



NEW YORK STATE SENATOR

John A. DeFrancisco

## STATE SENATE PASSES BILL THAT WOULD ESTABLISH A PROSECUTORIAL CONDUCT COMMISSION IN NEW YORK STATE

JOHN A. DEFRANCISCO June 14, 2018

Senator John A. DeFrancisco (R-I-C, Syracuse) today announced that the State Senate passed his bill (S.2412-D), which would establish a State Commission on Prosecutorial Conduct.

The State Commission on Prosecutorial Conduct would review and investigate complaints of prosecutorial misconduct, with the authority to discipline prosecutors determined to have acted improperly, or to clear prosecutors' names of wrongdoing. The Commission would consist of eleven members appointed by the Governor, Legislative Leaders, and the Chief Judge of the Court of Appeals, to help prevent wrongful indictments or convictions, as well as to help exonerate prosecutors from false accusations.

“Prosecutors have substantial discretion over how to prosecute cases,” said Senator DeFrancisco. “This commission would serve as an impartial forum for reviewing allegations made against prosecutors to determine whether they acted properly in certain criminal cases.”

The State Commission on Prosecutorial Conduct would be modeled after the State Commission on Judicial Conduct that has existed for several years to adjudicate allegations

of misconduct by judges in New York State. Both Commissions would exist to protect the integrity of the criminal justice system.

“The liberties of those at stake in criminal prosecutions call for this level of scrutiny and protection. There has to be a remedy, if a prosecutor acts improperly,” concluded Senator DeFrancisco.

The bill has been delivered to the State Assembly and awaits action by that body.

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#### RELATED LEGISLATION

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### **2017-S2412D**

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Establishes the commission on prosecutorial conduct

January 13, 2017

Signed by Governor

Sponsored by **John A. DeFrancisco**

Do you support this bill?