STATE OF NEW YORK

2366

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. WALLACE -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to including in the court's jury charge that the jury is not to allow bias, sympathy, fear, public opinion, or the defendant being a member of a protected class influence their decision

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 300.10 of the criminal procedure law is amended by adding a new subdivision 2-a to read as follows:

2-a. In its charge, the court must instruct the jury as follows: "Do not allow any bias, sympathy, fear, or public opinion influence your decision in any way. Your verdict must be based solely upon the evidence at trial and not upon the race, color, gender, national origin, ancestry, religion, age, disability, gender identity or sexual orientation of any person."

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD00321-01-9