



NEW YORK STATE SENATOR

George M. Borrello

## Statement from Senator George Borrello on Jose Alba Case and Stand your Ground Legislation

GEORGE M. BORRELLO July 19, 2022

| ISSUE: **STAND YOUR GROUND, BAIL REFORM, CRIME RATES, JOSE ALBA**



“The decision by Manhattan District Attorney Alvin Bragg to drop murder charges against bodega worker Jose Alba represents the correction of a terrible injustice by the D.A.’s office. The fact that Mr. Alba had to suffer incarceration and then go weeks with a second-degree murder charge hanging over his head shows the extent of the damage done to New York’s criminal justice system under ‘progressive’ policies.

“If there is a silver lining to this case, it is that it has shown New Yorkers the critical need for us to enact the ‘stand-your-ground’ **legislation** I am sponsoring. More than three dozen states, including blue states like California and Illinois, have stand-your-ground statutes. These laws protect well-meaning people like Jose Alba who defend themselves against injury or death by attackers.

“The public and media attention focused on this case helped pressure the D.A.’s office to drop these charges. While we hope this is the end of his nightmare, Mr. Alba may still face a civil case, which would be expensive to defend and require a lower burden of proof. Under my legislation, citizens who are justified in using deadly force to defend themselves would be immune from criminal and civil liability. The measure would also eliminate the duty to retreat in places where the defender is lawfully permitted.

“Under One Party Rule where repeat offenders and parole violators remain free thanks to criminal justice ‘reforms,’ it has never been more important that New Yorkers have the right to defend themselves and their loved ones without fear of prosecution. Until and unless we pass a ‘stand-your-ground’ law there will be more people like Jose Alba, victimized by a criminal justice system that no longer makes sense.”

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