive Albany Democrats. Actions like encouraging parole leniency combined with other moves to radically redefine criminal justice in New York -- including a 2020 law eliminating cash bail and pretrial detention, ongoing prison closures, and a growing “defund the police” movement throughout New York government – have helped drive a pro-criminal agenda that has been a major contributor to making the state less safe, putting far too many law enforcement officers in harm's way, ignoring victims, and emboldening society's criminal element.

Violent crimes in numerous cities across New York have jumped over the past few years. The homicide rate in the city of Syracuse, for example, increased by 55% between 2019 and 2020, while aggravated assaults were up 15%. According to reports, violent crime has surged in the city of Rochester. And in New York City, according to recent statistics from the NYPD, overall index crime rose by more than 30% since April 2020, including a nearly 20% jump in murders and a 35.6% increase in felony assaults.

All in all, it appears that Governor Hochul learned well from former Governor Cuomo. She's not hesitating to push the boundaries of executive authority and power at the clear risk of New York State spiraling out of control in dangerous directions.

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