

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/cuomo-outlines-plans-to-bring-more-perfect-justice-to-new-york>

Public Facing Advocacy Writing

Accused of stealing a backpack, 16-year-old Kalief Browder spent three years incarcerated in New York City's Rikers Island jail, waiting for a trial that never happened. Too poor to pay the bail set in his case, Browder became the victim of a justice system that bases personal liberty solely on an ability to pay.

Though Browder's case was ultimately dismissed, the damage from his experience with incarceration was already done. It was not until Browder's mother heard a thump and went outside that she realized he had hung himself from his bedroom window two years after his release from jail.

The tragedy of Browder's story is impossible to forget and ignore. It's a story that has become far too common. And it is one that [New York Governor Andrew Cuomo highlighted in his recent *New York Times* op-ed](#), which appealed for greater criminal justice reforms statewide. One such incident is intolerable, and it opened our eyes to the urgent need for real reform because we simply cannot risk another, he said. Cuomo further announced a new criminal justice reform bill that will be sent to the New York state legislature addressing three critical issues:

1. Bail Reform:

Taking issue with what he argues is a lapsed devotion to the presumption of innocence, Cuomo expresses clear support for bail reform. He proposes releasing anyone who is facing misdemeanor and nonviolent felony charges pretrial without bail, with an exception for those who are a danger to anyone else or who may be a flight risk. The significance of such a reform is undeniable, considering that nearly 75 percent of people incarcerated in New York City and 60 percent of people incarcerated throughout New York State are in jail simply because they're too poor to pay their bail.

2. Discovery Reform:

Cuomo is also proposing reforms to the discovery process. In a mind-blowing statistic, New York is one of only 10 states in the U.S. that allows prosecutors to keep from disclosing basic evidence that could prove critical to a defendant's case until just before trial, what some call a blindfold law. Expanding discovery will ensure that attorneys have the tools necessary to adequately represent their clients, he says.

3. Speedy Trial Reform:

In a boon for the Sixth Amendment to the U.S. Constitution, Cuomo additionally proposes reforming procedures and scheduling to move cases along quicker and to ensure that people who are accused of a crime enjoy their right to a speedy trial.

New York has made some important reforms in the past year, most notably raising the age of criminal responsibility from 16 to 18. However, Cuomo argues that these efforts are insufficient. [S]ome improvement is not enough. Our tolerance for any continuing injustice is repugnant to our position as a progressive government and flies in the face of the great leaders who took on the fight in the days before us, he says. This year, we bring more perfect justice to New York.

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