

INCORPORATED VILLAGE OF
Plandome Heights

37 Orchard Street, Manhasset, New York 11030
Tel: (516) 627-1136 Fax: (516) 627 1393
www.plandomeheights-ny.gov

Kenneth C. Riscica
Mayor

Daniel Cataldo
Silva Ferman
Gus Panopoulos
Dianne Sheehan
Alvin Solomon
Norman Taylor
Trustees

Arlene Drucker
Clerk -Treasurer

Lisa Fanuka
Deputy Clerk

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Court Clerk

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Village Justice

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Prosecutor

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Board, Chair

Eugene O'Connor
Zoning and Appeals
Board, Chair

James Madison
Planning Board, Chair

Trey Harragan
Technology Advisory
Board, Chair

February 5, 2020

Honorable Andrew M. Cuomo
Governor
Executive Chamber
State Capitol
Albany, NY 12224

Re: New York State's Criminal Justice Reforms

Dear Governor Cuomo:

The Village of Plandome Heights is very concerned with the recently reformed New York State's criminal justice statutes. At the Village's last board meeting on February 3, 2020, the Board of Trustees passed the enclosed resolution.

I urge you to fight for the changes recommended in this resolution.

I recognize that there are many priorities that must be considered in the context of the criminal justice system, but I also know that there are widespread negative impacts from the recent changes. A true state-local partnership is essential to the well-being of New York and its residents. The enactment of these changes would go a long way toward strengthening that partnership.

Sincerely,
INCORPORATED VILLAGE OF PLANDOME HEIGHTS

Kenneth C. Riscica
Mayor

cc: Honorable Andrea Stewart-Cousins
Honorable Carl Heastie
Honorable Anna Kaplan
Honorable Anthony D'Urso
New York Conference of Mayors
Plandome Heights Board of Trustees

RESOLUTION OF THE INCORPORATED VILLAGE OF PLANDOME HEIGHTS REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE REFORMS

WHEREAS while the New York State Legislature decided to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

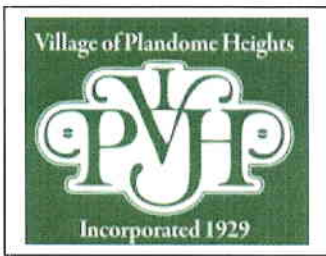
WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2%, or less, tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the Incorporated Village of Plandome Heights supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Incorporated Village of Plandome Heights be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Anna Kaplan and Assembly Member Anthony D'Urso, the New York State Conference of Mayors, and local media outlets.



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February 5, 2020

Honorable Andrea Stewart-Cousins
Senate Majority Leader
188 State Street
Legislative Office Building, Room 907
Albany, NY 12247

Re: New York State's Criminal Justice Reforms

Dear Senator Stewart-Cousins:

The Village of Plandome Heights is very concerned with the recently reformed New York State's criminal justice statutes. At the Village's last board meeting on February 3, 2020, the Board of Trustees passed the enclosed resolution.

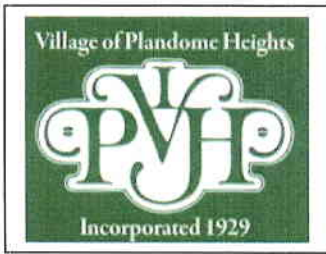
I urge you to fight for the changes recommended in this resolution.

I recognize that there are many priorities that must be considered in the context of the criminal justice system, but I also know that there are widespread negative impacts from the recent changes. A true state-local partnership is essential to the well-being of New York and its residents. The enactment of these changes would go a long way toward strengthening that partnership.

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cc: Honorable Andrew M. Cuomo
Honorable Carl Heastie
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New York Conference of Mayors
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February 5, 2020

Honorable Carl Heastie
Assembly Speaker
1446 E Gun Hill Rd
Bronx, NY 10469

Re: New York State's Criminal Justice Reforms

Dear Assemblyman Heastie:

The Village of Plandome Heights is very concerned with the recently reformed New York State's criminal justice statutes. At the Village's last board meeting on February 3, 2020, the Board of Trustees passed the enclosed resolution.

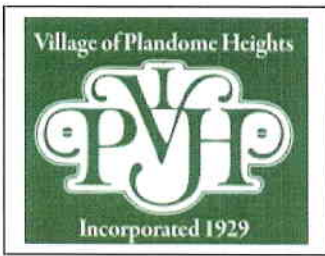
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February 5, 2020

Honorable Anna Kaplan
NY Senate District 7
1 Old Country Rd.
Suite 270
Carle Place, NY 11514

Re: New York State's Criminal Justice Reforms

Dear Senator Kaplan:

The Village of Plandome Heights is very concerned with the recently reformed New York State's criminal justice statutes. At the Village's last board meeting on February 3, 2020, the Board of Trustees passed the enclosed resolution.

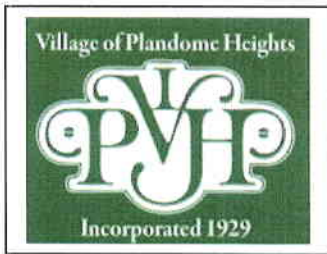
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February 5, 2020

Honorable Anthony D'Urso
Assembly District 16
20 Vanderventer Avenue
Suite 100 West
Port Washington, NY 11050

Re: New York State's Criminal Justice Reforms

Dear Assemblyman D'Urso:

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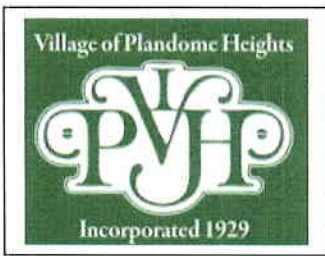
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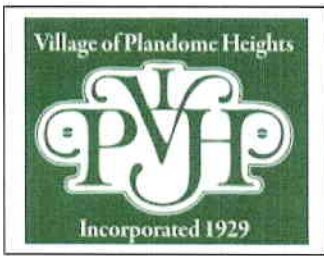
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