

The crisis of mass incarceration demands real and immediate solutions. On any given day, **25,000+** New Yorkers are held in county jails across the state. **Nearly 70% are legally innocent** – they have not been convicted, but remain caged because of our broken bail, speedy trial and discovery laws. Being trapped in jail results in unjust case outcomes. It has devastating, intergenerational impacts on people and their families. **New Yorkers must not languish behind bars while their Constitutional rights to due process and a fair trial are consistently violated.** People must have every opportunity for a fair shot at justice and freedom. New York State must prioritize justice-involved people being home with their loved ones and community in order to guarantee a fair trial and due process.

The #FREEnewyork campaign is building the power of New Yorkers most harmed by mass criminalization and calling for groundbreaking transformation of our criminal justice system. **#FREEnewyork** demands bold legislative reform that will deliver the clearly defined outcomes that impacted communities both need & demand: a fairer, more-just pretrial system that ends money bail, creates a thorough and expedited discovery process, and protects speedy trial rights. **True reform is comprehensive. It protects against collateral consequences. And it is defined by the measurable outcomes that it achieves.** Legislative reform to New York's bail, speedy trial and discovery laws must achieve these concrete outcomes:

- **INCREASE** transparency;
- **INCREASE** the efficiency of court proceedings;
- **CREATE** opportunities for earlier resolutions in cases;
- **CREATE** a more equitable and fair system; and
- **SAVE** taxpayer dollars currently being spent on pretrial detention;
- **ELIMINATE** uninformed guilty pleas and conviction-less incarceration;
- **ELIMINATE** wrongful convictions;
- **REDUCE** racial and socioeconomic disparities in the criminal justice system;
- **REDUCE** the number of New Yorkers being held in county jails;
- **REDUCE** unproductive court appearances;

JUSTICE requires overhaul of New York's bail, discovery & speedy trial laws.

Bail Reform MUST:

- Eliminate money bail;
- Protect the presumption of innocence & the right to freedom;
- Ensure the presumption of release in all cases;
- Protect against unnecessary and excessive supervised release conditions;
- Avoid the use of risk assessment instruments in the pretrial decision-making process; and
- Exclude dangerousness from the pretrial assessment process.

Discovery Reform MUST:

- Result in an open, early & automatic discovery system
- Create rules that make all admissible evidence discoverable from the start of a criminal case;
- Create procedures for the accused to obtain evidence from the prosecution; and
- Mandate enforceable sanctions for noncompliance with these rules.

Speedy Trial Reform MUST:

- End excessive and lengthy jail stays;
- Cover all crime categories; and
- Truly protect the right to a fair and timely trial.

TO LEARN MORE

Katie Schaffer | New York Statewide Organizer | katie@justleadershipusa.org | 347-454-2195

justleadershipusa.org/freenewyork