



NEW YORK STATE SENATOR

Daphne Jordan

## Senator Daphne Jordan's public safety legislation voted down by Senate Majority Members

DAHPNE JORDAN April 29, 2022

| ISSUE: **BAIL REFORM, PUBLIC SAFETY, DRIVE BY SHOOTING, COMMUNITY VIOLENCE, LAW ENFORCEMENT, PROTECTING VICTIMS**

**HALFMOON, NY** – Important public safety legislation sponsored by New York State Senator Daphne Jordan (R,C,I-Halfmoon) was voted down in the Senate Codes Committee by Senate Majority Members earlier this week.

**Senator Jordan's measure, Senate Bill S.2565, would have amended the State's Penal Law to add a death resulting from a drive-by shooting to the list of offenses that can qualify as murder in the first degree.** Senate Majority Members rejected Senator Jordan's public safety bill by a vote of 7-4 on April 25. Every Senate Republican Member of the Codes Committee voted in favor of Senator Jordan's public safety legislation.

Senator Jordan's bill would allow a prosecutor to charge a defendant with murder in the first degree if they conducted a drive-by shooting that resulted in an individual's death. Murder in the first degree is a class A-I felony punishable by life in prison without the possibility of parole compared to the current classification of murder in the 2<sup>nd</sup> degree, a class A-I felony punishable by up to 25 years-life in prison with the possibility of parole depending on the jurisdiction.

Senator Jordan's legislation was introduced on September 18, 2020, in the wake of the horrifying murder of 11-year-old Ayshawn Davis who was killed during a drive-by shooting in the City of Troy. Senator Jordan's Senate legislation has an Assembly companion measure, Assembly Bill A.1590, sponsored by Assemblyman Angelo Santabarbara.

"In September 2020, our entire Capital Region was horrified at the senseless, tragic murder of 11-year-old Ayshawn Davis, the innocent victim of a drive-by shooting that has become all too commonplace across

our state. I introduced my bipartisan legislation to help ensure that Ayshawn's killer received justice and to help strengthen public safety for all New York families," **Senator Jordan said.**

"I advocated for a bipartisan vote in the Senate Codes Committee on my public safety legislation and urged my colleagues on the other side of the aisle to join me in taking a common-sense step to help prevent future drive-by shootings that claimed the life of Ayshawn Davis, a bright, beloved shining light. Sadly, Senate Majority Members serving on the Senate Codes Committee put politics ahead of public safety and voted against my bill. Going forward, I hope they will reconsider their vote and join me in standing up for public safety. Taking a stand against the tragic and senseless deaths happening because of drive-by shootings is critical and was worthy of strong bipartisan support from every member of our state legislature. It's disappointing that partisan politics prevented this important bill's passage," **Senator Jordan concluded.**

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