
Discovery Reform in New York: What Can the Data Tell Us?

Anna Stenkamp, Joanna Weill, and Michael Rempel

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At the Data Collaborative for Justice (DCJ), we are indebted to our colleague, Krystal Rodriguez, for her valuable feedback on an earlier version of this report—and especially for her careful review of our discussion of the discovery law itself.

We created this report in explicit response to questions attorneys and reporters posed to DCJ staff over past weeks concerning the facts about discovery reform. We thank everyone who prompted us to try to bring light to this topic. Whereas some of the available court data carries significant data quality caveats, and the findings require cogent and thoughtful interpretation, we hope this report can be of service to individuals seeking credible, unbiased information.

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Executive Summary

Spanning all New York State regions, this report presents data relevant to the implementation of New York’s [discovery reform](#). Put into effect in January 2020, discovery reform affords people facing charges early access to the prosecution's evidence. The prosecution must complete their discovery obligations and file a “certificate of compliance” within 20 days of arraignment if the accused individual is in pretrial detention or within 35 days if the individual is released. The prosecution may then receive a 30-day extension on reasonable grounds—making the maximum timelines 50 days if the individual is detained and 65 days if released.

Pursuant to the State’s [speedy trial law](#), the court must grant a defense motion to dismiss the case if the prosecution is not “ready for trial” within six months for felonies and 90 days for most misdemeanors. The discovery statute indicates that the prosecution cannot be ready for trial until they have filed a certificate of compliance (COC). After it is filed, if prosecutors later locate and share additional evidence, it does not necessitate a dismissal of the case if the initial COC was “filed in good faith and after exercising due diligence.” Cases also may be dismissed on speedy trial grounds for reasons unrelated to discovery.

Based on an analysis of state court data on cases disposed from 2019 to 2024, we sought to provide credible answers to four main questions. Please see the full report for complete findings and information about data sources, coding decisions, and limitations to the analysis.

1. Has discovery reform implementation been associated with increased speedy trial dismissals?

- **Indicted Felonies:** Across all State regions from 2019 to 2024, the dismissal rate on speedy trial grounds for indicted felonies was unchanged, remaining below 1% across all years.
- **New York City:** Among cases other than indicted felonies, New York City's speedy trial dismissal rate rose significantly, increasing especially among misdemeanors from 9% in 2019 to 49% in 2024.
- **Rest-of-State:** From 2019 to 2024, the **four downstate suburban counties** (Nassau, Suffolk, Westchester, and Rockland) saw a small increase in speedy trial dismissals among misdemeanors (1% to 5%) and no change among felonies (whether indicted or unindicted). Overall, the **53 remaining (“upstate”) counties** saw no change in any metric. For instance, only 8 of 53 upstate counties saw as little as a 1 percentage-point uptick in the misdemeanor speedy trial dismissal rate, of which two outliers saw large increases exceeding 3 points. (Monroe’s increase reached 17 percentage points and Broome’s was 11 points.)

2. For cases ending in a speedy trial dismissal, how long after arraignment do the dismissals take place?

When the defense seeks a speedy trial dismissal, they must make a motion once the speedy trial clock has expired (6 months for felonies and 90 days for most misdemeanors), after which the judge renders a decision. Dismissals before these timeframes presumably took place with the consent of the prosecutor.

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- **Misdemeanors:** For those misdemeanors dismissed on speedy trial grounds in 2024, 7% in New York City, 13% in the downstate suburbs, and 54% in upstate happened within 90 days of arraignment.
 - **Felonies:** In New York City, the downstate suburbs, and upstate, respectively, 35%, 56%, and 49% of speedy trial dismissals happened prior to the 180-day mark.
- 3. What is the rate at which prosecutors have been complying with the reform’s legal timelines?**

Many courts had to be eliminated from this analysis due to unreliable information stemming from a lack of recorded data by court clerks on COC filing dates (discussed in the full report). The entire New York City region had usable data only for indicted felonies. To guard against possible data entry deficiencies even in courts whose data was generally reliable, we used two methods whose potential biases respectively involve underestimating and overestimating timeline compliance: (1) accept the results as given in courts deemed to have reliable data, overall; (2) solely analyze how long it took for prosecutors to file COCs in cases where the data affirmatively recorded the filing of one at some point.

- **Indicted Felonies:** According to both methods, New York City’s district attorneys’ offices filed on-time COCs infrequently—in less than 20% of indicted felony cases even after allowing for a 30-day extension from the initial timelines. (Compliance with the non-extended timelines fell below 10%.) With the same 30-day extension, downstate suburban district attorneys’ offices filed on-time COCs in less than 30% of indicted felony cases according to both methods. Finally, the corresponding results for the upstate region pointed to higher on-time COC filing rates in a range of 25% to 50%, varying based on the analytic method selected and people’s pretrial detention status. (The full report breaks out results for the cases of people respectively in pretrial detention and released, given that as outlined above, their applicable statutory timelines for sharing discovery vary.)
- **Misdemeanors:** Downstate suburban district attorneys’ offices filed on-time COCs at higher rates for misdemeanors than indicted felonies, potentially reaching 50% after allowing for a possible 30-day extension. The upstate region saw considerable variability across its many counties, besides which a cautious approach to data quality unfortunately necessitated reporting an especially wide range of possibilities involving region-wide on-time COC rates of 28% to 67% depending on analytic method and detention status.
- **Supplemental Certificates:** Once filing a COC, district attorneys’ offices later shared additional discovery and filed a *supplemental* certificate of compliance in at least 30% of indicted felony cases across all three regions. For misdemeanors, district attorneys’ offices in the downstate suburbs and upstate filed a supplemental certificate in less than 10% of the cases where they initially filed a COC.

EXECUTIVE SUMMARY

4. Have case processing times increased, decreased, or remained the same since 2019?

In 2020 and 2021, case processing times increased due to pandemic-related disruptions to court operations. More recently, state court leadership has sought to address [historic case processing delays](#), including the launch of a [citywide initiative](#) presently in the pilot stages in Brooklyn. Given overlapping developments, it is unfeasible to rigorously isolate cause and effect with respect to discovery reform.

Case processing times changed significantly in two ways: a clear reduction in case processing times for all types of cases in New York City and a clear increase for indicted felony cases in the rest of the State, including both the downstate suburban counties and upstate.

Chapter 1. Introduction: Purpose of the Study

Spanning all New York State regions, this report presents data relevant to the implementation of New York’s **discovery reform**.¹ Put into effect January 2020, discovery reform affords people facing charges early access to the prosecution’s evidence against them, alongside access to any exculpatory or mitigating evidence.

Drawing on court data from 2019 to 2024, we covered three central topics. First, we examined whether the reform’s evidence sharing requirements have been associated with increased case dismissals. Second, in a first-time analysis, we computed prosecutors’ rates of compliance with discovery reform’s legal timelines for turning over evidence.² Third, in light of the reform’s inherent effects on the adjudication process, we looked at whether criminal case processing times have increased, decreased, or remained about the same since implementation began.

Notably, on March 20, 2020, at the onset of the COVID-19 pandemic, former Governor Andrew Cuomo suspended time limits in the Criminal Procedure Law, including discovery and speedy trial timelines.³ While the lifting of these suspensions varied by the type of case (indicted or unindicted) and region of the State, the upshot is that by May 23, 2021, all timelines were restored.⁴ Given this temporary suspension, data from 2020 and 2021 carry limited relevance to the assessment of discovery reform. In general, the most pertinent comparison is between the pre-reform year of 2019 and the most recent post-pandemic year of 2024.

BACKGROUND: KEY COMPONENTS OF NEW YORK’S DISCOVERY REFORM

Discovery reform requires automatic, timely, and comprehensive disclosure of evidence from prosecutors to defense attorneys as well as “reciprocal” disclosure from defense attorneys to the prosecution.⁵ The law’s main components include:

- **Automatic Discovery:** Prior to reform, defense attorneys had to make written requests and legal arguments (i.e., motions) to obtain the prosecution’s evidence. The new law put into effect in 2020 (Criminal Procedure Law Article 245) obviates the need for these motions, specifying that prosecutors must allow the defense to “discover, inspect, copy, photograph, and test” any evidence the prosecution possesses—inclusive of evidence collected by law enforcement.
- **Discoverable Materials:** The reform enumerates 21 types of materials prosecutors must turn over. For example, the list includes name and affiliation of police officers with evidence; electronic recordings (including 911 calls); potentially exculpatory or mitigating evidence; and tests, examinations, or reports ordered or prepared by police, prosecutors, or witnesses.
- **Legal Timelines:** Following amendments put into effect in July 2020, the prosecution must turn over discovery *within 20 days of arraignment if the accused individual is held in pretrial detention or within 35 days if the individual is released*. The prosecution may receive a 30-day extension on reasonable grounds, *making the maximum timelines 50 days if detained and 65 days if released*.

CHAPTER 1. INTRODUCTION: PURPOSE OF THE STUDY

- **Certificate of Compliance:** Upon turning over discovery, prosecutors must file a certificate of compliance (COC). If they later locate additional evidence, they must file a *supplemental* COC. Supplemental COCs allow prosecutors to continue to meet their discovery obligations even after the filing of an initial COC but does not invalidate the initial one if it was “filed in good faith and after exercising due diligence.”
- **Reciprocal Discovery:** Within 30 days after the prosecution files a COC, the defense must share with the prosecution all evidence it might possibly introduce at trial.
- **Protective Orders:** When a party has “good cause” to withhold information (e.g., to ensure the safety of victims or witnesses), they may apply for a “protective order,” which limits how and to whom the information may be shared.
- **Speedy Trial Dismissals:** Pursuant to the State’s [speedy trial statute](#),⁶ the court must grant a defense motion to dismiss the case if the prosecution is not “ready for trial” within six months for felonies, 90 days for Class A misdemeanors, and 60 days for Class B misdemeanors. The discovery statute indicates that the prosecution cannot be ready for trial until they have filed a COC. Prosecutors may also not be ready for trial for reasons unrelated to discovery.

Discovery reform was amended twice in mid-2020 and mid-2022, respectively. Key changes included longer timelines from the original reform (as outlined above) and separate timelines for people respectively detained and released. Amendments have also permitted the omission of certain information, such as the physical addresses of victims or witnesses, the identity of a 911 caller, and victims of sex offenses. Amendments have also clarified that a case may not be dismissed on speedy trial grounds if an original COC did not ultimately contain complete discovery but was filed in good faith.

RESEARCH QUESTIONS

We sought to answer five questions concerning implementation to date:

1. **Speedy Trial Dismissal Rate:** Have dismissals on speedy trial grounds increased since the pre-reform year of 2019?
2. **Time to Speedy Trial Dismissal:** For cases ending in a speedy trial dismissal, how long after arraignment do these dismissals take place?
3. **Discovery Timeline Compliance:** What is the rate at which district attorneys’ offices are complying with the legal timelines for turning over discovery: 20 days for detained and 35 days for released people or, considering the allowance of a 30-day extension, 50 days for detained and 65 days for released people?
4. **Case Processing Times:** Perhaps reflecting a reshaped adjudication process, have case processing times from arraignment to a final case disposition changed since discovery reform went into effect?

CHAPTER 1. INTRODUCTION

- 5. Variability by Region, County, and Charge:** Do answers to the above questions vary *by region* (New York City, downstate suburbs, and upstate), *by county within each region*, and *by case type* (misdemeanor, felony, and the subset of felonies that are indicted)?

Regarding *indicted felonies*—a subset of initial felony arraignments broken out in most analyses—these are cases adjudicated in the State’s Supreme Court after the prosecution has presented the case to a grand jury and the jurors have found the evidence legally sufficient to continue the prosecution.

Chapter 2. Study Data and its Limitations

We analyzed Office of Court Administration (OCA) data on cases disposed from 2019 to 2024. Our dataset includes cases initially arraigned in the State’s 69 city and district courts or 62 county courts. The dataset omits arraignments in approximately 1,200 small town and village courts.⁷

We broke out all results by region. *New York City* includes its five boroughs (Bronx, Brooklyn, Manhattan, Queens, and Staten Island). The downstate *suburban region* (henceforth “suburbs”) is defined as Nassau, Suffolk, Westchester, and Rockland. The *upstate region* includes the State’s remaining 53 counties.

We also divided cases into three categories based on charge severity at the point of initial arraignment and indictment status: *misdemeanors*, *felonies*, and *indicted felonies*. The third category is a subset of the second. As noted in Chapter 1, indicted felonies consist of those cases arraigned on felony charges where the prosecution sought grand jury action, and the grand jury voted the indictment. *Given the potential of these cases to end in a felony conviction, we considered it important to break them out.* We also presumed that readers of this report would be interested in results for the broader category consisting of *all felonies*, combining both those indicted and unindicted. In the interest of readability, we did not explicitly break out unindicted felonies, though these results can essentially be inferred by comparing results for *all felony* and *indicted felony* categories.

UNIVERSAL CASE EXCLUSIONS

We purposefully excluded several types of cases from all parts of the study:

- **Pending a Disposition:** Since relevant data for pending cases is unknown—they may or may not end in a speedy trial dismissal and the prosecution may or may not file a certificate of compliance in the future—this study solely examines *disposed* cases. *Cases organized by year reflect the year of the disposition, not the year of the initial arraignment.*
- **Disposed at Arraignment:** For cases reaching an immediate disposition at arraignment, the meeting of discovery timelines or possibility of a discovery-related dismissal is moot.
- **Nonstandard Case Resolutions:** We only included cases disposed as a conviction (by either plea or trial), dismissal, or adjournment in contemplation of dismissal (ACD).⁸ Cases transferred to other jurisdictions, ended due to the death of the person facing charges, and dispositions deemed administrative were excluded.
- **Ages Under 18:** We excluded the cases of anyone under the age of 18 to avoid possible conflation with dynamics related to the State’s Raise the Age law, which did not go fully into effect until October 2019. We also excluded cases where the individual’s age was unavailable.
- **Charge Exclusions:** We excluded cases charged with murder, criminally negligent homicide, and certain manslaughter charges for which the State’s speedy trial laws do not apply. Commensurate with these laws, if the charges only involve attempts of these homicides, they were included. On the other end of the charge spectrum, we solely analyzed cases arraigned as misdemeanors or felonies, omitting non-criminal violations or infractions.

CHAPTER 2. STUDY DATA AND ITS LIMITATIONS

Described below, the second portion of this study involving an analysis of prosecutors' compliance with discovery reform's legal timelines for sharing evidence omitted additional cases, as well as omitted certain counties and courts deemed to have unreliable data for this particular metric.

SPEEDY TRIAL DISMISSAL DATA

Given available categories in OCA court data, a case was identified as disposed with a speedy trial dismissal if the reason for dismissal was “Speedy Trial (CPL 170.30 (1)(e))” for misdemeanor charges or “Speedy Trial (CPL 210.20(1)(g))” for felony charges.

There are two substantive limitations to the analysis of speedy trial dismissal data as a means of assessing discovery reform.

First, speedy trial dismissals took place both before and after discovery reform and do not all relate to discovery issues. In general, if for any reason the prosecution does not indicate that they are “ready for trial,” the speedy trial clock keeps ticking until it reaches 6 months for felonies, 90 days for Class A misdemeanors, and 60 days for Class B misdemeanors. Moreover, over this study's analysis timeframe of 2019 to 2024, we cannot rule out that any observed speedy trial dismissal changes may have stemmed from the COVID-19 pandemic, increases in arraignment volume, or policy factors regarding how often prosecutors pursue convictions or how they handle their caseloads. *These qualifications notwithstanding, any large changes in speedy trial dismissal rates from before to after discovery reform point to an empirical association.*

Second, an association between discovery reform's implementation and speedy trial dismissals would leave open whether or how the law itself produced this outcome. Such changes may reflect implementation factors, including a lack of resources at this time to comply with discovery reform's requirements, a need for new technology to facilitate evidence sharing, avoidable prosecutorial noncompliance (e.g., a failure to properly reorganize staff roles and responsibilities within prosecutors' offices to prioritize timely evidence sharing), delays in evidence sharing between police and prosecutors, or other surmountable factors tied to present-day implementation.

DISCOVERY TIMELINE COMPLIANCE DATA

We relied on court data indicating the date when a certificate of compliance (COC) is filed, and the date of any supplemental certificate, to assess compliance with discovery reform's legal timelines for turning over evidence.

Sampling Frame

We limited the analysis of timeline compliance (i.e., the results in Chapter 4) to cases pending for at least 90 days before reaching a disposition. While many cases reach a plea agreement or dismissal well before discovery has been turned over—and before the reform's legal deadline for filing a COC—prosecutors are obviously not responsible for complying with timelines whose end date was never reached. The 90-day threshold falls modestly beyond the outer 65-day COC submission deadline applicable to released cases.

CHAPTER 2. STUDY DATA AND ITS LIMITATIONS

Data Quality Limitations

On its [discovery reform dashboard](#), the Office of Court Administration (OCA) caveats, “Data entry of Certificate of Compliance information may vary.”⁹ Since we relied on OCA data, this caveat applies to the present study. Essentially, OCA is alerting researchers that court clerks may not always have entered COC data as they should have in cases where a COC was, in fact, filed.

Given this caution, our premise was that court clerks working in some courts would have been trained to regularly enter COC data, while this would not have been the case for clerks working in other courts showing poor data quality. Indeed, our analysis detected many courts where court clerks practically never entered COC data—results conforming to our expectation of data entry consistency within each court, for better or worse. Yet it remains possible that within certain courts, different clerks do and do not enter COC data, or the same clerks only sometimes enter it.

Ultimately, we adopted what we believe to be a conservative approach in omitting data from counties and courts where we drew a reasonable conclusion that such data might be unreliable. “Conservative” in this context means our decision rules erred toward defining data as unreliable when we had a reasonable doubt about its quality.¹⁰

From our efforts to inspect and reality-test COC data, we concluded that court clerks in the New York City Criminal Court—with the possible exception of Queens—likely do not record COC data with any reliability; for this reason, we do not report any New York City COC data for misdemeanors or unindicted felonies. Fortunately, we determined the data reliable for the New York City Supreme Court, enabling analysis of the City’s indicted felonies.¹¹ In the two other regions, we made county-by-county and court-by-court decisions of whether to include or omit COC compliance data (*see endnote 10*).

This report’s final appendix, **Appendix D**, provides rates of recorded COC submission within 65 days of arraignment (using across-the-board the 65-day deadline technically applicable to released cases) for courts whose data is *omitted*. As noted above, we sought to err “conservative” and defined rates of COC submission in these courts as too low for researchers to have sufficient confidence that data entry consistently took place.¹²

To be clear, the omission of certain courts solely applies to the results in Chapter 4 that pertain to compliance with COC submission timelines; there were no data limitations and all city, district, and supreme courts were included without exception in analyses of speedy trial dismissals (Chapter 3) and case processing (Chapter 5).

CHAPTER 2. STUDY DATA AND ITS LIMITATIONS

Secondary Sampling Frame to Address Data Limitations

To guard against possible data entry deficiencies even in courts whose data was generally reliable, we reported results under both of two methods whose potential balancing biases may respectively involve underestimating and overestimating prosecutorial compliance with the legal timelines for sharing discovery (see Chapter 4).

- **Method #1:** *The first analytic method involved accepting COC filing data as given in those courts deemed to have reliable data, overall.* Should statewide data quality improve in the future, this would then become the only necessary method. For now, because this method may deem some COCs not to have been filed when they were, in fact, filed but without proper clerical data entry, this method may *underestimate* prosecutorial compliance with discovery reform’s legal timelines.
- **Method #2:** *The second analytic method involved solely analyzing how long it took for prosecutors to file COCs in cases where the data definitively indicated that the prosecution filed a COC eventually, whether before or after the legal deadline.* Because, by definition, this second method only reports results when court clerks factually recorded a COC filing, it likely omits cases where the prosecution truly never filed a COC in the first place. Thus, this method inevitably *overestimates* compliance.

Even though our final sample of courts showed empirically-based signs of reliable data entry (suggesting method #1 may well be satisfactory in most courts analyzed), we considered it due diligence to provide both sets of results, even if this means we are offering readers a *range* of results, rather than providing definitive percentages of the time when prosecutors met their obligations under the reform law.

Distinguishing Detained and Released Cases

Certain analyses distinguish, respectively, the cases of people held in pretrial detention and released, given their varying legal timelines (see Chapter 1). In practice, some cases move between detained and release status before, amidst, or after discovery deadlines pass (e.g., if people post bail or judges change someone’s release conditions at subsequent court dates). Erring conservatively toward modestly overclassifying people as released and hence affording prosecutors a longer timeline, we solely classified cases as detained if they were detained at arraignment and had at least 20 days in custody after arraignment. (The first deadline appears for turning over discovery after 20 days in detained cases.)

To simplify the scope of information presented in this report, when providing county-by-county breakdowns of timeline compliance in **Appendix C**, we simply provided results for cases under the more generous 65-day timeline when people are released after adding the initial 35-day deadline to the permissible 30-day extension on reasonable grounds). Using “method #1” above, the county breakdowns also indicate the fraction of the time when a COC is *ever* filed, regardless of when.

CHAPTER 2. STUDY DATA AND ITS LIMITATIONS

CASE PROCESSING DATA

For cases continued beyond their initial arraignment, we used a pre-populated OCA measure of the number of days from arraignment to a disposition. OCA's measure has the advantage of subtracting days when people have absconded on a warrant or are involved in mental competency proceedings to determine whether they are fit to stand trial. These subtractions enable the data to reflect case processing times (and delays) that the court can reasonably control.

When analyzing indicted felonies, we solely computed post-indictment case processing times *within the State's Supreme Court*, omitting pre-indictment days adjudicated in lower city or district courts. Among other advantages, this affords a comparison to prior studies of post-indictment case processing times.¹³

Chapter 3. Speedy Trial Dismissals

Has the implementation of discovery reform been associated with increased dismissals on speedy trial grounds? *Across all State regions, the evidence presented below shows no change in speedy trial dismissal rates among indicted felony cases. For other types of cases, the results defy a clear-cut answer and, instead, point to significant regional variability in whether speedy trial dismissals increased or not.*

Presented below the narrative summary of major findings, **Exhibit 3.1** displays speedy trial dismissal rates by region from 2019 to 2024. **Exhibit 3.2** provides a complete breakdown of the percentages of cases dismissed on speedy trial grounds, dismissed for other reasons, adjourned in contemplation of dismissal, and convicted. **Exhibit 3.3** provides key results for each of the State's 62 counties. For cases ending in a speedy trial dismissal in 2024, **Exhibit 3.4** indicates how long it took to reach that outcome.

For information about the number of disposed cases in the analysis, **Appendix A** provides case totals by year, region, and case type; and **Appendix B** provides key case totals for all 62 counties.

As discussed above in Chapters 1 and 2, reported results distinguish all felonies and indicted felonies, where the latter is a subset of the former. In the interest of concision, the data exhibits below do not explicitly show results for *unindicted felonies*, though these results can be inferred by comparing results for *all felony* and *indicted felony* categories. Unindicted felonies pose a potential future research topic, as they encompass a wide range of distinct cases, from those where the parties agree to a guilty plea to a felony without an indictment, to those pleading down to a misdemeanor or lesser charge, to those resolved early with pre-indictment dismissals or adjournments in contemplation of dismissal.¹⁴

SPEEDY TRIAL DISMISSAL RATES, 2019 TO 2024

- **No Change for Indicted Felonies:** Spanning all years and regions, the speedy trial dismissal rate was under 1% for indicted felonies. In 2024, the speedy trial dismissal rate for indicted felonies landed at 0.1% in New York City (13 cases), 0.1% in the downstate suburbs (3 cases), and 0.6% in upstate (47 cases).
- **Large Increases for Other Case Types in New York City:** From 2019 to 2024, the City's speedy trial dismissal rate increased from 9% to 49% for misdemeanors and from 2% to 23% across all cases initially arraigned on a felony (encompassing felonies that were and were not indicted). Since indicted felonies saw no change at all (per the previous bullet), it is possible to infer a much larger speedy trial dismissal increase among *unindicted* felonies.
- **Small Increase for Suburban Misdemeanors:** From 2019 to 2024, the four suburban counties (Nassau, Suffolk, Westchester, and Rockland) saw a small increase in the speedy trial dismissal rate for misdemeanors (from 1% to 5%) and no change for felonies.

CHAPTER 3. SPEEDY TRIAL DISMISSALS

- **No Changes in Upstate:** Upstate saw negligible or no changes across-the-board. While there was a marginal 2% uptick in the overall upstate speedy trial dismissal rate for misdemeanors, this shift was driven by results in two counties: **Monroe** (home to Rochester) and **Broome** (home to Binghamton). Discussed below, the vast majority of the 53 upstate counties saw no change in any metric.
- **Minimal Outliers Within Regions:** There were few county-specific deviations from the regional trends (**Exhibit 3.3**). In New York City, **Staten Island** saw significantly smaller speedy trial dismissal increases than the other boroughs. In the suburbs, **Westchester** saw modestly greater speedy trial dismissal increases than the three other suburban counties. In upstate, the vast majority of counties saw no change. Only **Monroe** (17 percentage-point increase for misdemeanors), **Broome** (11 percentage-point increase for misdemeanors and 16-point increase for all felonies), and **Cortland** (5-point increase for all felonies and 11-point increase when isolating indicted felonies) saw large shifts.
- **Overall, Few Counties Change from 2019 to 2024:** For misdemeanors, there were significant increases in the five boroughs of New York City and modest increases in the four suburban counties. However, only 8 of 53 upstate counties saw even a negligible misdemeanor speedy trial dismissal rate increase of at least 1 percentage-point, and only 3 upstate counties saw increases of at least 3 percentage-points. For indicted felonies, only 6 of 62 counties statewide—encompassing all three regions—saw an increase of at least 1 percentage point, with just 2 counties reaching 3-point increases (3-point increase in **Jefferson** and 11-point increase in **Cortland**).

DAYS TO SPEEDY TRIAL DISMISSAL

When the defense seeks a speedy trial dismissal, they must make a motion once the speedy trial clock has expired (6 months for felonies and 90 days for most misdemeanors), after which the judge renders a decision.

- **Misdemeanors:** Among misdemeanors disposed with a speedy trial dismissal in 2024, 7% in New York City, 13% in the suburbs, and 54% in upstate happened within 90 days of arraignment—suggesting that except where a Class B misdemeanor with an earlier 60-day clock was charged, these dismissals took place with the consent of the prosecutor. Shortly after 90 days, 80% of speedy trial dismissals in New York City, 20% in the suburbs, and 18% in upstate took place from 91 to 120 days after arraignment (**Exhibit 3.4**).¹⁵
- **Felonies:** Among felonies, just over a third (35%) in New York City, 56% in the suburbs, and 49% in upstate happened prior to the 180-day mark, suggesting they took place with the consent of the prosecutor. At the other end of the spectrum, 30% in the suburbs, 41% in upstate, though just 10% in New York City happened after more than 220 days.

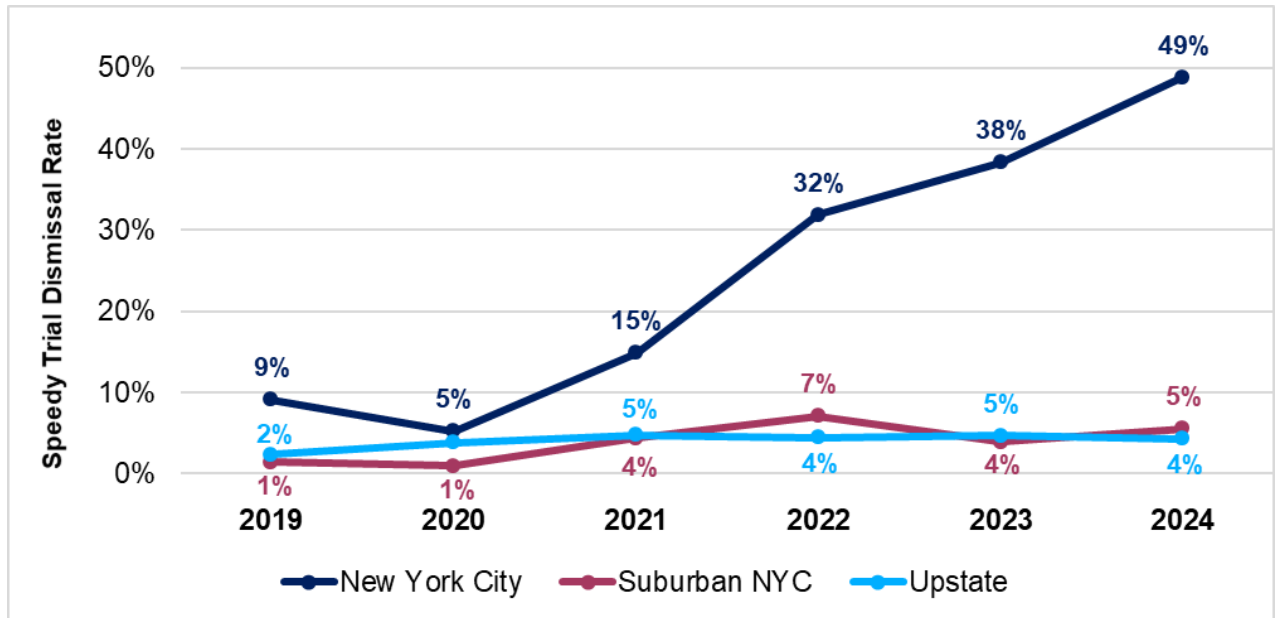
Given exceptionally few speedy trial dismissals of indicted felonies, they are omitted from **Exhibit 3.4**.

CHAPTER 3. SPEEDY TRIAL DISMISSALS

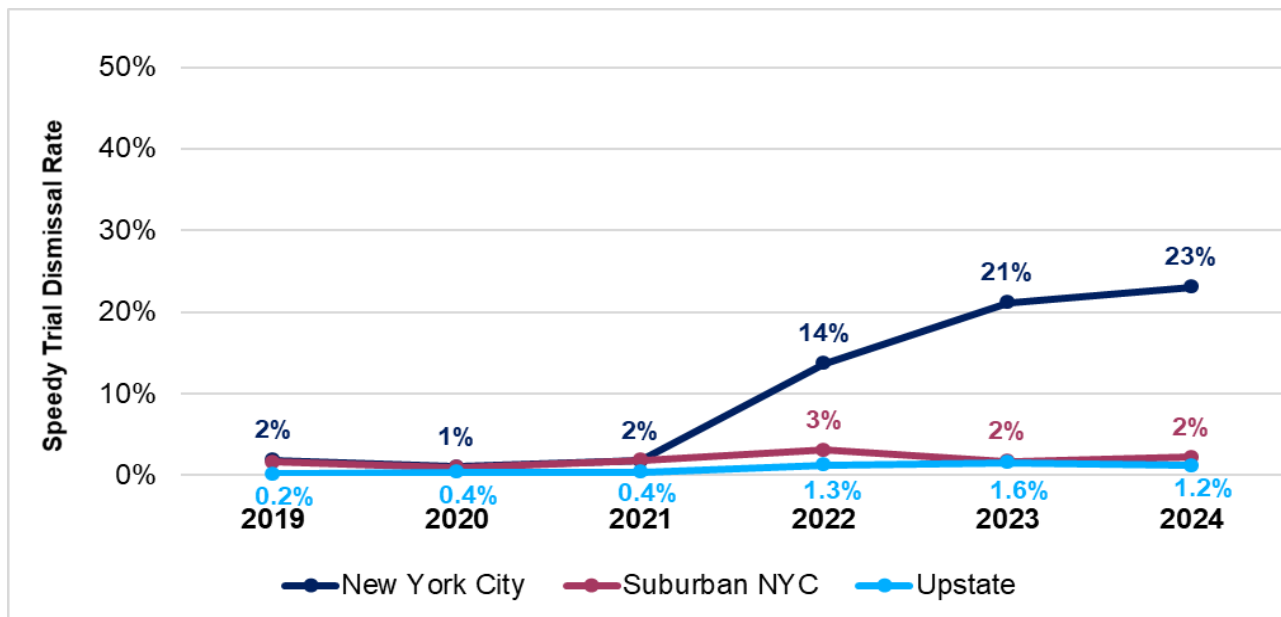
Exhibit 3.1.

Speedy Trial Dismissal Rate by Year, 2019-2024

3.1a. Misdemeanor Arraignments

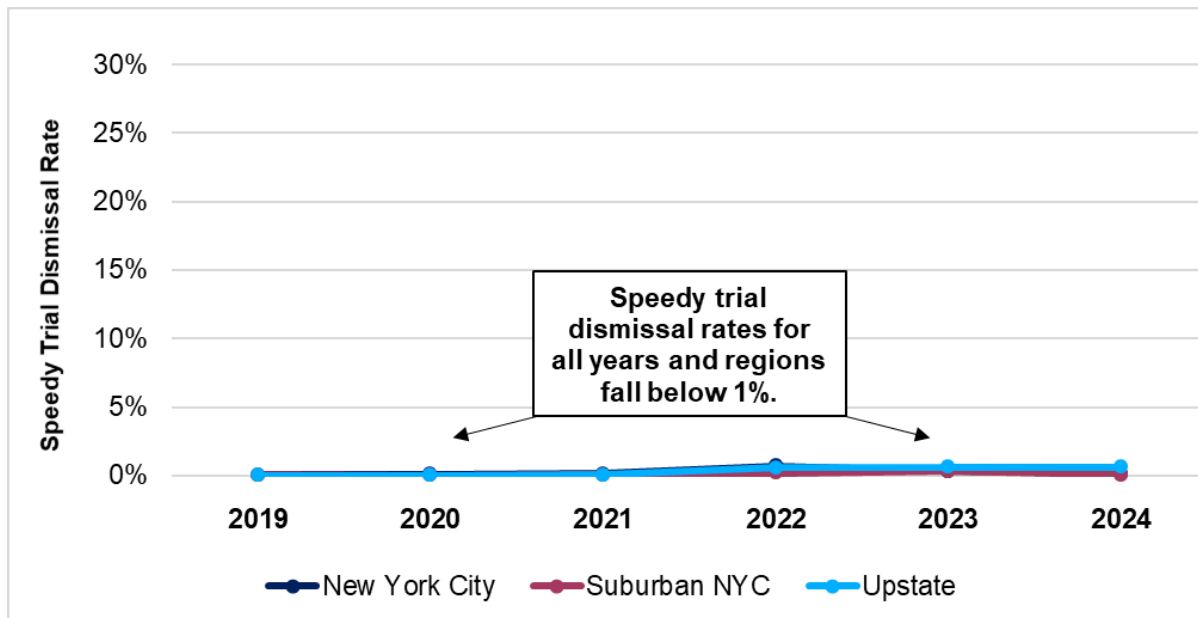


3.1b. Felony Arraignments



CHAPTER 3. SPEEDY TRIAL DISMISSALS

3.1c. Indicted Felonies



CHAPTER 3. SPEEDY TRIAL DISMISSALS

EXHIBIT 3.2

New York State Case Dispositions, 2019-2024

	MISDEMEANOR ARRAIGNMENTS				ALL FELONY ARRAIGNMENTS				INDICTED FELONIES			
	DISMISSED		ACD	Conviction	DISMISSED		ACD	Conviction	DISMISSED		ACD	Conviction
Speedy Trial	Other Reason	Speedy Trial			Other Reason	Speedy Trial			Other Reason			
NEW YORK CITY												
2019	9%	30%	18%	44%	2%	25%	5%	68%	0.0%	12%	0.8%	87%
2020	5%	47%	20%	28%	1.1%	37%	8%	54%	0.1%	21%	2%	76%
2021	15%	59%	11%	15%	2%	41%	7%	50%	0.2%	21%	1.5%	77%
2022	32%	34%	14%	20%	14%	32%	5%	50%	0.7%	21%	0.7%	78%
2023	38%	25%	16%	21%	21%	23%	5%	50%	0.3%	16%	0.6%	83%
2024	49%	19%	15%	18%	23%	21%	6%	50%	0.1%	13%	0.5%	87%
Percentage Point Change, 2019-2024	40%	-11%	-3%	-26%	21%	-4%	0.7%	-17%	0.1%	0.6%	-0.3%	-0.4%
SUBURBAN NYC												
2019	1.4%	10%	13%	76%	2%	10%	6%	83%	0.1%	3%	0.1%	96%
2020	0.9%	14%	14%	71%	1.0%	14%	7%	78%	0.0%	5%	0.2%	95%
2021	4%	20%	14%	62%	2%	15%	10%	74%	0.1%	5%	0.2%	94%
2022	7%	16%	15%	62%	3%	15%	10%	72%	0.2%	4%	0.5%	95%
2023	4%	19%	14%	63%	2%	14%	9%	75%	0.3%	4%	0.6%	95%
2024	5%	15%	14%	66%	2%	11%	9%	78%	0.1%	4%	0.3%	96%
Percentage Point Change, 2019-2024	4%	5%	0.9%	-10%	0.5%	2%	3%	-5%	0.0%	0.2%	0.2%	-0.4%
UPSTATE												
2019	2%	16%	13%	68%	0.2%	15%	5%	80%	0.0%	7%	0.2%	93%
2020	4%	16%	17%	63%	0.4%	15%	6%	79%	0.0%	9%	0.3%	91%
2021	5%	20%	16%	59%	0.4%	17%	7%	76%	0.0%	9%	0.2%	91%
2022	4%	17%	16%	63%	1.3%	14%	7%	77%	0.6%	9%	0.2%	90%
2023	5%	17%	17%	62%	2%	14%	7%	77%	0.6%	8%	0.3%	91%
2024	4%	17%	16%	63%	1.2%	13%	7%	79%	0.6%	7%	0.2%	92%
Percentage Point Change, 2019-2024	2%	0.5%	2%	-5%	1.0%	-2%	2%	-1.4%	0.6%	0.2%	-0.1%	-0.7%
STATEWIDE												
2019	6%	22%	15%	57%	1.3%	20%	5%	74%	0.0%	9%	0.5%	90%
2020	4%	31%	18%	47%	0.8%	26%	7%	66%	0.0%	14%	1.1%	85%
2021	11%	45%	13%	32%	1.4%	30%	7%	61%	0.1%	14%	0.8%	85%
2022	21%	26%	15%	38%	8%	24%	6%	61%	0.6%	15%	0.5%	84%
2023	24%	22%	16%	38%	13%	19%	6%	62%	0.4%	12%	0.5%	87%
2024	32%	18%	15%	36%	14%	17%	6%	62%	0.3%	10%	0.3%	90%
Percentage Point Change, 2019-2024	26%	-4%	-0.7%	-22%	13%	-2%	1.5%	-12%	0.3%	0.4%	-0.2%	-0.5%

Note: "ACD" is the acronym for adjournment in contemplation of dismissal. Depending on the charge, cases disposed with an ACD are automatically dismissed six or 12 months later unless the prosecution affirmatively moves to reopen it (an empirically infrequent occurrence).

CHAPTER 3. SPEEDY TRIAL DISMISSALS

EXHIBIT 3.3

Change in Speedy Trial Dismissal Rates by County: Disposed Cases, 2019 vs. 2024

	MISDEMEANOR ARRAIGNMENTS			ALL FELONY ARRAIGNMENTS			INDICTED FELONIES		
	2019	2024	Perc. Pt. Change	2019	2024	Perc. Pt. Change	2019	2024	Perc. Pt. Change
NEW YORK CITY									
Bronx	11%	48%	36%	3%	23%	21%	0.0%	0.1%	0.1%
Brooklyn	18%	52%	34%	2%	35%	32%	0.0%	0.0%	0.0%
Manhattan	6%	59%	53%	2%	16%	14%	0.0%	0.3%	0.3%
Queens	2%	46%	43%	0.9%	25%	25%	0.2%	0.2%	0.0%
Staten Island	0.1%	9%	9%	0.0%	11%	11%	0.0%	0.4%	0.4%
SUBURBAN NYC									
Nassau	2%	5%	4%	3%	0.5%	-2%	0.0%	0.2%	0.2%
Rockland	0.0%	4%	4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Suffolk	2%	5%	3%	2%	3%	1.3%	0.1%	0.1%	0.0%
Westchester	0.0%	8%	8%	0.1%	5%	5%	0.0%	0.4%	0.4%
UPSTATE									
Albany	2%	3%	0.6%	1.2%	1.3%	0.1%	0.0%	0.0%	0.0%
Allegany	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Broome	0.1%	11%	11%	0.8%	17%	16%	0.0%	2%	2%
Cattaraugus	0.0%	0.2%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Cayuga	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Chautauqua	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Chemung	0.0%	0.1%	0.1%	0.0%	0.6%	0.6%	0.0%	1.0%	1.0%
Chenango	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Clinton	0.0%	0.0%	0.0%	0.0%	0.6%	0.6%	0.0%	1.1%	1.1%
Columbia	0.0%	0.0%	0.0%	0.7%	0.0%	-0.7%	0.0%	0.0%	0.0%
Cortland	0.2%	0.0%	-0.2%	0.9%	6%	5%	0.0%	11%	11%
Delaware	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Dutchess	0.0%	2.4%	2%	0.0%	2%	2%	0.0%	0.0%	0.0%
Erie	0.2%	0.2%	0.0%	0.2%	0.3%	0.1%	0.0%	0.3%	0.3%
Essex	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Franklin	0.0%	0.0%	0.0%	0.0%	2%	2%	0.0%	1.9%	2%
Fulton	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Genesee	0.0%	1.4%	1.4%	0.0%	1.4%	1.4%	0.0%	0.0%	0.0%
Greene	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Hamilton	-	-	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Herkimer	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Jefferson	0.0%	0.0%	0.0%	0.0%	1.4%	1.4%	0.0%	3%	3%
Lewis	0.0%	-	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Livingston	-	0.0%	-	0.0%	0.6%	0.6%	0.0%	0.9%	0.9%
Madison	0.3%	0.0%	-0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Monroe	20%	37%	17%	0.1%	1.1%	1.0%	0.0%	1.0%	1.0%
Montgomery	0.2%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Niagara	0.0%	0.0%	0.0%	0.0%	0.3%	0.3%	0.0%	0.0%	0.0%
Oneida	0.3%	2%	1.5%	0.2%	0.9%	0.7%	0.0%	0.0%	0.0%
Onondaga	0.0%	0.3%	0.3%	0.0%	1.6%	2%	0.0%	0.8%	0.8%
Ontario	0.0%	0.3%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Orange	0.2%	0.1%	0.0%	0.2%	0.5%	0.3%	0.0%	0.0%	0.0%
Orleans	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Oswego	0.0%	0.4%	0.4%	0.0%	1.4%	1.4%	0.0%	2%	2%
Otsego	0.0%	0.9%	0.9%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Putnam	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Rensselaer	0.2%	2%	2%	0.7%	0.6%	-0.1%	0.0%	0.0%	0.0%
Saratoga	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Schenectady	0.0%	0.0%	0.0%	0.3%	0.2%	-0.2%	0.0%	0.0%	0.0%
Schoharie	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Schuyler	0.0%	-	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Seneca	-	-	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
St. Lawrence	0.0%	0.8%	0.8%	0.0%	1.0%	1.0%	0.0%	0.0%	0.0%
Steuben	0.0%	2%	2%	0.0%	1.0%	1.0%	0.0%	0.9%	0.9%
Sullivan	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Tioga	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Tompkins	0.0%	3%	3%	0.0%	0.5%	0.5%	0.0%	0.0%	0.0%
Ulster	0.0%	0.3%	0.3%	0.3%	0.3%	-0.1%	0.0%	0.0%	0.0%
Warren	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Washington	0.0%	-	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Wayne	-	-	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Wyoming	0.0%	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Yates	-	-	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Note: Dashes indicate no cases. (Several small counties saw all of their misdemeanor arraignments in town and village courts for which data was unavailable.)

CHAPTER 3. SPEEDY TRIAL DISMISSALS

EXHIBIT 3.4

Days to Speedy Trial Dismissal: Disposed with a Speedy Trial Dismissal in 2024

	NEW YORK CITY	SUBURBAN NYC	UPSTATE	STATEWIDE
MISDEMEANOR ARRAIGNMENTS	N = 43,726	N = 1,490	N = 1,213	N = 46,429
Up to 90 days	7%	13%	54%	9%
From 91 to 120 days	81%	20%	18%	77%
From 121 to 150 days	7%	18%	11%	7%
Over 150 days	6%	49%	17%	7%
ALL FELONY ARRAIGNMENTS	N = 9,570	N = 224	N = 217	N = 10,011
Up to 180 days	35%	56%	49%	36%
From 181 to 200 days	41%	9%	4%	39%
From 201 to 220 days	14%	5%	7%	14%
Over 220 days	10%	30%	41%	11%

Chapter 4. Discovery Timeline Compliance by District Attorneys

To what extent have the prosecutors shared their evidence within discovery reform’s legal timelines? *This central question has never before been systematically examined and, as discussed in Chapter 2, the answer is complicated by data deficiencies that required omitting many courts from our analysis in this chapter. In general, for indicted felony cases, district attorneys’ offices in New York City and the downstate suburbs infrequently turned over discovery by the reform’s legal deadlines. Spanning all charges, compliance rates were generally highest in the upstate region.*

BRIEF REVIEW OF THE ANALYTIC PLAN

Court data indicates the date on which prosecutors filed a certificate of compliance (COC), facilitating a comparison of these dates against the legal deadlines of 20 days after arraignment when the accused person is in pretrial detention and 35 days when the accused person is released—or 50 and 65 days, respectively, if adding a permissible 30-day extension on reasonable grounds.

This chapter examines timeline compliance for cases disposed in the latest available year of 2024. To ensure that cases in the analysis afforded prosecutors a realistic amount of time to submit a COC, we isolated cases pending for at least 90 days prior to a disposition (except where noted otherwise).

As described in Chapter 2, we inspected COC filing data and omitted many courts where data entry was deemed patently or potentially unreliable. Lingering uncertainty about the true completeness of the data even in courts we included led to the adoption of a second, *alternative method* that solely looked at timeline compliance for cases where court clerks factually recorded a COC filing date. By definition, this second method omitted cases where the prosecution did not ever file a COC, meaning this method *overestimated* prosecutors’ timeline compliance. On the other hand, our primary method of including all cases in the analysis for courts whose data was deemed generally reliable may *underestimate* prosecutors’ compliance if, at times, they filed a COC but the recorded data did not indicate that this happened. ***In the end, the high-level portrait yielded below is largely the same or similar regardless of method, increasing confidence that the data is pointing to credible takeaways, notwithstanding in some instances a large margin of error for specific numbers that is rooted in data quality concerns.***

Presented below the narrative summary of major findings, **Exhibit 4.1** presents compliance with discovery reform’s legal timelines for each region, type of case, and analytic method. (*Caveat:* New York City solely had reliable data for indicted felonies.) **Exhibit 4.2** shows the frequency with which prosecutors later located additional discovery and filed a *supplemental certificate*. This analysis includes *all* cases in which prosecutors initially filed a COC. **Appendix C** provides timeline compliance for each individual county where the lower city or district court and/or supreme court had *reliable data*. **Appendix D**, conversely, identifies counties where at least one court had *unreliable data*, leading the applicable courts to be excluded from relevant results.

MAIN FINDINGS

New York City

Among indicted felonies, the results indicate that the City’s district attorneys’ offices complied infrequently with discovery reform’s legal timelines for sharing evidence. The compliance rate with the 20-day timeline for detained cases fell under 5% across both analytic methods, and compliance with the 35-day deadline for released cases fell under 10% across both methods. After allowing for a possible 30-day extension, all measures pointed consistently to compliance rates below 20% (**Exhibit 4.1**). When considering results by borough, after allowing for a 30-day extension, the Staten Island District Attorney’s Office filed a COC at a significantly higher rate than the City’s four other offices: in over half of all indicted felony cases (**Appendix C**).

Downstate Suburban Counties

Among indicted felonies, district attorneys’ offices in the four suburban counties met the legal timelines at similar, if modestly higher, rates than in New York City. The compliance rate for detained indicted felony cases fell under 8% across both methods, and compliance for released cases fell under 17% across both methods. With a 30-day extension, however, our two respective methods produced higher possible compliance ranges of 12% to 26% in detained indicted felonies and 11% to 27% in released ones. In addition, suburban compliance rates were significantly higher for misdemeanors than for indicted felonies, potentially reaching 50% after allowing for a possible 30-day extension. When considering results by county, the Rockland DA’s office significantly exceeded region-wide compliance rates for felony cases.

Upstate

Caution is advised when generalizing to the entire upstate region, given that the data in **Appendix C** points to significant variability by county. Nonetheless, it is worth synthesizing, on balance, that the upstate region generally saw greater timeline compliance than in New York City and its suburbs.

- **Misdemeanors:** District attorneys’ offices in upstate counties met the legal timelines in 14% to 30% of detained misdemeanors (a range created by the two analytic methods) and from 20% to 39% of released misdemeanors. With a 30-day extension, upstate compliance ranged from 28% to 59% for detained misdemeanors and 34% to 67% for released misdemeanors.
- **Indicted felonies:** The compliance ranges were 24% to 37% for detained cases and 29% to 48% for released cases. With a 30-day extension, the results for both detained and released cases pointed to compliance rates of 25% to 40% under our primary method of considering all cases and to rates reaching 50% if relying on the second method of considering results only in cases where the data indicates that prosecutors factually filed a COC at some point.

CHAPTER 4. DISCOVERY TIMELINE COMPLIANCE BY DISTRICT ATTORNEYS

- **Select Counties of Interest:** In general, after excluding courts seeing too few cases to draw meaningful conclusions, the **Chenango, Montgomery, and Steuben** District Attorneys' offices saw especially high rates of meeting the legal timelines for misdemeanors, as did the **Albany, Chenango, Washington, and Yates** DAs' offices for felonies.

Supplemental Certificates

Spanning all three regions, once filing a COC, district attorneys' offices later shared additional discovery and filed a supplemental certificate in at least 30% of their indicted felonies cases (**Exhibit 4.2**). For misdemeanors, DA's offices in the suburbs and upstate filed a supplemental certificate in less than 10% of misdemeanors where they initially filed a COC. (New York City was excluded from the misdemeanor analysis due to unreliable data).

CHAPTER 4. DISCOVERY TIMELINE COMPLIANCE BY DISTRICT ATTORNEYS

Exhibit 4.1.

Discovery Timeline Compliance: Disposed in 2024 After At Least 90 Days Pending

	NEW YORK CITY		SUBURBAN NYC		UPSTATE	
	All Cases	COC Filed	All Cases	COC Filed	All Cases	COC Filed
MISDEMEANORS						
DETAINED			N = 356	N = 173	N = 366	N = 145
COC within 20 days			12%	25%	14%	30%
COC within 50 days			25%	51%	28%	59%
COC at any time			49%	100%	48%	100%
Mean days to COC			55 days		61 days	
Median days to COC			42 days		35 days	
RELEASED			N = 7,392	N = 3,207	N = 5,511	N = 2,787
COC within 35 days			13%	31%	20%	39%
COC within 65 days			23%	53%	34%	67%
COC at any time			43%	100%	51%	100%
Mean days to COC			69 days		60 days	
Median days to COC			58 days		43 days	
ALL FELONIES						
DETAINED			N = 892	N = 277	N = 1,570	N = 881
COC within 20 days			2%	8%	21%	37%
COC within 50 days			9%	28%	32%	57%
COC at any time			31%	100%	56%	100%
Mean days to COC			107 days		61 days	
Median days to COC			84 days		29 days	
RELEASED			N = 2,430	N = 580	N = 2,788	N = 1,276
COC within 35 days			3%	14%	20%	43%
COC within 65 days			6%	25%	26%	56%
COC at any time			24%	100%	46%	100%
Mean days to COC			135 days		62 days	
Median days to COC			112 days		31 days	
INDICTED FELONIES						
DETAINED	N = 2,906	N = 2,029	N = 655	N = 307	N = 1,593	N = 1,035
COC within 20 days	3%	4%	4%	7%	24%	37%
COC within 50 days	13%	18%	12%	26%	39%	60%
COC at any time	70%	100%	47%	100%	65%	100%
Mean days to COC	132 days		137 days		58 days	
Median days to COC	96 days		87 days		27 days	
RELEASED	N = 5,189	N = 3,491	N = 1,068	N = 437	N = 2,075	N = 1,314
COC within 35 days	6%	9%	7%	16%	30%	48%
COC within 65 days	13%	19%	11%	27%	38%	60%
COC at any time	67%	100%	41%	100%	63%	100%
Mean days to COC	150 days		182 days		54 days	
Median days to COC	139 days		134 days		21 days	

CHAPTER 4. DISCOVERY TIMELINE COMPLIANCE BY DISTRICT ATTORNEYS

Exhibit 4.2.

Supplemental Certificates of Discovery: Cases with Initial COC Filed

	New York City	SUBURBAN	UPSTATE
MISDEMEANORS			
Any Supplemental Filed		8%	9%
More than 1 Supplemental		2%	2%
ALL FELONIES			
Any Supplemental Filed		19%	31%
More than 1 Supplemental		8%	13%
INDICTED FELONIES			
Any Supplemental Filed	35%	30%	36%
More than 1 Supplemental	15%	13%	15%

Chapter 5. Case Processing Time

How have case processing times from arraignment to a final case disposition changed since discovery reform went into effect? Accelerated timelines for sharing evidence, if implemented as outlined in the statute, would potentially shrink case processing times. Requiring “automatic” discovery, eliminating the need for the defense to make specific requests for evidence, as well as setting specific timelines for discovery to be complete, should allow cases to reach a disposition sooner.

Overall, while many changes are modest, case processing times have decreased for all case types in New York City; however, upstate case processing times have increased (though only marginally for misdemeanors), and results in downstate suburban counties are mixed (a substantial increase for indicted felony cases, with marginal changes for other cases). The upshot is that there is not a uniform directional shift across regions and charges.

Qualifying any interpretation of this chapter’s results, since the pre-discovery reform year of 2019, case processing times initially increased due to pandemic-related court disruptions in 2020 and 2021.¹⁶ More recently, state court leadership sought to address [historic case processing delays](#),¹⁷ including the launch of a [new citywide initiative](#) in New York City, which is presently in the pilot stages in Brooklyn.¹⁸ Given these and other overlapping developments, it is unfeasible to rigorously isolate cause and effect with respect to discovery reform. Despite this caveat, it is useful to examine how case processing times have changed pre- and post-reform.

Below is the narrative summary of major findings regarding case processing times, while **Exhibit 5.1** displays all rates of disposition within 90 days, 180 days, and a year, as well as average and median days to disposition, for both 2019 and 2024.¹⁹

CASE PROCESSING TIMES, 2019 vs. 2024

Similar to the rest of this report, it is important to note that we are only reporting on cases historically affected by the State’s speedy trial laws. The laws do not apply to murder, criminally negligent homicide, and certain manslaughter charges, which are therefore excluded from our analyses. *Felony case processing times provided here should not be used to represent the case processing trends of all felony cases, which may be different when these serious, typically long cases, are included.*

- **New York City:** New York City had by far the longest average case processing times of any region in 2019 and was the only region that showed consistent improvement by 2024 across all types of cases. Average misdemeanor case processing times decreased by 26 days, with 92% disposed within 180 days in 2024, compared with 79% in 2019. Average times for felonies and indicted felonies decreased by approximately one month, with 91% of all felonies and 74% of indicted felonies disposed in 2024 resolved within one year. However, around one-third of indicted felonies were resolved by the earlier milestone of 180 days in both 2019 and 2024.

CHAPTER 5. CASE PROCESSING TIME

- **Downstate Suburban Counties:** In the suburbs, there was more variability. Changes for misdemeanors and all felonies (both indicted and unindicted) were marginal (shifts of 15 days or less). Indicted felony case processing times substantially worsened, with cases taking an average of 61 days more to resolve. In 2019, 73% of indicted felonies in the suburbs were disposed within 180 days, but by 2024 this had dropped 23 percentage points to 50%.
- **Upstate:** In upstate, case processing times for all levels of charges increased from 2019 to 2024. In relatively marginal shifts, misdemeanors took 10 additional days to resolve on average, while felonies took an additional 11 days. Indicted felony case processing times increased by 23 days, while the proportion of these cases disposed in 180 days dropped from 76% to 64%.
- **Reductions Driven by Fewer Lengthy Cases:** For misdemeanors in both New York City and its suburbs, and in New York City felony cases, the decreases described above seemed to be driven by fewer very lengthy cases. Specifically, we can see that while these averages decrease, the corresponding medians stayed relatively stable, suggesting that the 2019 averages were pulled up substantially by the longest cases, and that the prevalence of these cases had decreased by 2024.

In summary, our results suggest case processing times declined in New York City after discovery reform, with no improvement in the rest of the state, outside of suburban misdemeanors. While the onset of the COVID-19 pandemic coincided with the implementation of discovery reform, there are two reasons why this particular event may not have influenced the changes we observed, at least in New York City. First, any impact of the pandemic on case processing times has likely dissipated or nearly dissipated by 2024. Second, the pandemic resulted in a court processing slowing down; therefore, if there were lingering effects from the pandemic on case processing times, we would see increases. Nonetheless, it is worth repeating that none of the results in this chapter rigorously distinguish cause and effect.

CHAPTER 5. CASE PROCESSING TIME

Exhibit 5.1.

Case Processing Times: Disposed Cases in 2019 and 2024

	NEW YORK CITY			SUBURBAN NYC			UPSTATE			STATEWIDE		
	2019	2024	Perc. Pt. Change	2019	2024	Perc. Pt. Change	2019	2024	Perc. Pt. Change	2019	2024	Perc. Pt. Change
MISDEMEANOR ARRAIGNMENTS	94,772	89,031		39,965	25,953		43,377	26,960		178,114	141,944	
Disposed within 90 days	38%	30%	-8%	54%	56%	2%	71%	66%	-5%	50%	42%	-8%
Disposed within 180 days	79%	92%	13%	79%	82%	3%	92%	89%	-3%	82%	90%	7%
Disposed within 1 year	95%	98%	3%	95%	97%	2%	98%	98%	0%	96%	98%	2%
Average days to disposition	131	105	-26 days	121	109	-11 days	82	92	+10 days	117	103	-14 days
Median days to disposition	95	95	+0 days	80	77	-3 days	56	63	+7 days	91	93	+2 days
FELONY ARRAIGNMENTS	34,710	36,851		10,049	9,402		18,033	16,112		62,792	62,365	
Disposed within 90 days	30%	28%	-1.5%	38%	42%	5%	54%	45%	-9%	38%	35%	-3%
Disposed within 180 days	53%	56%	3%	71%	68%	-3%	83%	75%	-8%	64%	63%	-2%
Disposed within 1 year	84%	91%	7%	94%	90%	-3%	94%	94%	0.3%	88%	92%	3%
Average days to disposition	213	181	-32 days	151	161	+10 days	127	138	+11 days	179	167	-12 days
Median days to disposition	167	160	-7 days	119	108	-11 days	83	102	+19 days	125	133	+8 days
INDICTED FELONIES: TIMES ARE POST-INDICTMENT	10,870	9,035		2,682	1,978		7,405	7,242		20,957	18,255	
Disposed within 90 days	15%	14%	-1%	33%	21%	-12%	38%	27%	-11%	26%	20%	-6%
Disposed within 180 days	33%	34%	0.7%	73%	50%	-23%	76%	64%	-12%	53%	48%	-6%
Disposed within 1 year	65%	74%	9%	95%	88%	-8%	93%	91%	-2%	79%	82%	4%
Average days to disposition	327	288	-39 days	144	205	+61 days	155	178	+23 days	243	235	-8 days
Median days to disposition	271	246	-25 days	128	180	+52 days	112	141	+29 days	167	188	+21 days

Note: Outliers with case processing times shown as ten years or above were excluded.

Appendices

Appendix A. Total Cases Disposed by Year, 2019-2024

	NEW YORK CITY			SUBURBAN NYC			UPSTATE			STATEWIDE		
	Misd.	All Felonies	Indicted Felonies	Misd.	All Felonies	Indicted Felonies	Misd.	All Felonies	Indicted Felonies	Misd.	All Felonies	Indicted Felonies
2019	96,551	35,090	10,891	42,614	11,345	2,857	45,929	18,699	7,395	185,094	65,134	21,143
2020	43,636	16,000	3,961	20,400	5,288	995	20,410	9,806	3,477	84,446	31,094	8,433
2021	83,648	30,110	6,209	22,791	8,849	1,650	26,853	15,518	6,003	133,292	54,477	13,862
2022	72,456	31,869	10,428	24,480	8,927	2,041	27,486	16,436	6,879	124,422	57,232	19,348
2023	78,648	34,175	10,029	26,550	10,133	1,890	27,504	16,841	7,126	132,702	61,149	19,045
2024	89,596	37,365	9,087	27,027	10,115	1,989	28,275	17,188	7,322	144,898	64,668	18,398

APPENDICES

Appendix B. Disposed Cases by County, 2019 vs. 2024

	MISD. ARRAIGNMENTS		FEL. ARRAIGNMENTS		INDICTED FELONIES	
	2019	2024	2019	2024	2019	2024
NEW YORK CITY						
Bronx	16,811	16,330	6,308	5,434	2,691	1,818
Brooklyn	27,623	27,979	9,673	12,650	2,647	3,180
Manhattan	24,017	18,834	10,134	7,515	3,848	2,358
Queens	23,347	21,796	7,258	9,858	1,343	1,488
Staten Island	4,880	4,680	1,852	2,000	492	263
SUBURBAN NYC						
Nassau	14,730	7,892	4,710	4,686	888	592
Rockland	62	185	342	207	279	138
Suffolk	21,552	14,599	3,944	3,228	1,369	1,038
Westchester	6,309	4,379	2,366	2,000	337	235
UPSTATE						
Albany	2,279	1,431	883	904	367	284
Allegany	17	9	38	32	19	23
Broome	1,041	850	497	576	214	237
Cattaraugus	658	525	238	318	163	181
Cayuga	559	502	210	202	89	150
Chautauqua	1,683	1,652	632	671	76	116
Chemung	921	737	409	334	272	199
Chenango	221	167	160	126	90	96
Clinton	432	435	254	162	100	87
Columbia	233	141	147	83	33	44
Cortland	525	367	111	163	38	93
Delaware	4	2	76	76	37	59
Dutchess	988	621	483	412	118	108
Erie	8,384	3,205	3,618	2,454	653	606
Essex	11	10	48	32	36	22
Franklin	14	2	69	107	59	106
Fulton	618	331	160	150	43	29
Genesee	406	284	179	218	102	156
Greene	3	2	56	44	47	31
Hamilton	-	-	7	2	4	2
Herkimer	107	91	72	69	33	29
Jefferson	864	986	161	276	116	138
Lewis	4	-	35	36	26	25
Livingston	-	1	146	160	102	115
Madison	380	208	153	137	70	42
Monroe	4,933	2,674	1,948	1,560	870	1,031
Montgomery	434	422	142	155	71	61
Niagara	3,089	1,634	919	907	134	247
Oneida	2,750	1,458	592	574	270	272
Onondaga	4,300	2,974	1,221	1,507	624	482
Ontario	550	330	241	176	142	97
Orange	2,650	1,425	1,191	873	544	337

APPENDICES

Appendix B. Disposed Cases by County, 2019 vs. 2024 (Continued)

	MISD. ARRAIGNMENTS		FEL. ARRAIGNMENTS		INDICTED FELONIES	
	2019	2024	2019	2024	2019	2024
UPSTATE Cntd.						
Orleans	5	7	55	47	50	40
Oswego	1,051	912	281	356	66	128
Otsego	254	214	118	109	49	56
Putnam	2	5	50	35	40	23
Rensselaer	1,218	770	550	517	169	160
Saratoga	896	469	281	256	92	50
Schenectady	1,436	1,007	607	569	181	156
Schoharie	11	2	17	19	16	17
Schuyler	1	-	27	65	10	50
Seneca	-	-	41	19	34	17
St. Lawrence	243	123	170	200	104	133
Steuben	517	391	371	412	330	349
Sullivan	2	1	99	69	95	52
Tioga	5	4	70	65	52	54
Tompkins	358	222	119	184	40	65
Ulster	504	359	289	339	150	161
Warren	426	343	141	139	64	34
Washington	2	-	122	125	121	121
Wayne	-	-	127	114	114	103
Wyoming	4	7	103	104	79	92
Yates	-	-	46	41	45	41

Note: Dashes indicate no cases. (Several small counties saw all of their misdemeanor arraignments in town and village courts for which data was unavailable.)

APPENDICES

Appendix C. Discovery Timeline Compliance by County: Disposed Cases by County in 2024

	Misdemeanor Arraignment		All Felony Arraignments		Indicted Felonies	
	COC within 65 days	COC any time	COC within 65 days	COC any time	COC within 65 days	COC any time
NEW YORK CITY						
Bronx					9%	60%
Brooklyn					15%	80%
Manhattan					9%	53%
Queens					26%	72%
Staten Island					52%	89%
Suburban NYC						
Nassau					6%	41%
Rockland	22%	24%	39%	70%	50%	88%
Suffolk	26%	48%	7%	25%	13%	44%
Westchester	16%	33%	4%	21%	10%	25%
UPSTATE						
Albany					72%	86%
Allegany						
Broome	48%	69%	22%	47%	40%	53%
Cattaraugus	37%	46%				
Cayuga	66%	76%				
Chautauqua					25%	97%
Chemung	31%	88%				
Chenango	70%	74%	79%	96%	82%	99%
Clinton						
Columbia	23%	33%	33%	65%	25%	75%
Cortland	61%	72%				
Delaware					63%	80%
Dutchess	10%	27%	25%	43%	46%	57%
Erie	11%	25%	26%	35%	59%	65%
Essex	75%	88%	48%	56%	60%	70%
Franklin	100%	100%	23%	94%	23%	94%
Fulton	70%	85%	61%	73%	47%	53%
Genesee	49%	61%	16%	38%	11%	36%
Greene					46%	57%
Hamilton						
Herkimer					28%	56%
Jefferson					31%	35%
Lewis						
Livingston					31%	38%
Madison					27%	30%
Monroe	33%	53%	28%	54%	35%	69%
Montgomery	74%	80%	51%	54%	19%	25%
Niagara	44%	56%	37%	56%	44%	67%
Oneida	32%	42%	7%	27%	15%	56%
Onondaga						
Ontario					10%	37%
Orange					9%	28%
Orleans						
Oswego	13%	33%				

APPENDICES

Appendix C. Discovery Timeline Compliance by County: Disposed Cases by County in 2024 (Continued)

	Misdemeanor Arraignment		All Felony Arraignments		Indicted Felonies	
	COC within 65 days	COC any time	COC within 65 days	COC any time	COC within 65 days	COC any time
UPSTATE Cntd.						
Otsego					66%	90%
Putnam					19%	44%
Rensselaer					40%	58%
Saratoga						
Schenectady	36%	51%				
Schoharie					60%	93%
Schuyler						
Seneca	--	--	17%	33%	17%	33%
St. Lawrence	5%	29%	23%	79%	28%	93%
Steuben	80%	87%				
Sullivan	--	--	27%	54%	28%	55%
Tioga						
Tompkins	39%	53%				
Ulster	24%	39%	27%	50%	44%	81%
Warren	38%	56%	32%	45%	53%	73%
Washington	--	--	90%	94%	90%	94%
Wayne						
Wyoming					38%	38%
Yates	--	--	70%	84%	70%	84%

Note: Shaded cells were deemed to have unreliable data quality (see Chapter 2).

APPENDICES

Appendix D. Courts Omitted from the Discovery Timeline Compliance Analysis

Note: Percentages shown in the graph below are for courts omitted from the discovery timeline compliance analysis. The purpose of this appendix is to share with readers results we deemed non-credible or possibly non-credible and, therefore, omitted from all previous exhibits. Shaded cells are for courts with data deemed reliable that this report’s above exhibits include (see Appendix C). Any counties entirely omitted from this appendix has reliable data from all of its courts (shown in Appendix C).

	Misdemeanor Arraignment		All Felony Arraignments		Indicted Felonies	
	COC within 65 days	COC any time	COC within 65 days	COC any time	COC within 65 days	COC any time
NEW YORK CITY						
Bronx	0.0%	0.1%	3%	24%		
Brooklyn	0.1%	0.6%	5%	24%		
Manhattan	0.0%	0.4%	4%	22%		
Queens	5%	20%	5%	15%		
Staten Island	0.8%	2%	9%	15%		
Suburban NYC						
Nassau	2%	14%	1.5%	11%		
UPSTATE						
Albany	2%	4%	42%	51%		
Allegany	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Cattaraugus			4%	6%	0.0%	1.4%
Cayuga			10%	10%	3%	3%
Chautauqua	12%	20%	10%	45%		
Chemung			23%	31%	12%	20%
Clinton	0.0%	0.0%	1.0%	1.0%	2%	2%
Cortland			37%	40%	16%	17%
Delaware	0.0%	0.0%	55%	70%		
Greene	–	0.0%	46%	57%		
Hamilton	–	0.0%	0.0%	0.0%	0.0%	0.0%
Herkimer	0.0%	2%	13%	33%		
Jefferson	0.0%	0.0%	26%	29%		
Lewis	–	–	19%	24%	19%	24%
Livingston	–	–	27%	34%		
Madison	0.0%	0.0%	28%	29%		
Onondaga	12%	21%	7%	18%	6%	12%
Ontario	3%	13%	8%	29%		
Orange	4%	10%	6%	20%		
Orleans	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Oswego			3%	16%	0.0%	0.0%
Otsego	4%	4%	46%	65%		
Putnam	0%	0%	19%	44%		
Rensselaer	0%	2%	19%	28%		
Saratoga	2%	12%	5%	6%	15%	21%
Schenectady			8%	20%	8%	11%
Schoharie	0.0%	0.0%	53%	82%		
Schuyler	–	–	0.0%	0.0%	0.0%	0.0%
Seneca	–	–	17%	33%	17%	33%
Steuben			20%	20%	14%	14%
Tioga	0%	0%	4%	6%	5%	5%
Tompkins			6%	9%	5%	5%
Wayne	–	–	0.0%	0.0%	0.0%	0.0%
Wyoming	0.0%	0.0%	35%	35%		

Endnotes

¹Rodriguez, K. (2019, Updated in 2022). [Discovery Reform in New York: Major Legislative Provisions](#). New York, NY: Data Collaborative for Justice.

²A public dashboard maintained by the New York State Unified Court System shows the rate at which, according to court data, prosecutors ever turn over their evidence and file a certificate of compliance. However, this dashboard does not indicate compliance with the specific legal timelines built into the discovery reform statute, nor does it incorporate decisions (as this report does) to omit data from certain courts or counties demonstrating likely unreliable data quality. See Chapter 2 of this report for a discussion of data limitations in the discovery compliance data and how we addressed them; and for the court system’s public dashboard, see New York State Unified Court System, Division of Technology and Court Research. [Discovery Reform: Court Activity Dashboard](#).

³State of New York, Executive Chamber. (March 20, 2020). [Continuing Temporary Suspension and Modification of Laws Related to the Disaster Emergency](#).

⁴State of New York, Executive Chamber. (May 6, 2021). [Continuing Temporary Suspension and Modification of Laws Related to the Disaster Emergency](#).

⁵Rodriguez, K. (2019, Updated in 2022), Op Cit. For the full statute enacted under discovery reform, see The New York State Senate. [Article 245: Discovery](#).

⁶Criminal Procedure Law § 30.30 [Speedy trial; time limitations](#).

⁷As a practical matter, the omission of town and village court cases from our dataset means that for a few small, rural counties where the overwhelming majority of cases are initially arraigned in a town and village justice court, the dataset includes barely any misdemeanors and a reduced number of felonies. Indicted felonies, however, are handled in county courts for which we possess relevant data.

⁸Cases receiving an adjournment in contemplation of dismissal (ACD) are automatically dismissed either six or 12 months later depending on the charge, unless the prosecution moves to re-open the case. As an empirical matter, while ACDs are sometimes re-opened, for example if the individual fails to comply with a community or social service mandate, these cases typically end in an actual dismissal.

⁹New York State Unified Court System, Division of Technology and Court Research. Discovery Reform: [Court Activity Dashboard](#).

¹⁰Our decision rules were as follows: Whenever data for cases pending at least 90 days until reaching a disposition showed a COC was filed in less than one-quarter of the cases for *misdemeanors*, we deemed the misdemeanor data to be unreliable. We then implemented the same standard for *indicted felonies*. Then, because cases in the broader felony category may either be indicted or unindicted—i.e., may be prosecuted either in lower criminal or district courts or in upper supreme courts—we deemed the data for *all felonies* unreliable if we made that determination *either* for misdemeanors or indicted felonies.

¹¹It is conceivable that for some indicted felony cases, a certificate of compliance (COC) may have been filed prior to their indictment while the cases were in a pre-indictment stage in the lower Criminal Court. However, as a practical matter, the filing of COCs in these cases prior to their indictment is rare. Therefore, in counties with reliable supreme court data and unreliable city or district court data, we considered the existence of the reliable supreme court data to justify an overall determination that COC data for indicted felonies is reliable and may be included in the study.

ENDNOTES

¹² We omitted data from courts showing an especially low fraction of COCs filed (e.g., under a quarter) in cases pending for long enough for such submission to have presumably taken place at least some of the time (i.e., in cases meeting our sampling frame of pending for 90 days or more). A few data quality determinations were complicated (and not based on an irrevocable or exact formula), where COCs appeared to be submitted well over a quarter of the time for misdemeanors but rarely for all felonies (combining indicted and unindicted felonies), or the reverse. In general, we decided that because both misdemeanors and unindicted felonies are heard in the same courts, we would either omit from a given county both categories involving these case types or retain both. On the other hand, because indicted felonies are heard in the State's Supreme Court where different court clerks are employed, we made separate decisions about these cases for each county.

¹³ See, e.g., Weill, J., Rempel, M., Rodriguez, K., & Raine, V. (2021). [Reducing Felony Case Delay in Brooklyn: Evaluation of Jail Reduction Strategies Implemented in 2019](#). New York, NY: Center for Justice Innovation; Weill, J., Rempel, M., Rodriguez, K., & Raine, V. (2021). [Felony Case Delay in New York City: Lessons from a Pilot Project in Brooklyn](#). New York, NY: Center for Justice Innovation.

¹⁴ The umbrella category of unindicted felony includes: (1) cases dismissed or resolved with an adjournment in contemplation of dismissal prior to indictment; (2) cases with charges reduced to a misdemeanor or lesser offense; and (3) cases where all parties agree to a plea to a felony absent a formal indictment (known as a “Superior Court Information.” Precisely because unindicted felonies encompass a wide range of cases and adjudication circumstances, we left for future research efforts to break out speedy trial dismissals for this umbrella category and its many sub-categories.

¹⁵ As noted in Chapter 2, the case processing times reported here exclude “tolled days”—periods when the speedy trial clock is paused, such as when people facing charges are out on a warrant or undergoing mental competency proceedings. This adjustment is particularly important for the purposes of this report, since tolled time is not supposed to count toward the speedy trial limit. However, if we did not exclude tolled days, more cases would appear to exceed the 90-day period. For example, we found that in 15% of the cases statewide that were dismissed on speedy trial grounds within 90 days, the total number of calendar days (if tolled time is included) was more than 90.

¹⁶ Rempel, M., Rodriguez, K., Nims, T., Weill, J., Katznelson, Z., & Volpe, M. (2021). [Closing Rikers Island: A Roadmap for Reducing Jail in New York City](#). New York, NY: Independent Rikers Commission.

¹⁷ Weill, J., et al. (2021), Op Cit.

¹⁸ New York State Unified Court System. (2024). [News Release: Chief Administrative Judge Zayas Announces Criminal Case Management Innovations New Protocols Aim to Reduce Felony Case Delays](#).

¹⁹ Case processing times exclude cases disposed at arraignment, as previously discussed. This chapter’s analysis also excludes case processing times of zero days in a scenario in which a case is initially arraigned and later re-arraigned on a new charge and disposed on the re-arraignment date. We also excluded outliers in which the data indicated case processing times of ten years or longer.