

Legislative Advocacy in New York State

ANDREW KOSSOVER, ESQ

New York State Association of Criminal Defense Lawyers

Ulster County Chief Public Defender

Kossover Law Offices, LLP – New Paltz, New York

ak@kossoverlaw.com

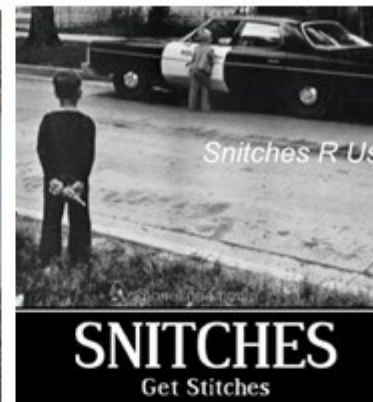
“The Blindfold Law”

- The worst problems with Criminal Procedure Law Article 240 – a.k.a. the “Blindfold Law” – are that the accused has no right to police reports until the day a trial begins.
- And there is no right to discovery of witnesses. Some DAs – *e.g.*, Manhattan – take this to the extreme that people charged with felonies will not be told who is accusing them until the day of trial (*i.e.*, usually never).
- This is utterly out of step with the rest of the country – but the DAs fought to maintain it for 40 years. In that time, they could have enacted any new law they wanted.

The “Bottom 4” Discovery States

– NO Right to Witness Information

- 1 ■ Louisiana
- 2 ■ South Carolina
- 3 ■ Wyoming
- 4 ■ New York

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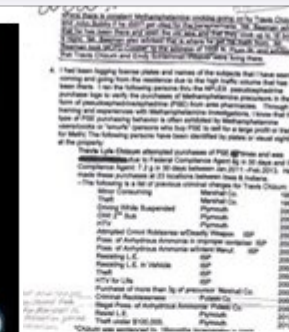
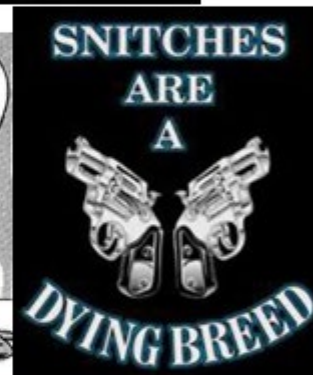
**Your guide to protecting yourself
against snitches, informers,
informants, agents provocateurs,
narks, finks, and similar vermin**

A red octagonal sign with the word "STOP" in large white capital letters at the top. Below it, the word "SNITCHING" is written in a black, stylized, graffiti-like font. The sign is slightly tilted and has a white border.

Claire Wolfe
with the Commentariat of the Living Freedom blog

Snitches get stiches

629 likes · 3 talking about this



ATTENTION FOR SEARCH WARRANT

The undersigned officer swears upon his oath that he believes and has good cause to believe that

To-wit: that

Manufacturing/Processing of methamphetamine (s) 35-48-4-1, 35-48-4-2, 35-48-4-3, 35-48-4-4, 35-48-4-5, 35-48-4-6, 35-48-4-7, 35-48-4-8, 35-48-4-9, 35-48-4-10, 35-48-4-11, 35-48-4-12, 35-48-4-13, 35-48-4-14, 35-48-4-15, 35-48-4-16, 35-48-4-17, 35-48-4-18, 35-48-4-19, 35-48-4-20, 35-48-4-21, 35-48-4-22, 35-48-4-23, 35-48-4-24, 35-48-4-25, 35-48-4-26, 35-48-4-27, 35-48-4-28, 35-48-4-29, 35-48-4-30, 35-48-4-31, 35-48-4-32, 35-48-4-33, 35-48-4-34, 35-48-4-35, 35-48-4-36, 35-48-4-37, 35-48-4-38, 35-48-4-39, 35-48-4-40, 35-48-4-41, 35-48-4-42, 35-48-4-43, 35-48-4-44, 35-48-4-45, 35-48-4-46, 35-48-4-47, 35-48-4-48, 35-48-4-49, 35-48-4-50, 35-48-4-51, 35-48-4-52, 35-48-4-53, 35-48-4-54, 35-48-4-55, 35-48-4-56, 35-48-4-57, 35-48-4-58, 35-48-4-59, 35-48-4-60, 35-48-4-61, 35-48-4-62, 35-48-4-63, 35-48-4-64, 35-48-4-65, 35-48-4-66, 35-48-4-67, 35-48-4-68, 35-48-4-69, 35-48-4-70, 35-48-4-71, 35-48-4-72, 35-48-4-73, 35-48-4-74, 35-48-4-75, 35-48-4-76, 35-48-4-77, 35-48-4-78, 35-48-4-79, 35-48-4-80, 35-48-4-81, 35-48-4-82, 35-48-4-83, 35-48-4-84, 35-48-4-85, 35-48-4-86, 35-48-4-87, 35-48-4-88, 35-48-4-89, 35-48-4-90, 35-48-4-91, 35-48-4-92, 35-48-4-93, 35-48-4-94, 35-48-4-95, 35-48-4-96, 35-48-4-97, 35-48-4-98, 35-48-4-99, 35-48-5-1, 35-48-5-2, 35-48-5-3, 35-48-5-4, 35-48-5-5, 35-48-5-6, 35-48-5-7, 35-48-5-8, 35-48-5-9, 35-48-5-10, 35-48-5-11, 35-48-5-12, 35-48-5-13, 35-48-5-14, 35-48-5-15, 35-48-5-16, 35-48-5-17, 35-48-5-18, 35-48-5-19, 35-48-5-20, 35-48-5-21, 35-48-5-22, 35-48-5-23, 35-48-5-24, 35-48-5-25, 35-48-5-26, 35-48-5-27, 35-48-5-28, 35-48-5-29, 35-48-5-30, 35-48-5-31, 35-48-5-32, 35-48-5-33, 35-48-5-34, 35-48-5-35, 35-48-5-36, 35-48-5-37, 35-48-5-38, 35-48-5-39, 35-48-5-40, 35-48-5-41, 35-48-5-42, 35-48-5-43, 35-48-5-44, 35-48-5-45, 35-48-5-46, 35-48-5-47, 35-48-5-48, 35-48-5-49, 35-48-5-50, 35-48-5-51, 35-48-5-52, 35-48-5-53, 35-48-5-54, 35-48-5-55, 35-48-5-56, 35-48-5-57, 35-48-5-58, 35-48-5-59, 35-48-5-60, 35-48-5-61, 35-48-5-62, 35-48-5-63, 35-48-5-64, 35-48-5-65, 35-48-5-66, 35-48-5-67, 35-48-5-68, 35-48-5-69, 35-48-5-70, 35-48-5-71, 35-48-5-72, 35-48-5-73, 35-48-5-74, 35-48-5-75, 35-48-5-76, 35-48-5-77, 35-48-5-78, 35-48-5-79, 35-48-5-80, 35-48-5-81, 35-48-5-82, 35-48-5-83, 35-48-5-84, 35-48-5-85, 35-48-5-86, 35-48-5-87, 35-48-5-88, 35-48-5-89, 35-48-5-90, 35-48-5-91, 35-48-5-92, 35-48-5-93, 35-48-5-94, 35-48-5-95, 35-48-5-96, 35-48-5-97, 35-48-5-98, 35-48-5-99, 35-48-6-1, 35-48-6-2, 35-48-6-3, 35-48-6-4, 35-48-6-5, 35-48-6-6, 35-48-6-7, 35-48-6-8, 35-48-6-9, 35-48-6-10, 35-48-6-11, 35-48-6-12, 35-48-6-13, 35-48-6-14, 35-48-6-15, 35-48-6-16, 35-48-6-17, 35-48-6-18, 35-48-6-19, 35-48-6-20, 35-48-6-21, 35-48-6-22, 35-48-6-23, 35-48-6-24, 35-48-6-25, 35-48-6-26, 35-48-6-27, 35-48-6-28, 35-48-6-29, 35-48-6-30, 35-48-6-31, 35-48-6-32, 35-48-6-33, 35-48-6-34, 35-48-6-35, 35-48-6-36, 35-48-6-37, 35-48-6-38, 35-48-6-39, 35-48-6-40, 35-48-6-41, 35-48-6-42, 35-48-6-43, 35-48-6-44, 35-48-6-45, 35-48-6-46, 35-48-6-47, 35-48-6-48, 35-48-6-49, 35-48-6-50, 35-48-6-51, 35-48-6-52, 35-48-6-53, 35-48-6-54, 35-48-6-55, 35-48-6-56, 35-48-6-57, 35-48-6-58, 35-48-6-59, 35-48-6-60, 35-48-6-61, 35-48-6-62, 35-48-6-63, 35-48-6-64, 35-48-6-65, 35-48-6-66, 35-48-6-67, 35-48-6-68, 35-48-6-69, 35-48-6-70, 35-48-6-71, 35-48-6-72, 35-48-6-73, 35-48-6-74, 35-48-6-75, 35-48-6-76, 35-48-6-77, 35-48-6-78, 35-48-6-79, 35-48-6-80, 35-48-6-81, 35-48-6-82, 35-48-6-83, 35-48-6-84, 35-48-6-85, 35-48-6-86, 35-48-6-87, 35-48-6-88, 35-48-6-89, 35-48-6-90, 35-48-6-91, 35-48-6-92, 35-48-6-93, 35-48-6-94, 35-48-6-95, 35-48-6-96, 35-48-6-97, 35-48-6-98, 35-48-6-99, 35-48-7-1, 35-48-7-2, 35-48-7-3, 35-48-7-4, 35-48-7-5, 35-48-7-6, 35-48-7-7, 35-48-7-8, 35-48-7-9, 35-48-7-10, 35-48-7-11, 35-48-7-12, 35-48-7-13, 35-48-7-14, 35-48-7-15, 35-48-7-16, 35-48-7-17, 35-48-7-18, 35-48-7-19, 35-48-7-20, 35-48-7-21, 35-48-7-22, 35-48-7-23, 35-48-7-24, 35-48-7-25, 35-48-7-26, 35-48-7-27, 35-48-7-28, 35-48-7-29, 35-48-7-30, 35-48-7-31, 35-48-7-32, 35-48-7-33, 35-48-7-34, 35-48-7-35, 35-48-7-36, 35-48-7-37, 35-48-7-38, 35-48-7-39, 35-48-7-40, 35-48-7-41, 35-48-7-42, 35-48



Twinkle twinkle little snitch
mind your own
business you nosey bitch

Currently Walking Free:

Justin Clayton Samuel (DOB: Dec. 31, 1978) of Snohomish, Washington; Height: 6' 0". Weight: ~165 lbs.
Hair: brown. Eyes: hazel. Race: white

Informant Status: Testified against Peter Young in charges related to cutting fences and liberating mink from a series of fur farms in October 1997.

He was sentenced to two years in federal prison plus a year supervised release and ordered to pay \$364,106 in restitution in exchange for his cooperation.

Current Information: He was released on 11-28-2001. As of 2010, he had gone into the computer security field, working for Firefox, and was a PhD student at UC Berkeley. His school department profile: www.eecs.berkeley.edu/~jsnsm His twitter: <http://twitter.com/#!/jsnsm1>



The Rest of the Country . . .

- Texas = Full “Open File” Discovery – 2014
- North Carolina = Full “Open File” Discovery – 2004
- New Jersey = Extremely Open Discovery – 1973
- Florida = Open Discovery + Depositions – 1968
- More Than 40 States with Broad Discovery,
including Witness Name + Address – For Decades

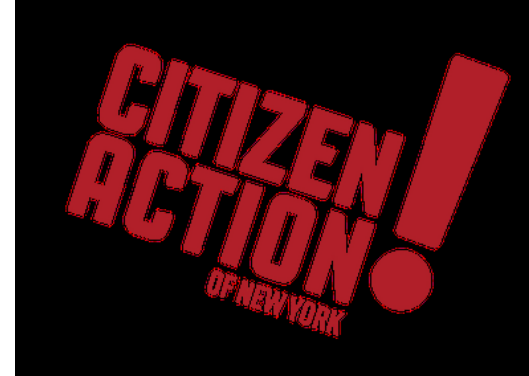
Momentum for Discovery Reform Builds . . .

- **2009** – NYC Legal Aid Society Report and Proposal
- **2012** – “Discovery for Justice” Group Forms in Bronx
- **2014** – NYS Justice Task Force Report
- **2015** - NYSBA Task Force on Discovery Report and Proposal
- **2017-2019** – “Repeal the Blindfold” Coalition Activates
- **Legislative Champion** = Assemblyman Joe Lentol (Brooklyn)
- **Legislative Champion** = Senator Jamaal Bailey (Bronx)

NEW YORK BECOMES NORMAL

- **In April 2019, the Legislature finally repealed CPL 240 and replaced it with a new discovery statute, CPL 245.**
- **New York is simply joining the national mainstream – as of January 1, 2020.**

Credit the “Repeal the Blindfold” Coalition!



THE COALITION FOR DISCOVERY REFORM

32 BJ

UNITED HEALTH CARE WORKERS EAST

FWD.US

AMNESTY INTERNATIONAL

BARAT ELLMAN

BROOKLYN DEFENDER SERVICES

BEND THE ARC

BRONX DEFENDERS

BRONX FREEDOM FUND

BROOKLYN COMMUNITY BAIL FUND

BROOKLYN MOVEMENT CENTER

BUFFALO ASSIGNED COUNSEL PROGRAM

BUFFALO ANTI-RACISM COALITION

CENTER FOR POPULAR DEMOCRACY

CITIZEN ACTION

COMMUNITY SERVICE SOCIETY

DISCOVERY FOR JUSTICE

DC 37

JEFFREY DESKOVIC FOUNDATION FOR JUSTICE

DRUG POLICY ALLIANCE

ELIAS FOUNDATION

FIRST PRESBYTERIAN CHURCH BROOKLYN

FREENEWYORK

GENESEE PUBLIC DEFENDER

INDIVISIBLE BROOKLYN

INTERFAITH CENTER OF NY

INNOCENCE PROJECT

ITCHY

JUST LEADERSHIP USA

THE LEGAL AID SOCIETY

LEGAL AID BUREAU OF BUFFALO

LGBTQ, WOMEN & SURVIVOR ADVOCACY ORGANIZATIONS

LINCOLN SQUARE LEGAL SERVICES, INC.

LONG ISLAND PROGRESSIVE COALITION

MAKE THE ROAD NY

EMPIRE STATE INDIVISIBLE

METRO JUSTICE

MILK NOT JAILS

MONROE COUNTY PUBLIC DEFENDER

MONROE COUNTY CONFLICT DEFENDER

NEW YORK ASSOC. OF PSYCHIATRIC REHABILITATION SERVICES

NEW YORK COUNTY DEFENDER SERVICES

NEW YORK COMMUNITIES FOR CHANGE

NEW YORK STATE ASSOC. OF CRIMINAL DEFENSE LAWYERS

NEW YORK STATE COUNCIL OF CHURCHES

NEW YORK STATE DEFENDER ASSOCIATION

OSBORNE ASSOCIATION

PRESBYTERY OF NEW YORK CITY

PRISON ACTION NETWORK

ROBERT F. KENNEDY HUMAN RIGHTS

RIKERS DEBATE PROJECT

ROCKLAND UNITED

RISE UP KINGSTON

SAFE HORIZON

STEUBEN COUNTY PUBLIC DEFENDER

SURJ ROCHESTER

TRANSFORMING LIVES

T'RUAH: THE RABBINIC CALL FOR HUMAN RIGHTS

UNITED CHRISTIAN LEADERSHIP MINISTRY

VOCAL-NEW YORK

WESPAC FOUNDATION

WESTCHESTER FOR CHANGE

WITNESS PROJECTION

WORKING FAMILIES PARTY

YOUTH REPRESENT

Criminal Procedure law Article 245

