



CHIEF DEFENDERS ASSOCIATION OF NEW YORK

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***** FOR IMMEDIATE RELEASE*****

Public Defenders Call on the Legislature to Hold the Line on Discovery Reform – These So-Called Tweaks Would be Devastating

(Albany, NY) – The Chief Defenders Association of New York issued the following statement of Past-President Laurette Mulry:

“New York is looking to take a dramatic step backwards in terms of justice reform, effectively denying thousands of New Yorkers statewide the right to review the evidence against them because New York City prosecutors think disclosure is too burdensome.

Governor Hochul and Albany insiders are trying to sell these rollbacks as tweaks - but don't be fooled. The proposed rollbacks would eviscerate all of our hard work to bring New York's law in line with the rest of the country.

New York used to have one of the most draconian and unfair criminal legal systems in the nation. Prosecutors were allowed to withhold evidence until the eve of trial, giving defense attorneys little time to prepare and forcing New Yorkers into taking plea deals without knowing the full scope of evidence against them. As a result, New York is third in the nation in terms of wrongful convictions.

That changed in 2019, when bold reforms to the discovery process were passed and definitive time limits were set for prosecutors to submit their case to the defense. These changes truly balanced the scales of justice. Now the legislature appears poised to roll these reforms back, caving to political threats from city prosecutors who should have been turning this evidence over for decades, as is the case in nearly every other state in the country.

Discovery reform is working in most of the state - but more resources are needed across the board. CDANY agrees that DA's should receive more funding to achieve the ideals of discovery reform, and to address a backlog of cases in an overburdened court system. Defenders should likewise receive additional funding to review and meet reciprocal demands of discovery.

We can't return to an antiquated system where accused people are denied evidence and their attorneys are flying blind until the last possible moment. Lady Justice wears a blindfold, but now Governor Hochul is trying to blindfold us.

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