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2026 Joint Budget Hearing Testimony Public Protection

*District Attorneys Association of the State of New York
February 12, 2026*

Thank you for the opportunity to speak to you today on behalf of the District Attorneys Association of the State of New York.

The commitment to making New York both more affordable and safer requires prioritizing investments related to public safety and adequately funding law enforcement and District Attorneys' offices. On behalf of New York's 62 District Attorneys, I thank you for your partnership and commitment to justice and public safety.

I urge you to prioritize programs and initiatives that help stop violence and maintain public safety, in addition to investing in programs that prevent crime and that help those that need assistance, such as drug and alcohol treatment programs and mental health services. As you go forward, New York State's District Attorneys would like to continue to be part of upcoming conversations about how we can continue to ensure a safe, fair, and efficient criminal justice system in New York.

Although there are many aspects of public safety that are part of our state budget discussions, we hope to have conversations with you about issues related to gun violence, domestic violence, animal abuse, retail theft, and many others. I would like to spend this time today talking to you about youth violence, drugged driving, and the need for continued funding for discovery exchange in our state.

During last year's budget process, you and Governor Hochul prioritized a thorough examination of our state's discovery law. That was the first time the law and its impact on the criminal justice system was scrutinized since the discovery law was overhauled in 2019. The impetus in 2019 was on how to make the system fairer to those accused of crimes, but tight deadlines and difficulties in obtaining information were resulting in widespread dismissals because of the law's burdensome requirements. Victims and their families are denied justice when cases are dismissed because of the difficulty of obtaining voluminous or duplicative paperwork.

After a thorough examination of the discovery law and many discussions in this building and around the state, last year's commonsense amendments were enacted to help minimize the number of technical dismissals and ensure that victims of crime receive the justice they deserve. Thank you for taking part in the conversations and devoting your attention to examining discovery exchange and to

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finding solutions. The amendments that were enacted will make our communities safer while also protecting the rights of the accused.

District Attorneys' offices continue to spend a great deal of time retrieving, preparing, and exchanging discovery. We have established new mechanisms for discovery storage and exchange. Discoverable information is often voluminous and duplicative. For example, body worn cameras are now worn by all New York State Police officers as well as by officers in most police departments. Camera footage must be reviewed to blur out license plate information or faces of unininvolved bystanders. Processing video files translates into a need for at least a 25% increase in staff, including investigators, ADAs, IT staff, and others. Video files not only require intensive staffing to view and prepare but also require additional storage space. Additionally, obtaining materials from numerous agencies and entities, both public and private, that are in actual possession of information requires additional staff time.

Funding continues to be needed for new and updated technology, expanded storage capabilities, staff, and training. Discovery exchange requires system-wide coordination, cooperation, and collaboration. Most of all, it requires a continued expenditure on resources. New York State still has the most open and transparent discovery law in the country, and it requires an allocation of staff and technology to comply. DAASNY recommends that continued funding, at least, be allocated for discovery costs. We also recommend a more streamlined process for local District Attorneys' offices to access the full amount of funding, so that it can be efficiently used for its intended purpose. We thank you for your past financial support and urge you to continue it again this year.

In the 2017 budget, Raise the Age was enacted and changed how our state handles crimes committed by 16- and 17-year-olds. The intent of the Raise the Age legislation, to keep most adolescent offenders out of adult courts, limit incarceration, and provide treatment services, is admirable. More than six years have passed since Raise the Age was fully effective and experience has demonstrated some limitations to the law. The time has come to examine Raise the Age, to look at deficiencies in the law, and to help identify solutions.

When Raise the Age was enacted, the original sponsor acknowledged in an Assembly floor debate that the law should be revisited and that adjustments might need to be considered at a future date. The time has come to examine Raise the Age. We have seen limitations and shortcomings in the law, as well as inconsistencies in how the law is interpreted. Good public policy dictates a thorough examination of Raise the Age, as well as a review of how the state is investing in youth services and crime prevention. District Attorneys all over the state have countless examples of teens who cycle through the system and re-offend, but who are not subject to meaningful accountability for serious crimes, including gun crimes. New York State's District Attorneys want to work with you to examine Raise the Age, with an eye towards meaningful changes that are consistent with the original intent of the law and that focus on addressing violent crimes committed by

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youths. DAASNY suggests public hearings where all stakeholders can weigh in on Raise the Age and recommend improvements to the law.

I also want to bring up a very important public safety issue and recommend an amendment to the Vehicle and Traffic Law that would close a significant loophole in drugged driving cases. Under current law, an impaired driver cannot be charged with drugged driving unless the prosecution is able to prove that the driver was under the influence of a drug named on a list of controlled substances contained in the Public Health Law. That list is very often behind the state of the chemistry of impairing substances, and many drugged drivers cannot be charged, no matter how impaired they are, because of the absence from that list of the substance that impaired them. The result has been a detrimental impact on public safety resulting from many drugged drivers who cannot be prosecuted for their crimes. Such an amendment has been discussed for many years but ultimately never passed. I urge you to finally consider passing that amendment, which would help increase the safety of all those who use our roads. I am including a one-page information sheet on this and would be happy to discuss further.

I have also included DAASNY's full budget request letter that was submitted in November 2025. On behalf of DAASNY, I thank you for considering these requests as you craft the budget, and I look forward to working with you in our shared desire to keep New Yorkers safe and to ensure justice for all under the law.