STATE OF NEW YORK

IN ASSEMBLY

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to the reporting of pretrial data by the chief administrator

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1   Section 1. Section 216 of the judiciary law is amended by adding a new
2   subdivision 5 to read as follows:
3   *5. The chief administrator of the courts shall request and receive*
4   *data from every court where bail decisions are made and include all*
5   *points of data specified in this subdivision. Such courts shall track*
6   *and record such data in every case to provide quarterly reports, in the*
7   *aggregate, to the office of court administration in a form decided by*
8   *the office of court administration, in accordance with the provisions of*
9   *this subdivision. The division of criminal justice services shall*
10 *collect from all counties data related to pretrial detention and include*
11 *related points of data specified in this section. The office of court*
12 *administration, in conjunction with the division of criminal justice*
13 *services, shall publish such data to the office of court adminis-*
14 *tration's public website no later than the first of March, two thousand*
15 *twenty-one, and annually thereafter. Such data shall include:*
16 *(a) the total number of cases in the system, both open and closed*
17 *cases, disaggregated by county;*
18 *(b) the number of individuals released on recognizance, disaggregated*
19 *by race, gender, county, and top charge;*
20 *(c) the number of individuals released on conditions, specifying the*
21 *number of people ordered to electronic monitoring, the number of cases*
22 *in which the order for electronic monitoring was extended beyond sixty*
23 *days and the average length of time individuals spent on electronic*
24 *monitoring, all disaggregated by race, gender, county, and top charge;*

1   (d) the number of individuals released on each form of bail, including
2 the average bail amounts ordered, disaggregated by race, gender, county,
3 and top charge;
4   (e) the number of individuals committed to the custody of a sheriff
5 prior to trial either on bail or on remand, including the average length
6 of pretrial detention and the average bail amount of persons committed
7 to such custody, disaggregated by race, gender, county, and top charge;
8   (f) the number of individuals who post bail and the average length of
9 time prior to bail payment, disaggregated by race, gender, county, and
10 top charge;
11   (g) the number of cases resulting in each disposition, including
12 acquittals, dismissals, plea convictions, or trial convictions, disag-
13 gregated by race, gender, county, and top charge;
14   (h) the rates of failure to appear and rearrest, disaggregated by
15 county and top charge;
16   (i) the rates of modifications to securing orders, including the type
17 and extent of any modifications, disaggregated by race, gender, county,
18 and top charge;
19   (j) the average time it takes for a case to reach disposition (the
20 average total time period between the filing of an accusatory instrument
21 (or first court appearance where an appearance ticket has been filed)
22 and the case disposition) disaggregated by county and top charge;
23   (k) average amount of fines imposed by the court at the disposition of
24 the case, disaggregated by race, gender, county, and top charge;
25   (l) total number of people who were incarcerated due to a failure to
26 pay a fine imposed; and
27   (m) any other such information deemed necessary and appropriate by the
28 office of court administration.
29   § 2. This act shall take effect January 1, 2020.