

STATE OF NEW YORK

8441--B

2019-2020 Regular Sessions

IN ASSEMBLY

July 8, 2019

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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, and to the public, in accordance
9 with the provisions of this subdivision. The division of criminal
10 justice services shall collect from all counties data related to
11 pretrial detention and include related points of data specified in this
12 section. The office of court administration, in conjunction with the
13 division of criminal justice services, shall publish such data on the
14 office of court administration's public website no later than the first
15 of March annually. 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, top charge, and case outcome;

20 (c) the number of individuals released on conditions, specifying the
21 number of people ordered to electronic monitoring, the number of cases

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 in which the order for electronic monitoring was extended beyond sixty
2 days and the median and mean length of time individuals spent on elec-
3 tronic monitoring, all disaggregated by race, gender, county, top
4 charge, and case outcome;

5 (d) the number of individuals released on each form of bail, including
6 the median and mean bail amounts ordered, disaggregated by race, gender,
7 county, top charge, and case outcome;

8 (e) the number of individuals committed to the custody of a sheriff
9 prior to trial either on bail or on remand, including the median and
10 mean length of pretrial detention and the median and mean bail amount of
11 persons committed to such custody, disaggregated by race, gender, coun-
12 ty, top charge, and case outcome;

13 (f) the number of individuals who post bail and the median and mean
14 length of time prior to bail payment, disaggregated by race, gender,
15 county, top charge, and case outcome;

16 (g) the number of cases resulting in each disposition, including
17 acquittals, dismissals, plea convictions, or trial convictions, disag-
18 gregated by race, gender, county, and top charge;

19 (h) the rates of failure to appear and rearrest, disaggregated by
20 county, top charge, and case outcome;

21 (i) the rates of modifications to securing orders, including the type
22 and extent of any modifications, disaggregated by race, gender, county,
23 top charge, and case outcome;

24 (j) the median and mean length of time it takes for a case to reach
25 disposition (the median and mean total time period between the filing of
26 an accusatory instrument (or first court appearance where an appearance
27 ticket has been filed) and the case disposition) disaggregated by county
28 and top charge;

29 (k) median and mean amount of fines imposed by the court at the dispo-
30 sition of the case, disaggregated by race, gender, county, and top
31 charge;

32 (l) total number of people who were incarcerated due to a failure to
33 pay a fine imposed; and

34 (m) any other such information deemed necessary and appropriate by the
35 office of court administration.

36 § 2. This act shall take effect immediately.