

REBNY Testimony | February 13, 2025

The Real Estate Board of New York to Joint Legislative Public Hearing on 2025 Executive Budget Proposal: Public Protection

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association. Founded in 1896, REBNY represents commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople and other organizations and individuals active in New York City real estate. Thank you for the opportunity to testify about the importance of public safety investments in the Executive Budget.

REBNY supports the Executive Budget proposal to improve the discovery process (Part B). Data indicates that revisions to discovery process reforms are warranted to ensure the proper administration of justice and to ensure that felony cases are not dismissed merely based on technicalities. For example, Office of Court Administration data indicates that criminal-case dismissals have increased from 41% before discovery reforms were made in 2020 to 62% in 2023.¹ In addition, the conviction rate in New York City has fallen from 51% to 27% over a similar time, in part as a result of belated discovery challenges that have resulted in retroactive dismissals on speedy trial grounds and speedy trial dismissals.²

Part B would make several changes that will promote fairness in criminal proceedings and streamline case processing while maintaining due process. Doing so will ensure that discovery errors are addressed proportionally to the severity of the error rather than resulting in case dismissal. REBNY encourages the legislature to enact these common sense changes that will improve public safety for all New Yorkers.

In addition, REBNY commends Governor Hochul for providing \$77 million to work with New York City to increase police presence in the subways system. Addressing both real and perceived public safety concerns in the subway system is an urgent priority, and these funds will help support greater deployment of police on trains and platforms, including during the overnight hours. REBNY thanks Mayor Adams and Commissioner Tisch for rapidly deploying officers into the subway as a result of these funds.

Thank you for your consideration of these points.

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¹ <https://nypost.com/2025/01/31/us-news/hochul-backs-nyc-das-push-to-reform-discovery-laws-by-closing-loopholes-that-let-criminals-walk-free-on-technicalities/>

² Memorandum in Support of FY 2026 New York State Executive Budget Public Protection and General Government Article VII Legislation: <https://www.budget.ny.gov/pubs/archive/fy26/ex/artvii/ppgg-memo.pdf>