

NYS Criminal Justice Reform

2019 Legislation & Overview of Implementation Bail, Speedy Trial and Discovery Reform

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NEW YORK STATE
ASSOCIATION OF COUNTIES

Background

- SFY 2019-20 Adopted Budget
 - Eliminated monetary bail for people facing misdemeanors and non-violent felonies.
 - Eff. 1/1/20
 - Non-qualifying offense (ineligible for bail and jail detention)
 - Pre-Trial Service Continuum: ROR (court reminder notification), least restrictive means, electronic monitoring
- Local incarcerated data

NYSAC Criminal Justice Reform Task Force

- Membership composition
- Goals
- Actions taken so far
- Next Steps

Statewide Task Force

- Representatives from counties & NYSAC
- DCJS data and jail census projections
- Pre-trial service questionnaire/ survey
- Judicial trainings
- OCA uniform application for pre-trial service agencies (being developed by CJA)
- Draft regulations from OCA- coming sometime in September

Outstanding Issues of Major Concern

- **Electronic Monitoring**
 - Legislation states that a certified pre-trial agency is not allowed to contract with a for-profit entity.
 - Is it possible for a county to procure the equipment and do electronic monitoring in-house?
 - Are counties expected to create a similar model to Dutchess County probation?
- **Pre-Trial Court Reminder Notifications**
 - County probation/ county pretrial services are not equipped to notify arrestees of court appearance dates.
 - Requirement for coordination between OCA, local judges and certified pre-trial agencies.

Questions?

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