

From: [Peter Baynes](#)
To: [Peter Baynes](#)
Subject: ACTION ALERT on Criminal Justice Reform
Date: Wednesday, January 8, 2020 10:45:18 AM

Dear Mayor:

Included in NYCOM's legislative priorities for 2020 is fixing the criminal justice reforms that went into effect on January 1st. In particular, NYCOM objects to some of the drastic and far-reaching changes in the laws pertaining to discovery. The dramatic acceleration in the timing of providing evidence and the broadening of the types of charges to which the expedited discovery applies have significant cost and justice implications for cities and villages with police departments, justice courts, or code/parking enforcement departments.

The local expense of delivering this state-imposed mandate will be significant and result in property tax increases throughout New York. In my village alone, our expenses related to purchasing new technology, hiring additional personnel, increasing police resources, and adding monthly court dates will rise by \$2.3 million, the equivalent of a 5.7% property tax increase. On a statewide basis, it is estimated that it will cost cities, villages, counties and towns approximately \$750 million in additional spending to provide local district attorneys with suitable evidence in time for them to comply with the new 15-day discovery mandate. On top of all this, municipalities are still trying to live within the 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NYCOM has been loud and clear on this issue and momentum is starting to build to fix the criminal justice reforms. But we must continue to fight these unfunded mandates. To that end, please contact your State Senator (518-455-2800), Member of Assembly (518-455-4100) and Governor Cuomo (518-474-8390) ASAP and tell them to Fix the Reforms Now!

NYCOM has offered a series of reasonable amendments to the discovery reforms that are consistent with the law's intent but which will allow for more affordable and equitable implementation. These amendments include:

- Ensure that cities and villages are provided with additional financial support to offset the cost of these mandated measures;
- Exclude from discovery any violations or information not charging a misdemeanor or crime;
- Require expedited discovery only when defendants are incarcerated;
- Make discovery in felony cases not applicable until after an indictment;
- Provide a stay from discovery requirements for 30 days in cases which may be subject to plea discussions; and
- Allow for withholding of sensitive information, such as victim contact information, without having to obtain a court order.

Thank you for your continued support of NYCOM. Working together, we can make a difference.

Sincerely,

Robert T. Kennedy

Mayor, Village of Freeport
NYCOM President

cc: Managers, Administrators, Clerks