STATE OF NEW YORK

809

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to public release of grand jury documents

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

Section 1. Subdivision 6 of section 190.25 of the criminal procedure law is amended to read as follows:

6. (a) The legal advisors of the grand jury are the court and the district attorney, and the grand jury may not seek or receive legal advice from any other source. Where necessary or appropriate, the court or the district attorney, or both, must instruct the grand jury concerning the law with respect to its duties or any matter before it, and such instructions must be recorded in the minutes.

(b) Notwithstanding paragraph (a) of subdivision four of this section or any other law to the contrary, at any time following final action by the grand jury on any charge or charges, the court shall make such legal instructions and charges submitted to the grand jury available to the public on request, provided that the names of witnesses and any information that would identify such witnesses included in such legal instructions shall be redacted when the court determines, in a written order, that there is a reasonable likelihood that public release of such information would endanger any individual.

§ 2. This act shall take effect immediately.

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

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