



NEW YORK STATE SENATOR

Thomas F. O'Mara

Area state lawmakers join correctional officers to renew call to repeal 'HALT Act': Say new law is putting officers at risk, leading to an increasingly dangerous climate of violence within New York's correctional facilities

THOMAS F. O'MARA August 17, 2022

| ISSUE: **CRIME AND CORRECTIONS**



Ongoing attacks inside the Elmira Correctional Facility and in prisons across this state should serve as a stark reminder that steps are needed to better protect corrections officers, prison staff, inmates themselves, and the overall safety and security within the walls of our prisons. We can begin by repealing HALT.

**Elmira, N.Y., August 17**—State Senator Tom O'Mara (R,C-Big Flats), Assemblyman Chris Friend (R,C-Big Flats), and Assemblyman Phil Palmesano (R,C-Corning) today joined New York State Correctional Officers & Police Benevolent Association (NYSCOPBA) President Michael Powers and Western Region Vice President Kenny Gold outside the Elmira Correctional Facility (ECF) to call on Governor Kathy Hochul and state legislative leaders to repeal the “Humane Alternatives to Solitary Confinement (HALT) Act.”

The new law, which went into effect in April, was approved last year by the Legislature’s Democrat majorities and signed into law by former Governor Andrew Cuomo. The law severely limits the use of special housing units in correctional facilities and restricts the ability of prison officials to discipline the state’s most violent inmates, who commit criminal acts in prison, by separating them from the general population.

Earlier this year, NYSCOPBA called on Hochul to not move forward on the law’s implementation.

At “Restore Safety in our Facilities” rallies statewide, including today in Elmira, NYSCOPBA has warned since the law’s enactment that it would put officers at even greater risk within a prison system where inmate attacks on prison staff reached record numbers in 2021 and are on pace to be even more serious this year.

In fact, according to numbers reported by the New York State Department of Corrections and Community Supervision (DOCCS), since April 1, 2022, overall violence in New York State correctional facilities has risen over 35%. Inmate-on-staff violence has increased approximately 37%, while inmate-on-inmate violence has increased 30%, since April 1. According to the data, the single-week high of inmate-on-staff assaults was set during the week ending May 22, 2022, as 41 staff members were assaulted. The monthly average number of staff members assaulted in 2022 prior to the implementation of the HALT Act on April 1 is

98. Post HALT, the monthly average has jumped to 129 staff assaulted. Additionally, the single-week high of inmate-on-inmate assaults was set during the week ending May 1, 2022, as 37 inmates were assaulted by other incarcerated individuals. The monthly average number of inmates assaulted by other inmates in 2022 prior to the implementation of the HALT Act on April 1 is 99. Post HALT, the monthly average rose to 131 inmates assaulted by other inmates.

The spike in assaults, in conjunction with declining officer recruitment numbers and increased retirements since HALT's implementation, amounts to a crisis inside correctional facilities, according to NYSCOPBA representatives.

O'Mara, Friend, and Palmesano currently co-sponsor legislation to repeal HALT (S.S9378/A.10593). They noted that the Elmira Correctional Facility is the second-most dangerous prison in New York State for staff and inmates, and called on Hochul and the Legislature's Democrat majorities to take immediate action to help restore safety.

**In a joint statement, O'Mara, Friend, and Palmesano said,** "Governor Hochul and the Legislature's Democratic majorities have been solely focused on coddling violent criminals by severely hampering disciplinary sanctions, finding ways to parole more and more inmates, and diminishing the ability of correctional officers to deal with violence inside prisons. Ongoing attacks inside the Elmira Correctional Facility and in prisons across this state should serve as a stark reminder that steps are needed to better protect corrections officers, prison staff, inmates themselves, and the overall safety and security within the walls of our prisons. We can begin by repealing HALT. Our correctional officers remain extremely alarmed about rising violence inside prisons and we share their concern. Governor Hochul and New York's current legislative leadership keep moving in the completely opposite and wrong direction. It is a careless approach to criminal justice and corrections, irresponsible, and dangerous."

**NYSCOPBA President Michael Powers said,** “Last week Senator Sepulveda made the egregious comments to an Albany television affiliate that the recent violence statistics since HALT went into effect are exaggerated. First, as the President of the 18,000 men and women of NYSCOPBA, I was offended that he would question the integrity of our officers and how assaults are reported. These are the same officers that afford him and his family safety in their community while they work long hours, are understaffed, and are subjected to violence on a daily basis. His off-base comments couldn’t be farther from the truth. The fact is, violence had been steadily increasing for years and the HALT Act, which he foolishly co-sponsored, has driven violence inside our facilities into a whole new category. Coupled with the fact that the progressive factions of the State Legislature pushed through this legislation without the input of the men and women on the ground in the correctional facilities, was a clear indication they have no regard for their safety. Our friends standing here with us today, Senator O’Mara, and Assemblymen Friend and Palmesano, recognize the dangerous job our members have and the violence they endure on a daily basis. The State Legislature must take the blinders off and recognize HALT for what it is, an ill-conceived piece of legislation that has only embolden the inmate population and made it more dangerous for staff and it will only get worse unless changes are made.”

**NYSCOPBA Western Region Vice President Kenny Gold said,** “Since HALT went into effect in April, violence in our correctional facilities, especially against staff, has risen dramatically. The statistics tell the real story of the failure of this legislation in four short months. Our members have a target on their backs every day and there is no end in sight to the violence. Coupled with the fact that morale is non-existent, staff are working long hours with little or no relief, we are at a breaking point and the New York State Legislature must open their eyes to those facts.”