

Urging The Governor And Members Of The New York State Legislature to Reevaluate Bail And Discovery Reform Measures Included in the SFY 2020 Budget

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner, and Parete)

Legislators Kenneth J. Ronk and Mary Beth Maio, and Legislators Bruno, Corcoran, Fabiano, Haynes, Litts, Lopez, Roberts, and Wawro offer the following:

WHEREAS, in the final stages of adopting its SFY 2020 budget, the State of New York enacted sweeping criminal justice reforms, including the elimination of cash bail for many specific enumerated crimes, and the imposition of stringent discovery mandates on police and prosecutors; and

WHEREAS, the members of the Ulster County Legislature agree that certain aspects of New York's current bail system needed addressing to correct extreme injustices, most notably incarceration inequities based solely on economic ability; and

WHEREAS, despite numerous crime reduction successes over the last decade through state and local government partnerships with law enforcement agencies, the counsel, input and expertise of local governments and law enforcement professionals was excluded during reform deliberations, and their concerns ignored; and

WHEREAS, due to this lack of collaboration and professional guidance a number of unintended consequences have been revealed, and most regrettably, a number of fears realized, as a result of these reform measures; now, therefore be it

RESOLVED, that the Ulster County Legislature urges Governor Cuomo and members of the New York State Legislature to revisit and revise recent bail and discovery reform measures enacted as part of the SFY2020 Budget, and which took effect on January 1, 2020; and, be it further

RESOLVED, that the New York State Legislature include in its revisions a reinstatement of Judicial discretion over bail for crimes that target our most vulnerable populations, especially Seniors, children, and victims of crimes; and, be it further

RESOLVED, that amendments to new discovery requirements be enacted which more realistically reflect the resources and abilities of District Attorneys' Offices to comply; and, be it further

Resolution No. 97 March 17, 2020

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Legislature to Reevaluate Bail And Discovery Reform Measures
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RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Assembly and Senate Majority and Minority Leaders, and all Ulster County elected Assemblymembers and Senators, and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES:

Passed Committee: Law Enforcement and Public Safety on March 4, 2020

FINANCIAL IMPACT:
NONE

Legislator Ronk motioned, seconded by Legislator Heppner, to Postpone the Resolution until the Next Regular Session of the Ulster County Legislature.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 19 NOES: 0
(Absent: Legislators Fabiano, Greene, Parete, and Walter)

***POSTPONED TO NEXT REGULAR SESSION OF THE ULSTER COUNTY
LEGISLATURE***