

November 22, 2022

Contact:

Redmond Haskins
The Legal Aid Society
rhaskins@legal-aid.org
929.441.2384

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

Legal Aid Calls on Queens District Attorney Katz to Improve Her Office's Evidence Sharing Practices that Subvert New York's Reformed Discovery Statute and Contribute to Court Delays

(NEW YORK, NY) - The Legal Aid Society called on Queens County District Attorney (QCDA) Melinda Katz to improve her office's evidence sharing practices that currently [subvert](#) New York's reformed criminal discovery statute and contribute to court delay.

In 2019, Albany reformed New York's outmoded criminal discovery laws - which were long considered out of the mainstream, prejudiced the defense and denied New Yorkers accused of a crime a fair trial - to ensure the prosecutors disclosed key evidence in a timely fashion to the defense.

Since the implementation of these reforms, New York City's District Attorneys established electronic sharing practices to ensure compliance with the new law's disclosure requirements. The DAs in Manhattan, the Bronx, Brooklyn and Staten Island devised systems that, for the most part, organized evidence by type and noted the specific evidence's name on PDFs and other documents.

However, in Queens, Melinda Katz's prosecutors do not organize discovery documents in any logical way, requiring defense attorneys to comb through hundreds of documents to discern exactly what they are. This has contributed to court delays, and it has undermined the spirit of discovery reform. Since the reforms were first enacted more than two years ago, this broken practice has impacted all 41,231 homicide, felony and misdemeanor Legal Aid cases in the borough.

For example, in a recent Queens case, a Legal Aid attorney received over 400 unnamed documents, many of them duplicates, demanding unnecessary hours of work from counsel to open, review and organize each file.

On a recently concluded felony case, the QCDA provided 3,000 discovery documents which were also unnamed, requiring the same laborious review, sorting and naming.

Legal Aid has met with the QCDA multiple times over the course of two years to raise these concerns but the office has so far refused to implement any changes to the practice.

Kings County District Attorney example: <https://tinyurl.com/maxuzecj>.

Queens County District Attorney example: <https://tinyurl.com/mu6czz7y>.

“For over two years, public defenders throughout Queens have dealt with this unfair and illogical practice, which undercuts discovery reform and contributes to court delays,” said **Diana Nevins, staff attorney with the Queens Trial Office at The Legal Aid Society**. “District Attorney offices in other boroughs have implemented evidence sharing methods that mostly square with the spirit of the landmark reform, but DA Katz has so far refused to improve her office’s practice in a way that is straightforward and efficient. We again call on DA Katz to remedy this issue immediately to ensure that our clients aren’t deprived of the due process they deserve.”

###

The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 145 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org