

A special message from New York State Assembly Minority Conference.

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CAPITOL NEWS FROM
THE ASSEMBLY MINORITY CONFERENCE
ASSEMBLYMAN WILL BARCLAY | Minority Leader, New York State Assembly

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ASSEMBLY COMMITTEES PROVIDE MORE VICTORIES FOR NEW YORK'S CAREER CRIMINALS

*'Democrats Seem To Be Living In a World Where Crime Doesn't Exist, Prisons Shouldn't
Exist and Criminal Accountability is Nowhere To Be Found. That's Not Reality.'*

Assembly Minority Leader Will Barclay (R,C-Pulaski) today criticized members of the Majority Conference for blocking necessary public safety measures while at the same time advancing bills to assist convicted criminals. After rejecting a series of Republican-sponsored bills in committees this week, Democrats today approved "Elder Parole" and "Fair and Timely Parole" bills, the goal of each is to release more prisoners from prison.

"Democrats seem to be living in a world where crime doesn't exist, prisons shouldn't exist and criminal accountability is nowhere to be found. That's not reality," **Leader Barclay said**. "The main problem with New York's parole system is that too many violent criminals are getting out of jail. How many dozen cop-killers has the Parole Board let out in the past five years? Today's actions by Assembly Democrats bring us a step closer to taking 'life-without-parole off the table, and further eroding the criminal justice system."

Democrats' Elder Parole bill amends the Executive Law to require the Parole Board to conduct an interview (for release to community supervision) for any person who has served at least 15 years of his sentence or sentences and has reached the age of 55. The "Fair and Timely Parole Act" fundamentally

changes the parole hearing process by creating a “presumption of release” for any inmate appearing before the Parole Board.

In February, Payton Gendron, the shooter who killed 10 people and injured three others in a racist attack at a Tops Supermarket in Buffalo, was sentenced to life with out parole. Should the Assembly parole bills pass, Gendron will be eligible for parole when he turns 55 years old.

“We see the headlines and stories of egregious crimes every day. Constituents tell us crime is among their most important concerns. But every time New York Democrats have a chance to fix the system they broke, they bury their heads in the sand,” **Leader Barclay said**. “Today, they only reinforced their commitment to defunding, decarceration and dysfunction.”

The public safety measures rejected by Democrats include:

- **Judicial Discretion (A.3183, Reilly)** – Restores the ability of judges to determine whether a violent criminal poses a dangerous threat to the community and can be held without bail.
- **No Parole for Child Murderers (A4041, Maher)** – Requires a life sentence without parole for the murder of a child under 13 years old.
- **Tougher Penalties for Shoplifting (A.5029, Reilly)** – Authorizes prosecutors to combine petit larceny charges occurring in one 18-month period.
- **Hate Crimes Against Law Enforcement (A.3417, DeStefano)** – Designates offenses against law enforcement, whether actual law enforcement officers or those perceived as law enforcement officers, as hate crimes, thereby increasing the penalty for the offense.
- **Increased Penalties on Youth Gun Crimes (A.3167, Reilly)** – Prevents the removal of an Adolescent Offender to family court in cases where the defendant possessed a loaded firearm.
- **Non-Resident Sex Offenders (A.4997 Simpson)** – Requires non-resident visitor sex offenders and registered sex offenders to register under the Sex Offender Registration Act when temporarily residing within the state. Requires a short-term rental host or hosting platform to notify all property owners within 1,000 feet of the rented property at least 24 hours prior to the

arrival of a sex offender or a nonresident visitor sex offender and inform property owners of their length of stay.

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