



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' -- for the week of May 15, 2023 -- 'Democrats are happy with the failed status quo'

THOMAS F. O'MARA May 15, 2023

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Translated: Albany Democrats are happy with the status quo that keeps giving away streets and neighborhoods in every region of New York State to the chaos and violence of their “no consequences” approach to criminal justice.

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, **"Democrats are happy with the failed status quo"**

"We are done with bail," Governor Kathy Hochul recently told the *Buffalo News*, an eyebrow-raising comment that echoed into every corner of this state. "We accomplished what we needed to do."

Translated: Albany Democrats are happy with the status quo that keeps giving away streets and neighborhoods in every region of New York State to the chaos and violence of their "no consequences" approach to criminal justice.

Because despite overeager claims that their new state budget has fixed their failed and dangerous bail reform experiment, the fact is that all Governor Hochul and her Democrat majority allies in the Legislature accomplished is to fundamentally maintain the status quo. Failed bail reform remains the law of this land -- and the criminal element that has been set loose in this society knows it. You better believe they know it. The criminals know that Albany Democrats have their back, that it remains a policy of no consequences for far too many bad actors, and a climate of chaos over security reigns in far too many places.

"We have accomplished what we needed to do," Governor Hochul says. Really? All that's been accomplished is to continue a dangerous and reckless approach to law and order.

What the vast majority of New Yorkers continue to believe, despite this new all-Democrat state budget, is that in far too many places citizens do not feel safe where they live, work, go to school, and raise families. And they blame the bad policies that keep flowing out of Albany for the mess that we're in.

In fact, Albany Democrats are far from done making New York State soft on crime. Governor Hochul may be done trying to fix failed bail reform, but make no mistake that other policies are in the works, including proposals to eliminate mandatory minimum sentences, as well as resentencing and other radical changes to facilitate even more early prison releases.

Last week, I stood again with representatives of the New York State Correctional Officers & Police Benevolent Association (NYSCOPBA) to call on the governor to repeal one of the most egregious policies she's set in motion. It's a law known as the "Humane Alternatives to Solitary Confinement Act" or HALT. In short, HALT has effectively undermined, and in some cases eliminated, the ability of corrections officers to discipline even the worst of New York's prison inmates in Special Housing Units, separated from the general population.

And once again the criminals, in this case the inmates know it. HALT has produced a powder keg within our prisons. Rates of assaults in prisons have skyrocketed. In Albany last week, corrections officers highlighted the increase in the frequency and severity of sexually based incidents of misconduct involving

women corrections officers, of whom there are more than 3,000 throughout the prison system.

NYSCOPBA President Michael Powers said: “The HALT Act has done irreparable harm to the hard-working men and women who work inside our facilities and has also emboldened inmates who look for opportunities to prey on others as there are now no meaningful consequences for their actions ... Since HALT, inmates hurl sexually charged obscenities towards female staff more frequently, inmates stalk our female officers as their next sexual target, and in some cases act out by assaulting women CO’s in a sexual manner. Our female staff should not be subjected to this type of behavior in a state-run workplace, just as it is not tolerated in any walk of life. Unfortunately, the State turns a blind eye to this and the record-breaking violence data and instead try to place blame on anyone but themselves.”

Since the HALT Act took effect last April, we have repeatedly called on Governor Hochul to stop its implementation. Many legislators whose districts, like mine, include correctional facilities, have made it known that this policy is a disaster.

Yet, Governor Hochul says she’s done. Done with fixing bail. Done with HALT, or parole reform, or Raise the Age, or any of the other failed, soft-on-crime policies that under her watch are delivering this state to the criminals.

Done.

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