

# BROAD, BIPARTISAN SUPPORT FOR BOLD PRE-TRIAL REFORMS IN NEW YORK STATE

As Albany debates pre-trial reform, voters across the political spectrum agree that New York State incarcerates too many individuals while they wait for their trials and overwhelmingly support pre-trial reforms to shorten case processing times and prevent defendants from taking plea deals before evidence is shared with them. New Yorkers are in favor of broad limits on pre-trial detention, including indicating strong support for a proposal that would keep individuals in jail before trial only if they are accused of a serious felony and deemed a flight risk. Support for pre-trial reform only increases after voters hear a simulated debate, indicating that voters' already robust support is likely to increase and intensify the more they hear about this issue.

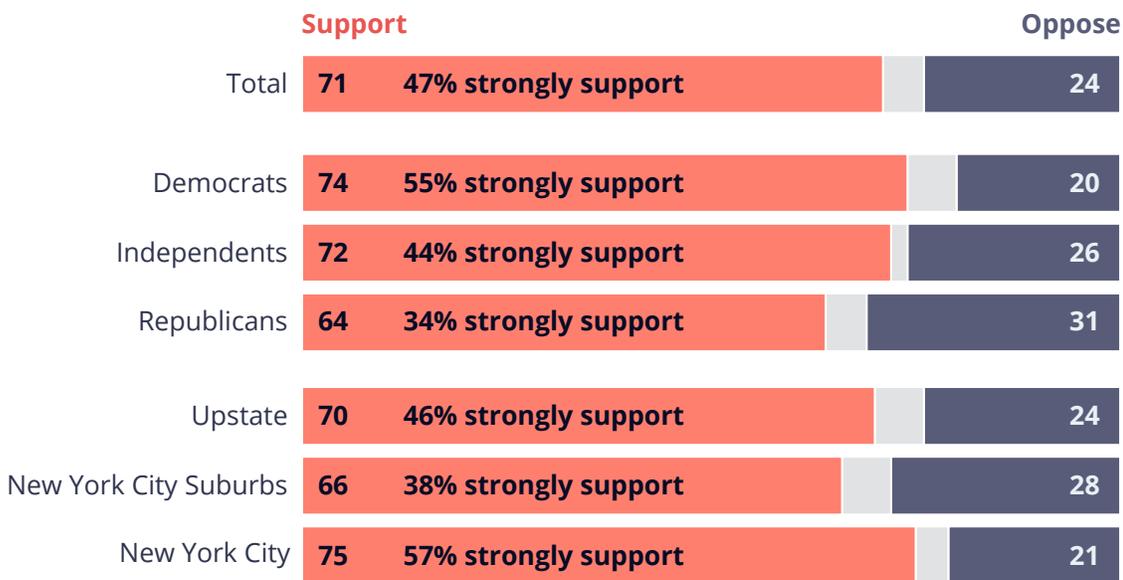
State lawmakers from both sides of the aisle clearly stand to benefit from supporting criminal justice reform. Proposed reforms earn strong support from left-leaning voters who Democratic candidates will need to turn out in November and also garner high support from Republican voters who see them as common-sense measures that will save taxpayer money at a time when New York taxpayers are feeling particularly squeezed. Additionally, criminal justice reforms are widely supported by independent voters and voters in key swing areas of the state who are most likely to tip the balance of elections this year.

## KEY SURVEY FINDINGS:

**Voters widely support ending pre-trial jail for misdemeanors and non-violent felonies.** Just over seven in ten (71% support/24% oppose) support this proposal to limit pre-trial detention, including nearly half (47%) who support it strongly. Further, majorities across partisan, demographic, and regional lines support ending pre-trial detention for people accused of these types of crimes:

- Democrats – 74% support
- Independents – 72% support
- Republicans – 64% support, including 58% of conservative Republicans
- Upstate – 70% support, including 70% in rural Upstate areas
- New York City Suburbs – 66% support, including 62% on Long Island
- New York City – 75% support

**Figure 1.1** – Support for ending pre-trial jail for misdemeanors or non-violent felonies



**New Yorkers support a proposal to replace jail before trial unless defendants are proven flight risks and have been accused of a felony involving physical force against an individual or property damage of over \$1 million.** This proposal has nearly three-quarters support (73% support/23% oppose), with one-half of voters (50%) strongly supporting it. Again, support spans across major sub-groups of the electorate:

- Democrats – 79% support
- Independents – 76% support
- Republicans – 61% support, including 55% of conservative Republicans
- Upstate – 69% support, including 65% in rural Upstate areas
- New York City Suburbs – 72% support, including 70% on Long Island
- New York City – 80% support

**Figure 1.2** – Support for replacing jail before trial unless defendants are proven flight risks and have been accused of a felony involving physical force or property damage over \$1 million



**There is broad support for setting a firm speedy trial requirement.** New Yorkers widely believe that cases should move to trial in a timely manner, as 86% believe a trial must start within four months to fit the definition of a “speedy” trial as dictated by the U.S. constitution and a majority (59%) believe “speedy” trials must start within eight weeks. Fully nine in ten voters (90% support/8% oppose) support setting a firm speedy trial requirement to reduce delays in court proceedings and prevent people from being held in jail for months or years awaiting trial, including clear majorities across party, and region:

- Democrats – 90% support
- Independents – 90% support
- Republicans – 89% support, including 89% of conservative Republicans
- Upstate – 87% support
- New York City Suburbs – 94% support, including 93% on Long Island
- New York City – 91% support

**Figure 1.3** – Support for speedy trial reform



**Voters believe those accused of a crime should be able to see the evidence against them before deciding whether to plead guilty.** More than three quarters of voters (78%) support this proposal that would keep individuals from pleading guilty without knowledge of the strength of the case against them. Again, this includes large majorities across subgroups:

- Democrats – 79% support
- Independents – 80% support
- Republicans – 74% support, including 75% of conservative Republicans
- Upstate – 77% support
- New York City Suburbs – 78% support, including 80% on Long Island
- New York City – 78% support

**Voters believe that it's a waste of taxpayer money to keep people accused of non-violent crimes in jail while they await trial.** Over eight in ten voters (82% agree/14% disagree) agree that taxpayer dollars are wasted when people accused of non-violent crimes wait in jail for their trial, with 60% strongly agreeing. Voters throughout the state reach clear consensus that this process wastes taxpayers' money:

- Democrats – 88% agree
- Independents – 86% agree
- Republicans – 69% agree, including 64% of conservative Republicans
- Upstate – 81% agree, including 81% in rural Upstate areas
- New York City Suburbs – 78% agree, including 73% on Long Island
- New York City – 88% agree

**Support for pre-trial reform increases when voters hear a back-and-forth debate.** When voters are exposed to balanced messaging both for and against ending jail before trial for misdemeanors and non-violent felonies, support for the proposal increases by nine points (from 71% support/24% oppose to 80%/14%) and strong support increases by six points (from 47% to 53%).

- Democrats – 85% support
- Independents – 78% support
- Republicans – 73% support, including 69% of conservative Republicans
- Upstate – 78% support, including 77% in rural Upstate areas
- New York City Suburbs – 75% support, including 74% on Long Island
- New York City – 88% support

**Voters who have been victims of crimes themselves show even stronger support for criminal justice reform proposals than the general public.** Nearly three-quarters (73%) of voters who have been victims of a crime support ending pre-trial detention for those accused of misdemeanors and non-violent felonies, slightly higher than voters overall (71%) or those who have not been victims of crime (70%). A similar number of crime victims (75%) support ending pre-trial detention unless those accused are proven to be a flight risk and have been accused of a felony involving physical force or major property damage, again higher than voters overall (73%) or those who haven't been victims of crimes (73%).

Crime victims show near universal support (96% support, 88% strong support) for creating a firm speedy trial requirement, as this population again is even more supportive of reform than voters overall (90% support, 78% strongly) or those who haven't been victims of crime (88% support, 74% strongly). Voters who have been victims of crime are also more likely to support discovery reform to allow people accused of crimes to see the evidence against them before deciding whether to plead guilty (84% support, 63% strong support) than voters overall (78% support, 53% strong support) or those who have not been victims of crime (75% support, 49% strong support).

#### ABOUT THIS POLL

Global Strategy Group conducted a state-wide survey of 802 likely 2018 voters in New York between February 8-12, 2018. The results of this survey have a margin of error of +/-3.5%. Care has been taken to ensure the geographic and demographic divisions of the expected electorate are properly represented based on historical turnout.