



NEW YORK STATE SENATOR

Fred Akshar

1.10.18 - New law allows central arraignments at Broome County Jail

FRED AKSHAR January 10, 2019

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Arraignments in Broome County just became easier following a law recently signed by the Governor. Under the new law, which was sponsored by Assemblywoman Donna Lupardo and Senator Fred Akshar and co-sponsored by Assemblyman Cliff Crouch (A10587/S8431), any person awaiting arraignment in Broome County will now be able to be held, and arraigned, at the Broome County Correctional Facility.

“I’m happy we were able to help the County improve how arraignments are handled,” said Assemblywoman Lupardo. “This change will streamline the process, saving taxpayers money

and ensuring defendants are able to access legal representation in a timely manner.”

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"Our residents deserve to have their hard-earned tax dollars spent efficiently by their local government and all citizens deserve due process and legal representation in a timely manner," said Senator Akshar. "I was proud to sponsor this legislation to help our justice system serve everyone as effectively and efficiently as possible."

“I am thrilled to see the governor sign this legislation into law,” said Assemblyman Crouch. “By holding all defendants in one location at the Broome County Correctional Facility, and establishing two designated times each day for all arraignments within the county, it will greatly improve the arraignment proceeding process for not only the Broome County Public Defender’s office, but also those facing trial. Before this legislation, Public Defenders would have to travel all over the county to represent those in need, causing conflicts and ultimately postponements of arraignments.”

This legislation was done at the request of the Public Defender’s Office and County Government. Previously, any person under arrest had to be held and arraigned in the municipality in which they were arrested; as a result, the Public Defender was required to travel each Town, Village, and City Court in order to represent defendants. Sometimes arraignments would have to be postponed due to the office being unable to cover every court.

“Implementing Phase II of the Centralized Arraignment Plan is a prime example that government works best when everyone works together to solve a problem,” said Broome County Public Defender Michael Baker. “When faced with the challenge of having an attorney at every arraignment in a county with twenty courts and a limited number of Public Defenders to cover those courts, it was gratifying to work with all the various

stakeholders on the local and state level to devise a plan which not only will save the taxpayers money but to also increase public safety.”

“When confronted with the mandate that all criminal defendants be provided with an attorney at the time of their arraignment, my office, along with the Public Defender, Broome County Sheriff, other local law enforcement agencies and the Office of Court Administration worked together to develop a plan which would allow us to meet this requirement in the most efficient way possible with the least amount of financial burden to the taxpayer,” said County Executive Jason Garnar. “As a result, we have a plan which not only will result in taxpayer savings but at the same time allow law enforcement to be out on the roads protecting the people rather than stuck in courts waiting for someone to see a judge to be arraigned.”

Central arraignments will not only ensure timely legal representation for defendants, but will also result in taxpayer savings by providing efficient use of public law enforcement and judicial resources. By bringing persons under arrest to the Broome County Correctional Facility, police officers will no longer have to wait with them until their arraignment and can get back to work on the streets. Additionally, judges will only be needed twice per day – at 8:00 AM and 8:00 PM – for arraignments. The bill that created this new law was “home rule” legislation, which is a law that must be passed at the state level but only impacts the jurisdiction which requests it – in this case, Broome County.