

Warren County Board of Supervisors

RESOLUTION No. 366 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, LEGGETT, WILD, CONOVER AND DIAMOND

AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO SEND A LETTER TO THE GOVERNOR AND STATE LEGISLATURE ENCOURAGING THEM TO PROVIDE FUNDING TO THE DISTRICT ATTORNEY'S OFFICE TO ASSIST WITH ADDITIONAL COSTS INCURRED IN RELATION TO THE NEW YORK STATE DISCOVERY REFORM

WHEREAS, on April 1, 2019, the State of New York passed sweeping criminal justice reform legislation, including new discovery laws, requiring prosecutors to disclose voluminous discovery materials to the defense earlier in case proceedings, and

WHEREAS, in April, 2020 the State of New York's discovery law was reformed to establish new time-frames for the sharing of evidence between the prosecution and defense during the pre-trial period, and

WHEREAS, the Warren County District Attorney's Office is now required to turn over discovery materials no later than twenty (20) days after arraignment if the defendant is held in detention or no later than thirty-five (35) days if the defendant is out of custody, and

WHEREAS, compliance with these new mandates has placed a financial burden on the County, and

WHEREAS, the Governmental Operations & Advocacy Committee is requesting that the Chair of the Board of Supervisors send a letter to the Governor and the State Legislature encouraging them to provide funding for additional costs incurred in relation to the new discovery laws, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and directs the Chair of the Board of Supervisors to send a letter to the Governor and the State Legislature encouraging them to provide funding for additional costs incurred in relation to the New York State discovery reform, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of the letter to Governor Kathy Hochul, Senator Daniel G. Stec, Assemblyman Matthew Simpson, New York State Association of Counties and the Intercounty Legislative Committee of the Adirondacks.