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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 28, 2026

4:00 p.m.

REGULAR SESSION

SENATOR JEREMY COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT COONEY: The  
3 Senate will come to order.

4 I ask everyone to please rise and  
5 recite the Pledge of Allegiance.

6 (Whereupon, the assemblage recited  
7 the Pledge of Allegiance to the Flag.)

8 ACTING PRESIDENT COONEY: In the  
9 absence of clergy, let us bow our heads in a  
10 moment of silent reflection or prayer.

11 (Whereupon, the assemblage respected  
12 a moment of silence.)

13 ACTING PRESIDENT COONEY: Reading  
14 of the Journal.

15 THE SECRETARY: In Senate, Tuesday,  
16 January 27, 2026, the Senate met pursuant to  
17 adjournment. The Journal of Sunday, January 25,  
18 2026, was read and approved. On motion, the  
19 Senate adjourned.

20 ACTING PRESIDENT COONEY: Without  
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator May moves

1 to discharge, from the Committee on Rules,  
2 Assembly Bill Number 9452 and substitute it for  
3 the identical Senate Bill 8822, Third Reading  
4 Calendar 41.

5 Senator Salazar moves to discharge,  
6 from the Committee on Rules, Assembly Bill  
7 Number 9516 and substitute it for the identical  
8 Senate Bill 8825, Third Reading Calendar 44.

9 Senator Jackson moves to discharge,  
10 from the Committee on Rules, Assembly Bill  
11 Number 9450 and substitute it for the identical  
12 Senate Bill 8796, Third Reading Calendar 81.

13 Senator May moves to discharge, from  
14 the Committee on Rules, Assembly Bill Number 9434  
15 and substitute it for the identical Senate Bill  
16 8797, Third Reading Calendar 82.

17 Senator Baskin moves to discharge,  
18 from the Committee on Rules, Assembly Bill  
19 Number 9513 and substitute it for the identical  
20 Senate Bill 8801, Third Reading Calendar 84.

21 Senator Bailey moves to discharge,  
22 from the Committee on Rules, Assembly Bill  
23 Number 9476 and substitute it for the identical  
24 Senate Bill 8805, Third Reading Calendar 85.

25 Senator Cooney moves to discharge,

1 from the Committee on Rules, Assembly Bill  
2 Number 9442 and substitute it for the identical  
3 Senate Bill 8808, Third Reading Calendar 86.

4 Senator Myrie moves to discharge,  
5 from the Committee on Rules, Assembly Bill  
6 Number 9491 and substitute it for the identical  
7 Senate Bill 8813, Third Reading Calendar 89.

8 Senator Webb moves to discharge,  
9 from the Committee on Rules, Assembly Bill  
10 Number 9455 and substitute it for the identical  
11 Senate Bill 8815, Third Reading Calendar 90.

12 Senator Fernandez moves to  
13 discharge, from the Committee on Rules,  
14 Assembly Bill Number 9503 and substitute it for  
15 the identical Senate Bill 8816, Third Reading  
16 Calendar 91.

17 Senator Hinchey moves to discharge,  
18 from the Committee on Rules, Assembly Bill  
19 Number 9451 and substitute it for the identical  
20 Senate Bill 8826, Third Reading Calendar 93.

21 Senator Liu moves to discharge, from  
22 the Committee on Rules, Assembly Bill Number 9431  
23 and substitute it for the identical  
24 Senate Bill 8829, Third Reading Calendar 95.

25 ACTING PRESIDENT COONEY: So

1 ordered.

2 Messages from the Governor.

3 Reports of standing committees.

4 Reports of select committees.

5 Communications and reports from  
6 state officers.

7 Motions and resolutions.

8 Senator Gianaris.

9 SENATOR GIANARIS: Good afternoon,  
10 Mr. President.

11 At this time I move to adopt the  
12 Resolution Calendar.

13 ACTING PRESIDENT COONEY: All those  
14 in favor of adopting the Resolution Calendar  
15 please signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT COONEY: Opposed,  
18 nay.

19 (No response.)

20 ACTING PRESIDENT COONEY: The  
21 Resolution Calendar is adopted.

22 Senator Gianaris.

23 SENATOR GIANARIS: Please recognize  
24 Senator Chan for an introduction.

25 ACTING PRESIDENT COONEY: Senator

1 Chan for an introduction.

2 SENATOR CHAN: Thank you,  
3 Mr. President.

4 So today I want to welcome once  
5 again to Albany two very special people who laid  
6 down a sacrifice extremely overwhelming. It's  
7 Mrs. Xiu Yan Li -- and I'm sorry you have to be  
8 sitting behind me over there -- and Mr. Wei Tang  
9 Liu.

10 They are the parents of  
11 Detective Wenjian Liu, who, along with his  
12 partner, Detective Rafael Ramos, was assassinated  
13 in their patrol car in New York City, in  
14 Brooklyn, 11 years ago.

15 And I was still a police officer at  
16 the time. I was the second in command of the  
17 South Brooklyn Crime Scene Unit. And no need to  
18 say that at that time I mobilized all of my cops  
19 and detectives to the scene of that shooting, and  
20 I myself went to the house of the Lius, because  
21 it was fairly close to where my office was.

22 And subsequently, over the next  
23 decade or so, we became family. And I remember  
24 for years after that, every time they saw me,  
25 they broke down in tears.

1                   And I'm very happy to see that the  
2 cops today in the neighborhood, they know that  
3 when it snows, go shovel the snow in their  
4 driveway, go take care of them, check in on them,  
5 knock on the door. That's because they're part  
6 of our family.

7                   And I'm very, very happy to welcome  
8 them once again to Albany. And I want you to  
9 know that you are always welcome in Albany.

10                  And I ask my colleagues to extend  
11 their warmest welcome to the Lius.

12                  Now in Chinese. (Repeating  
13 introduction in Chinese.)

14                  And thank you very much, everyone.

15                  ACTING PRESIDENT COONEY: Thank  
16 you, Senator Chan.

17                  To our guests, I welcome you on  
18 behalf of the Senate. We extend to you all of  
19 the privileges and courtesies of this house.

20                  Please rise and be recognized.

21                  (Standing ovation.)

22                  ACTING PRESIDENT COONEY: Senator  
23 Gianaris.

24                  SENATOR GIANARIS: Mr. President,  
25 please take up the reading of the calendar.

1                   ACTING PRESIDENT COONEY:    The  
2   Secretary will read.

3                   THE SECRETARY:     Calendar Number 21,  
4   Senate Print 8778, by Senator Brisport, an act to  
5   amend the Social Services Law.

6                   ACTING PRESIDENT COONEY:    Read the  
7   last section.

8                   THE SECRETARY:     Section 4.  This  
9   act shall take effect immediately.

10                  ACTING PRESIDENT COONEY:   Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  ACTING PRESIDENT COONEY:   Announce  
14   the results.

15                  THE SECRETARY:     In relation to  
16   Calendar Number 21, voting in the negative:  
17   Senator Bynoe.

18                  Ayes, 58.  Nays, 1.

19                  ACTING PRESIDENT COONEY:   The bill  
20   is passed.

21                  THE SECRETARY:     Calendar Number 41,  
22   Assembly Bill 9452, by Assemblymember Steck, an  
23   act to amend the Labor Law.

24                  ACTING PRESIDENT COONEY:   Read the  
25   last section.

1 THE SECRETARY: Section 2. This  
2 act shall take effect immediately.

3 ACTING PRESIDENT COONEY: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT COONEY: Announce  
7 the results.

8 THE SECRETARY: In relation to  
9 Calendar 41, those Senators voting in the  
10 negative are Senators Ashby, Borrello,  
11 Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo,  
12 Helming, Lanza, Martins, Mattera, Murray,  
13 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,  
14 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

15 Ayes, 37. Nays, 22.

16 ACTING PRESIDENT COONEY: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number 44,  
19 Assembly Bill 9516, by Assemblymember Dilan, an  
20 act to amend the Correction Law.

21 SENATOR LANZA: Lay it aside.

22 ACTING PRESIDENT COONEY: The bill  
23 will be laid aside.

24 THE SECRETARY: Calendar Number 75,  
25 Senate Print 8786, by Senator Skoufis, an act to

1 amend the Insurance Law.

2 ACTING PRESIDENT COONEY: Read the  
3 last section.

4 THE SECRETARY: Section 2. This  
5 act shall take effect on the same date and in the  
6 same manner as a chapter of the Laws of 2025.

7 ACTING PRESIDENT COONEY: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT COONEY: Announce  
11 the results.

12 THE SECRETARY: In relation to  
13 Calendar 75, voting in the negative:  
14 Senator Palumbo.

15 Ayes, 58. Nays, 1.

16 ACTING PRESIDENT COONEY: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number 81,  
19 Assembly Bill Number 9450, by Assemblymember  
20 Pheffer Amato, an act to amend a chapter of the  
21 Laws of 2025.

22 ACTING PRESIDENT COONEY: Read the  
23 last section.

24 THE SECRETARY: Section 2. This  
25 act shall take effect immediately.

1                   ACTING PRESIDENT COONEY:    Call the  
2    roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT COONEY:    Announce  
5    the results.

6                   THE SECRETARY:    In relation to  
7    Calendar 81, voting in the negative:  
8    Senator Walczyk.

9                   Ayes, 58.   Nays, 1.

10                  ACTING PRESIDENT COONEY:    The bill  
11    is passed.

12                  THE SECRETARY:    Calendar Number 82,  
13    Assembly Bill 9434, by Assemblymember Kassay, an  
14    act to amend a chapter of the Laws of 2025.

15                  ACTING PRESIDENT COONEY:    Read the  
16    last section.

17                  THE SECRETARY:    Section 2.   This  
18    act shall take effect immediately.

19                  ACTING PRESIDENT COONEY:    Call the  
20    roll.

21                  (The Secretary called the roll.)

22                  ACTING PRESIDENT COONEY:    Announce  
23    the results.

24                  THE SECRETARY:    In relation to  
25    Calendar 82, voting in the negative:

1 Senator Walczyk.

2 Ayes, 58. Nays, 1.

3 ACTING PRESIDENT COONEY: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number 83,  
6 Senate Print 8799, by Senator Fahy, an act to  
7 amend the Mental Hygiene Law.

8 ACTING PRESIDENT COONEY: Read the  
9 last section.

10 THE SECRETARY: Section 2. This  
11 act shall take effect on the same date and in the  
12 same manner as a chapter of the Laws of 2025.

13 ACTING PRESIDENT COONEY: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Announce  
17 the results.

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT COONEY: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number 84,  
22 Assembly Bill 9513, by Assemblymember Cashman, an  
23 act to amend the County Law.

24 ACTING PRESIDENT COONEY: Read the  
25 last section.

1 THE SECRETARY: Section 2. This  
2 act shall take effect on the same date and in the  
3 same manner as a chapter of the Laws of 2025.

4 ACTING PRESIDENT COONEY: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT COONEY: Announce  
8 the results.

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT COONEY: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number 85,  
13 Assembly Bill 9476, by Assemblymember Dinowitz,  
14 an act to amend the Education Law.

15 ACTING PRESIDENT COONEY: Read the  
16 last section.

17 THE SECRETARY: Section 2. This  
18 act shall take effect immediately.

19 ACTING PRESIDENT COONEY: Call the  
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT COONEY: Announce  
23 the results.

24 THE SECRETARY: In relation to  
25 Calendar 85, voting in the negative:

1 Senator Walczyk.

2 Ayes, 58. Nays, 1.

3 ACTING PRESIDENT COONEY: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number 86,  
6 Assembly Bill 9442, by Assemblymember Magnarelli,  
7 an act to amend the Financial Services Law.

8 ACTING PRESIDENT COONEY: Read the  
9 last section.

10 THE SECRETARY: Section 2. This  
11 act shall take effect immediately.

12 ACTING PRESIDENT COONEY: Call the  
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT COONEY: Announce  
16 the results.

17 THE SECRETARY: In relation to  
18 Calendar 86, voting in the negative:  
19 Senator Gallivan.

20 Ayes, 58. Nays, 1.

21 ACTING PRESIDENT COONEY: The bill  
22 is passed.

23 THE SECRETARY: Excuse me. Also  
24 Senator Walczyk.

25 Ayes, 57. Nays, 2.

1                   ACTING PRESIDENT COONEY:    The bill  
2    is passed.

3                   THE SECRETARY:     Calendar Number 88,  
4    Senate Print 8811, by Senator Comrie, an act to  
5    amend the General Business Law.

6                   ACTING PRESIDENT COONEY:    Read the  
7    last section.

8                   THE SECRETARY:     Section 4.  This  
9    act shall take effect on the same date and in the  
10  same manner as a chapter of the Laws of 2025.

11                   ACTING PRESIDENT COONEY:    Call the  
12  roll.

13                   (The Secretary called the roll.)

14                   ACTING PRESIDENT COONEY:    The  
15  Secretary will announce the results.

16                   THE SECRETARY:     In relation to  
17  Calendar 88, voting in the negative are  
18  Senators Ashby, Borrello, Canzoneri-Fitzpatrick,  
19  Chan, Gallivan, Griffio, Helming, Lanza, Martins,  
20  Mattera, Murray, Oberacker, O'Mara, Ortt,  
21  Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,  
22  Weber and Weik.

23                   Ayes, 37.  Nays, 22.

24                   ACTING PRESIDENT COONEY:    The bill  
25  is passed.

1                   THE SECRETARY:     Calendar Number 89,  
2     Assembly Bill 9491, by Assemblymember Simone, an  
3     act to amend the Criminal Procedure Law.

4                   ACTING PRESIDENT COONEY:     Read the  
5     last section.

6                   THE SECRETARY:     Section 2. This  
7     act shall take effect on the same date and in the  
8     same manner as a chapter of the Laws of 2025.

9                   ACTING PRESIDENT COONEY:     Call the  
10    roll.

11                   (The Secretary called the roll.)

12                   ACTING PRESIDENT COONEY:     Announce  
13    the results.

14                   THE SECRETARY:     Ayes, 59.

15                   ACTING PRESIDENT COONEY:     The bill  
16    is passed.

17                   THE SECRETARY:     Calendar Number 90,  
18    Assembly Bill 9455, by Assemblymember Bichotte  
19    Hermelyn, an act to amend the Executive Law.

20                   ACTING PRESIDENT COONEY:     Read the  
21    last section.

22                   THE SECRETARY:     Section 2. This  
23    act shall take effect on the same date and in the  
24    same manner as a chapter of the Laws of 2025.

25                   ACTING PRESIDENT COONEY:     Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT COONEY: Announce  
4 the results.

5 THE SECRETARY: In relation to  
6 Calendar Number 90, voting in the negative:  
7 Senator Walczyk.

8 Ayes, 58. Nays, 1.

9 ACTING PRESIDENT COONEY: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number 91,  
12 Assembly Bill 9503, by Assemblymember Rosenthal,  
13 an act to amend the General Business Law.

14 ACTING PRESIDENT COONEY: Read the  
15 last section.

16 THE SECRETARY: Section 2. This  
17 act shall take effect immediately.

18 ACTING PRESIDENT COONEY: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Announce  
22 the results.

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT COONEY: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number 93,  
2    Assembly Bill 9451, by Assemblymember McDonald,  
3    an act to amend the Executive Law.

4                   ACTING PRESIDENT COONEY:    Read the  
5    last section.

6                   THE SECRETARY:    Section 2.  This  
7    act shall take effect on the same date and in the  
8    same manner as a chapter of the Laws of 2025.

9                   ACTING PRESIDENT COONEY:    Call the  
10   roll.

11                   (The Secretary called the roll.)

12                   ACTING PRESIDENT COONEY:    Announce  
13   the results.

14                   THE SECRETARY:    Ayes, 59.

15                   ACTING PRESIDENT COONEY:    The bill  
16   is passed.

17                   THE SECRETARY:    Calendar Number 94,  
18    Senate Print 8828, by Senator Gounardes, an act  
19    to amend the General Business Law.

20                   ACTING PRESIDENT COONEY:    Read the  
21   last section.

22                   THE SECRETARY:    Section 5.  This  
23   act shall take effect immediately.

24                   ACTING PRESIDENT COONEY:    Call the  
25   roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT COONEY: Announce  
3 the results.

4 THE SECRETARY: In relation to  
5 Calendar 94, voting in the negative:  
6 Senator Walczyk.

7 Ayes, 58. Nays, 1.

8 ACTING PRESIDENT COONEY: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number 95,  
11 Assembly Bill 9431, by Assemblymember Magnarelli,  
12 an act to amend the Tax Law.

13 ACTING PRESIDENT COONEY: Read the  
14 last section.

15 THE SECRETARY: Section 2. This  
16 act shall take effect immediately.

17 ACTING PRESIDENT COONEY: Call the  
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT COONEY: Announce  
21 the results.

22 THE SECRETARY: In relation to  
23 Calendar 95, voting in the negative:  
24 Senator Walczyk.

25 Ayes, 58. Nays, 1.

1                   ACTING PRESIDENT COONEY:    The bill  
2    is passed.

3                   THE SECRETARY:     Calendar Number 99,  
4    Senate Print 8887, by Senator Sepúlveda, an act  
5    to amend the Estates, Powers and Trusts Law.

6                   ACTING PRESIDENT COONEY:    Read the  
7    last section.

8                   THE SECRETARY:     Section 6.  This  
9    act shall take effect immediately.

10                  ACTING PRESIDENT COONEY:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  ACTING PRESIDENT COONEY:    Announce  
14   the results.

15                  THE SECRETARY:     In relation to  
16   Calendar 99, voting in the negative are  
17   Senators Ashby, Borrello, Canzoneri-Fitzpatrick,  
18   Chan, Gallivan, Griffio, Helming, Lanza, Mattera,  
19   Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,  
20   Stec, Tedisco, Walczyk, Weber and Weik.

21                  Ayes, 39.  Nays, 20.

22                  ACTING PRESIDENT COONEY:    The bill  
23   is passed.

24                  Senator Gianaris, that completes the  
25   reading of today's calendar.

1                   SENATOR GIANARIS:    Please go to the  
2 reading of the controversial calendar.

3                   ACTING PRESIDENT COONEY:    The  
4 Secretary will ring the bell.

5                   The Secretary will read.

6                   THE SECRETARY:    Calendar Number 44,  
7 Assembly Bill 9516, by Assemblymember Dilan, an  
8 act to amend the Correction Law.

9                   ACTING PRESIDENT COONEY:    Senator  
10 Murray, why do you rise?

11                   SENATOR MURRAY:    Thank you,  
12 Mr. President.

13                   Would the sponsor yield for a  
14 question, please?

15                   ACTING PRESIDENT COONEY:    Will the  
16 sponsor yield?

17                   SENATOR SALAZAR:    Yes.

18                   ACTING PRESIDENT COONEY:    The  
19 sponsor yields.

20                   SENATOR MURRAY:    Thank you.

21                   Through you, Mr. President.  So in  
22 the bill -- and I'm going to read -- forgive me  
23 here, but I'm going to read my notes here.  It  
24 says that at least one member -- we're increasing  
25 the members of the board from three to five.

1                   It says at least one member must be  
2 a former inmate in a New York correctional  
3 facility, and one member must have one or more of  
4 the following qualifications: Licensed  
5 healthcare professional authorized to practice in  
6 New York; licensed attorney authorized to  
7 practice in New York with a background in  
8 criminal indigent defense or prisoners' rights  
9 litigation or experience as a legal policy  
10 professional who has professional experience  
11 related to the rights of inmates.

12                   So my question is, is there any  
13 requirement that one of these members have any  
14 experience with victims and victims' rights?

15                   SENATOR SALAZAR: Through you,  
16 Mr. President. Actually -- so I do want to just  
17 remind all of us the purpose of the State  
18 Commission of Correction is to provide oversight  
19 of correctional facilities.

20                   Frankly, to be honest, apart from  
21 people who, you know, happen to also be victims  
22 of crime themselves if they are incarcerated or  
23 if they work in a correctional facility, the work  
24 of the SCOC does not really focus on crime  
25 victims. And so I do just want to make that

1 clear.

2           There is nothing in the legislation  
3 that suggests that any of the appointees to the  
4 SCOC, full-time or part-time commissioners, would  
5 not be eligible to serve on SCOC if they had  
6 experience working with crime victims. It's just  
7 not explicitly stated as a requirement.

8           SENATOR MURRAY: Thank you,  
9 Mr. President. On the bill.

10           ACTING PRESIDENT COONEY: Senator  
11 Murray on the bill.

12           SENATOR MURRAY: And thank you,  
13 Senator Salazar.

14           The interesting part is  
15 everything -- while it might not directly work  
16 with victims, everything in the criminal justice  
17 system applies to crime victims.

18           Understand that these -- the victims  
19 are the people that did nothing wrong. The  
20 criminals are the ones that chose to break the  
21 law and create a crime victim.

22           There's a headline today in one of  
23 the papers: "Brooklyn judge cuts sex abuser's  
24 original 103-year sentence to 18 as victim voices  
25 outrage and fear."

1                   The message New York sends over and  
2 over again to crime victims is "You don't  
3 matter."

4                   We're demanding that on this board  
5 you have people that have a background in  
6 defending criminals, a background in criminals'  
7 rights, in making sure that they're comfortable  
8 and everything is fine for the criminals.

9                   And I beg to differ when you say  
10 that this doesn't apply to crime victims, because  
11 everything that happens in the criminal justice  
12 system in one way or another affects the crime  
13 victims.

14                   See, our thought process is exactly  
15 what the sponsor just said. It's dismissing the  
16 criminal. This headline doesn't directly; it's  
17 about the criminal himself and his sentence. But  
18 what message did it send to the crime victims?

19                   And I would argue it sends the  
20 exactly same message this bill sends, and that is  
21 "you don't matter." And that's a real shame.

22                   For that reason I'll be voting no.

23                   Thank you, Mr. President.

24                   ACTING PRESIDENT COONEY:    Thank  
25 you, Senator Murray.

1                   Are there any other Senators wishing  
2                   to be heard?

3                   Seeing and hearing none, debate is  
4                   now closed. The Secretary will ring the bell.  
5                   Senator Gianaris.

6                   SENATOR GIANARIS: Mr. President,  
7                   we've agreed to restore this bill to the  
8                   noncontroversial calendar.

9                   ACTING PRESIDENT COONEY: The bill  
10                  will be returned to the noncontroversial  
11                  calendar.

12                  Read the last section.

13                  THE SECRETARY: Section 4. This  
14                  act shall take effect on the same date and in the  
15                  same manner as a chapter of the Laws of 2025.

16                  ACTING PRESIDENT COONEY: Call the  
17                  roll.

18                  (The Secretary called the roll.)

19                  ACTING PRESIDENT COONEY: Senator  
20                  Rivera to explain his vote.

21                  SENATOR RIVERA: Thank you,  
22                  Mr. President.

23                  I want to thank Senator Salazar for  
24                  bringing this bill up.

25                  And I just -- one thing as I proudly

1 vote in the affirmative on this legislation, just  
2 one thing that I want some of my colleagues to  
3 consider is that there seems -- sometimes the  
4 narrative that folks might speak about on this  
5 floor, as elsewhere, it's as though people --  
6 they just speak about people who have committed  
7 crimes who are paying their debt to society by  
8 being incarcerated as though they would never  
9 change. That they're going to be criminals  
10 forever, and speak of them as though they're just  
11 folks that should be thrown away.

12                   And I think that that has to do with  
13 a mentality that is purely about punitive  
14 thinking. It is about just punishing, punishing,  
15 punishing.

16                   And unfortunately, what that has led  
17 to is the reason why things like this are  
18 necessary, is because it is indeed, when you  
19 think about -- when we think about victims, and  
20 we do think about victims all the time, we do so  
21 in ways that are comprehensive, that have to do  
22 with how to fix the entire problem, not just  
23 identifying the person that made a mistake and  
24 then punish that person forever and ever and ever  
25 without being able to say that anything that they

1 can do can change who we believe them to be.

2 And I think that that's a mentality  
3 that is not only old school, but old and  
4 unnecessary.

5 So I'm glad that we're moving  
6 forward and we can think about victims and how to  
7 make their lives better, and we can take people  
8 who have committed crimes and who have paid their  
9 debt to society, and say that they can come back  
10 into society and be productive members of it.

11 So I vote in the affirmative on this  
12 legislation.

13 Thank you, Mr. President.

14 ACTING PRESIDENT COONEY: Senator  
15 Rivera to be recorded in the affirmative.

16 Senator Martins to explain his vote.

17 SENATOR MARTINS: Thank you,  
18 Mr. President.

19 I vote to -- well, I vote no. And  
20 certainly I can't support this. But I also  
21 wanted to explain why.

22 I believe, I believe everyone in  
23 this room believes in the power of  
24 rehabilitation. And we hope for the power of  
25 rehabilitation and the ability of people to do

1 better and to grow and to come back as meaningful  
2 members of society.

3 But we also can't ignore reality.  
4 The recidivism rate in this state is  
5 extraordinarily high. The facts are specific.  
6 For anyone who wants to look at facts and not  
7 just paint with broad strokes, the recidivism  
8 rate is high.

9 And so when we vote on bills like  
10 this that are frankly counter to the facts as we  
11 see them, as much as we all hope for  
12 rehabilitation and we want to give every  
13 opportunity and every opportunity for that person  
14 who is incarcerated to be rehabilitated and come  
15 back as a member of society, I think it is -- I  
16 think it's unfair to come here and to tell people  
17 in this chamber that those who voted no for this  
18 bill somehow are doing it for ulterior motives.

19 I vote no, and I think that I urge  
20 all of my colleagues to vote no as well.

21 Thank you.

22 ACTING PRESIDENT COONEY: Senator  
23 Martins to be recorded in the negative.

24 Senator Salazar to explain her vote.

25 SENATOR SALAZAR: Thank you,

1 Mr. President.

2 I'll be -- I'll be brief. Clearly,  
3 I'm not feeling excellent right now. But I did  
4 want to just speak to the remark about the  
5 recidivism rate in our state, which I completely  
6 agree is unacceptably high.

7 We have an outrageously high  
8 recidivism rate in this country. We also have  
9 the highest incarceration rate in this country  
10 per capita in the world, actually, per capita, in  
11 the United States. Which is a shame.

12 It doesn't seem to be working, does  
13 not seem to be preventing people from returning  
14 to jail or prison. And I share my colleague's  
15 commitment in seeking to reduce the number of  
16 Americans and New Yorkers who find themselves in  
17 jail or prison in the first place, and certainly  
18 repeatedly as recidivism measures.

19 And something that I believe  
20 contributes to recidivism is trauma and violence  
21 that can be portrayed against people who are in  
22 correctional facilities, whether they are  
23 incarcerated or they are staff. And so I think  
24 it really behooves all of us, if we want to see  
25 fewer people returning to prison -- also if we

1 want to see people returning to society healthier  
2 and ready to contribute to public safety in their  
3 communities -- we want to make sure that jails  
4 and prisons are safer than they have been  
5 demonstrated to be in the past year. In just  
6 over a year, we have seen at least two young men  
7 murdered by correction officers: Robert Brooks  
8 and Messiah Nantwi.

9           And I'm grateful that we are passing  
10 this amended legislation today to try to really  
11 just improve the conditions in our correctional  
12 facilities and ensure that there is  
13 accountability and adequate oversight.

14           I vote aye.

15           ACTING PRESIDENT COONEY: Senator  
16 Salazar to be recorded in the affirmative, and we  
17 hope you feel better.

18           Announce the results.

19           THE SECRETARY: In relation to  
20 Calendar 44, voting in the negative are  
21 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,  
22 Chan, Gallivan, Griffio, Helming, Lanza, Martins,  
23 Mattera, Murray, Oberacker, O'Mara, Ortt,  
24 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,  
25 Weber and Weik.

1                   Ayes, 37. Nays, 22.

2                   ACTING PRESIDENT COONEY:    The bill  
3                   is passed.

4                   Senator Gianaris, that completes the  
5                   reading of today's calendar.

6                   SENATOR GIANARIS:    Is there any  
7                   further business at the desk?

8                   ACTING PRESIDENT COONEY:    There is  
9                   no further business at the desk.

10                  SENATOR GIANARIS:    I move to  
11                  adjourn until tomorrow, Thursday, January 29th,  
12                  at 11:00 a.m.

13                  ACTING PRESIDENT COONEY:    On  
14                  motion, the Senate stands adjourned until  
15                  Thursday, January 29th, at 11:00 a.m.

16                  (Whereupon, at 4:25 p.m., the Senate  
17                  adjourned.)

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