

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

February 26, 2020

Contacts:

Redmond Haskins, The Legal Aid Society, rhaskins@legal-aid.org, 929-441-2384

Anne Rabe, NYSDA, arabe@nysda.org, 518-469-5545

***Statewide Criminal Defense Organizations Set The Record
Straight On Bail Reform***

***Reiterate Strong Support For The Landmark Law Strongly
Oppose Any Rollback***

(ALBANY, NY) - Leaders of three statewide criminal defense organizations set the record straight today on the newly enacted bail reform Law, dispelling the opposition's fearmongering and misinformation, and reiterating their strong support for the landmark law which has helped thousands of justice-involved people obtain pretrial freedom.

Defenders also released a *Bail Reform Fact Sheet Packet* on the dangers of dangerousness and debunked Risk Assessment Instruments (RAIs), judicial discretion, Daily Debunk booklet, supportive commentaries, and law journal articles.

Laurette Mulry, Attorney-in-Charge, Legal Aid Society of Suffolk County, and President-Elect of the Chief Defenders Association of New York (CDANY), stated "I am here today to implore our Governor and our lawmakers to take a step back; not metaphorically speaking in terms of dismantling the hard-won reforms that are the result of this law, but rather to look back and reflect on the reasons why we enacted the law in the first place, to reform a system plagued with problems and mired in discrimination. Let's remember. This law was enacted to address the blight of mass incarceration that impacts communities of color and the poor disproportionately. For once we could initiate meaningful decarceral trends. This law was enacted to advance racial and poverty-based justice; to even the playing field and assure that everyone is treated equally under the law. No longer should wealth or privilege be the predictive factors for freedom while awaiting trial. This law was enacted as a reaffirmation of one of the most important credos of our criminal justice system...innocent until proven guilty...a presumption that must be extolled and remain as the bedrock of New York's bail law. Defenders on the ground and in the trenches know that it is working when their clients are not languishing in jail; when they able to keep their jobs, pay their bills, maintain their families, and participate in their defense. So, let's all take a collective breath, remember why we went down this path to begin with and let's not give up ground now. Let's give reform a chance!"

Timothy W. Hoover, President of the New York State Association of Criminal Defense Lawyers (NYSACDL), said "As a state, New York went from one of the worst to first for the

fairness of the release and discovery provisions in criminal cases. These changes were long overdue, make sense, and will save money while protecting families and making our communities more safe. The case in favor of rolling back bail reforms is less than anecdotal – it is non-existent, and is nothing more than fear-mongering, complaints without evidence, and a desire to return to the old days of locking up the poor for minor offenses and throwing away the key. We won't allow smart public policy to be undone for pure political gain.”

“Only two months old, the new bail law has already freed thousands of New Yorkers who weren't able to buy their liberty from pretrial detention across the State. These individuals can now fight their cases from their communities – alongside family and other support networks – instead of from the confines of a cage,” said **Tina Luongo, Attorney-in-Charge of the Criminal Defense Practice at The Legal Aid Society**. “We look forward to spending the day with lawmakers to set the record straight and address the tide of misinformation flowing from law enforcement and other critics determined to undermine New York's historic bail reform law, irrespective of the facts.”

Lance Salisbury, Supervising Attorney of the Tompkins and Schuyler County Assigned Counsel Programs, said, “Bail Reform in Tompkins County has been an early success. Jail numbers and costs have been reduced and our early numbers show no increase in crime, and in fact a reduction in individuals charged with a criminal offense. The use of our ATIs and probation department have ensured appropriate supervision and increased the ability of individuals to receive help in accessing needed services rather than languishing in jail.”

“We know that there are thousands of people all around the state whose lives are better off because of bail reform.” said **Stan Germán, Executive Director of the New York County Defender Services**. “For every one of the fear mongering stories pushed by opponents of bail reform, there are hundreds of stories where someone is going home to their children instead of going to jail, there is someone who is keeping their job instead of going to jail, there is someone who is keeping their housing instead of going to jail. But even if you can tell these stories, they're not sensational like the blood-in-the-streets campaign that the tabloids are publishing. How do you get the press interested in a story about a guy sleeping in his own bed, taking care of his kids and going to work every day.”

The Chief Defenders Association of New York (CDANY) is a membership organization of the appointed Public Defenders, Conflict Defenders, Executive Directors of non-profit public defense offices and Administrators of Assigned Counsel Panels throughout New York State. The New York State Association of Criminal Defense Lawyers (NYSACDL) is a statewide organization of criminal defense attorneys, representing approximately 1,000 private attorneys and public defenders who practice in courthouses across New York State. The New York State Defenders Association (NYSDA) is the largest criminal & family defense bar association in New York State, and one of the first statewide defense organizations in the country.

###