

JUSTICE  
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JUSTICE  
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# Fixing New York's Speedy Trial Law

**Kalief's Law S1998-A (Squadron) / A3055-A (Aubry)**

The right to a speedy trial is enshrined in the Sixth Amendment to the U.S. Constitution. In New York State, it is implemented through Criminal Procedure Law 30.30. However, CPL 30.30 contains loopholes that, when compounded by severe court backlogs, lead to unreasonable delays for people who have been charged with *but not convicted* of a crime. The result is that individuals are being forced to spend extra months, or even years, in pre-trial detention as they await their day in court.

**Kalief's Law S1998-A / A3055-A**, introduced by Senator Daniel Squadron and Assemblymember Jeffrion Aubry, would fix New York's speedy trial statute to improve the effectiveness of New York's criminal justice system and ensure that people are not unjustly and unnecessarily held in pre-trial detention.

All too frequently, a person being detained pre-trial is taken from jail to court, only to learn the case isn't "ready," whereupon a new court date is set and the person is returned to jail. The result is that people are unnecessarily detained pre-trial for intolerably long periods, and cases go on for months or years before being resolved. Such delays cause harm to everyone involved:

Victims are often not able to get a sense of closure from the harms they have suffered.

Prosecutors' cases are weakened as they lose key witnesses, and witness' memories fade.

People languish in jail pre-trial for weeks, months, or years, putting their jobs and families at risk.

Taxpayers pay for the unnecessary detention of thousands of people.

**Chronic trial delays force thousands of individuals to spend months, even years in pre-trial detention.**

One recent and tragic case made the problem abundantly clear. In 2010, 16-year-old Kalief Browder was arrested for allegedly stealing a backpack. His family could not afford to pay his bail, and Kalief was held for *three years* at Rikers Island. Kalief was taken from jail to court 33 times; each time, the case wasn't "ready," so he was returned to Rikers. Kalief refused to plead "guilty" to a crime he did not commit, and despite dozens of times in court, his real "day in court"—a trial—never happened, because the case was dismissed, and Kalief was released. Kalief fought to recover his life and bring justice to the system which harmed him, but the traumatic experience had taken its toll, and Kalief committed suicide in 2015, at the age of 22.

**Kalief's Law, S1998-A (Squadron) / A3055-A (Aubry)**, would amend Criminal Procedure Law 30.30 to ensure cases go to trial in a reasonable timeframe. The Katal Center for Health, Equity, and Justice, JustLeadershipUSA, advocates, and community members demand that Albany pass Kalief's Law to improve the effectiveness of New York's criminal justice system and ensure that people are not unjustly and unnecessarily held in pre-trial detention.

**It's time for New York to pass Kalief's Law and uphold the Constitutional right to a speedy trial!**

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