



# **New York State Defenders Association, Inc.**

***Public Defense Backup Center***

194 Washington Ave. · Suite 500 · Albany, NY 12210-2314

Telephone (518) 465-3524

Fax (518) 465-3249

www.nysda.org

## **MEMORANDUM IN SUPPORT** **S. 1716 (Bailey) & A. 1431 (Lentol)** **Discovery for Justice Reform Act**

The New York State Defenders Association (NYSDA) strongly supports the Discovery for Justice Reform Act, which would repeal New York's outdated "Blindfold Law" and require timely and open discovery in criminal cases.

Under New York State's current criminal discovery statute, Criminal Procedure Law Article 240, people accused of crimes are denied vitally important information that is essential to make informed decisions about their pending cases. New York is one of the handful of states that provides defendants the least discovery. Inadequate discovery routinely prevents defense lawyers from fulfilling two of their most important constitutional obligations – investigating the charges, and giving meaningful advice on plea offers.

Discovery rules involving broad access to both parties' evidence at an early stage of criminal cases have been used for decades in other states. Such rules are practicable and fair, and they result in greater efficiencies in the court system. New York State has failed to join this nationwide trend, and these changes are long overdue.

**The New York State Defenders Association  
strongly supports passage of this bill.**

*For more information contact Charles F. O'Brien at 518-465-3524. (2/7/19)*