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

Legal Aid Responds to Governor Hochul and Prosecutors' Misinformation on New York's Widely Successful and Common-Sense Discovery Reform

(NEW YORK, NY) - The Legal Aid Society released the following statement in response to falsehoods spread by Governor Kathy Hochul and District Attorneys about New York's widely successful and common-sense discovery reform:

“The Governor and District Attorneys continue to mislead and fearmonger New Yorkers by manipulating cherry-picked data to push a narrative that is divorced from reality. Discovery reform has had no discernable impact on recidivism or crime rates.

“The mental gymnastics performed by prosecutors and others to undermine this successful reform have nothing to do with public safety and everything to do with restoring a system that granted DAs an immense advantage — one they benefited from for decades.

“Critics deliberately misuse arrest data to inflate dismissal rates. Long before discovery reform — and still today — prosecutors downgrade arrest charges at arraignments or shortly thereafter because they lack the legal basis or evidence to pursue them.

“According to [data](#) on arraignment charges from the New York State Office of Court Administration, dismissal rates in counties with the largest cities outside of New York City have either remained unchanged, slightly increased, or slightly decreased since 2019.

“Take Monroe County, for example. Overall dismissals from 2019 to 2024 actually decreased from 47 percent to 42 percent, respectively. Suffolk County experienced a similar trend, with dismissals declining from 45 percent in 2019 to 43 percent in 2024.

“Where prosecutors fail to disclose evidence within the ample time frames provided by law — 90 days for misdemeanors and six months for felonies — cases may be dismissed for speedy trial violations.

“But when examining *these* dismissals, the trends mirror the overall dismissal rates. For example, speedy trial violations in Nassau County decreased from 1.5 percent in 2019 to 1.15 percent in 2024, and in Albany County, from 1.6 percent in 2019 to 1.5 percent in 2024.

“These numbers confirm that discovery reform has had no measurable impact on dismissal rates outside of New York City and that the real driver behind the trend prosecutors lament lies with the New York City Police Department.

“You don’t have to take our word for it. In January, lawmakers introduced legislation to ensure DAs are not reliant on local police to obtain evidence by giving them direct access to police evidence databases. This acknowledges the NYPD’s egregious failure to help law enforcement meet basic discovery obligations.

“Effectively repealing this key reform that has furthered justice while having no verified connection to public safety is simply not the answer. Measures like the bill discussed above and continued funding to both prosecutors and public defender offices, which the initial reform lacked, to help with compliance is the path forward. There are so many critical issues that our leaders in New York State must focus on right now, but this is not one of them.”

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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