



Written by [Bob Adelman](#) on May 29, 2023

Tennessee Rep. Submits Resolution to Honor Daniel Penny

Tennessee Republican Rep. Andy Ogles [submitted a resolution on Thursday](#) (H. Res. 448) to honor Daniel Penny, the Marine who prevented a bad situation on a New York subway on May 1 from becoming much worse.

Ogles' resolution, backed so far by other Republican House members Marjorie Taylor Greene (Ga.), Jeff Van Drew (N.J.), Greg Steube (Fla.), and Paul Gosar (Ariz.), covers what happened on May 1:

Whereas, on May 1, 2023, ex-Marine Daniel Penny rode on the F Train in Manhattan, where he encountered Jordan Neely;

Whereas Jordan Neely, an individual arrested 42 times by the New York Police Department, including for dragging a 7-year-old girl across a street and physically assaulting a 67-year-old woman, began throwing trash at passengers and, according to one witness, told individuals that he was willing to kill and go to jail; ...

Whereas Daniel Penny, with disregard for his personal well-being, quickly intervened to protect train passengers from an active threat; ...

Whereas, for doing so, leftist activists have condemned Penny as a "White supremacist" and a "vigilante" for his efforts to protect his fellow Americans, neither description having any basis in fact;

Now, therefore, be it *Resolved*, That the House of Representatives recognizes and honors Daniel Penny of West Islip, New York, for his heroism and courage in apprehending a threat to public safety.



AP Images
Daniel Penny



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Following the submission of his resolution, Congressman Ogles [expressed his outrage](#) that New York DA Alvin Bragg saw this as another opportunity to expand his political resume:

On May 1, Daniel Penny took action to protect himself and innocent commuters on the F Train from an out-of-control individual. DA Bragg and the mainstream media were quick to jump to the defense of Jordan Neely, who had a record of 42 arrests, including three assaults on women riding the New York subway.

Instead of joining in with the full-throttled woke mob in unjustly demonizing Mr. Penny, I introduced a resolution to recognize and honor him for his heroism and courage.

Rep. Greene concurred: "The world needs more men like Daniel Penny. He is exactly what an American hero looks like."

Tens of thousands of Americans agree with Ogles and Greene. Together, as this article is being written, they have given [GiveSendGo](#), a Christian funding website, nearly \$3 million to pay for Penny's legal fees. Any balance not needed will be given, appropriately, to mental-health charities.

One of Penny's lawyers, Steve Raiser, is [confident](#) that Penny, charged with second-degree manslaughter in the case, will go free once all the facts surrounding the incident are revealed to a jury:

When Mr. Penny, a decorated Marine veteran, stepped in to protect himself and his fellow New Yorkers, his well-being was not assured.

He risked his own life and safety, for the good of his fellow passengers. The unfortunate result was the unintended and unforeseen death of Mr. Neely.

We are confident that once all the facts and circumstances surrounding this tragic incident are brought to bear, Mr. Penny will be fully absolved of any wrongdoing.

One of those facts ought to be telling: After investigating what happened on the F Train on May 1, the NYPD decided not to press charges. But after DA Alvin Bragg completed his investigation, he saw an opportunity he couldn't resist. The medical examiner's office determined that Neely died from the chokehold Penny used to restrain the criminal from hurting other passengers, so Bragg charged Penny with second-degree manslaughter.

In New York, conviction of second-degree manslaughter requires the jury to find that Penny engaged in reckless conduct that created an unjustifiable risk of death, and that he then consciously disregarded that risk. The law also requires that Penny's conduct was a gross deviation from how a reasonable person would have acted in a similar situation.

It might actually be possible to find jurors who ride the subway regularly to hear the case against Penny and throw out Bragg's charge.



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