NYS Criminal Justice Reform

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

Ryan Gregoire
Legislative Coordinator
NYSAC
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?

NYSAC Staff Contacts:

Ryan Gregoire, Legislative Coordinator
rgregoire@nysac.org
518-465-1473 ext. 221

Pat Cummings, Counsel
pcummings@nysac.org
518-465-1473 ext. 255