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**\*\*\*For Immediate Release\*\*\***

***Brooklyn Defenders' Statement on Proposed Changes to Discovery Law in Governor Hochul's State of the State***

***Public Defenders Urge Legislature to Reject Proposal that Would Undermine Justice and Transparency***

**(BROOKLYN, NY)** – **Brooklyn Defenders** issued the following statement in response to [proposed changes to New York's discovery statute](#) released today in Governor Hochul's State of the State:

“The major changes proposed in the Governor’s State of the State would undermine key tenets of New York’s discovery laws, effectively sending the state back to the days of the ‘Blindfold Law.’

Enacted in 2019, New York’s discovery statute ensures people accused of crimes have timely and complete access to evidence, and has been critical in advancing transparency and fairness in the criminal legal system.

Current law recognizes that prosecutors and law enforcement have sole possession and control of evidence, including exculpatory materials that may exonerate people accused of crimes, and it must be turned over to the defense in a timely manner. Despite the claims outlined in the Governor’s proposal, there are no loopholes or provisions allowing for meritless dismissals based on technicalities. Any attempts to shift the burden to the defense or to eliminate enforcement of prosecutors’ obligations will bring us back to an era of coerced pleas, wrongful convictions, and pre-trial delays.

We urge lawmakers to reject this proposal, and instead pursue solutions that strengthen compliance with the law and fulfill the promise of a just and transparent discovery system, through proper funding and [efficient evidence sharing](#) technology.”

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*Brooklyn Defender Services is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation and other serious legal harms by the government. [www.bds.org](http://www.bds.org)*