

By Al O'Connor*

Table of Contents

Introduction	4
New Offenses and Offense Level Upgrades	4
Penal Law	7
Criminal Procedure Law	7
Family Law Practice	8
Vehicle and Traffic Law	8
Crime Victims	8
Miscellaneous	9
Sunset Clause Extended	9

Introduction

The 2001 Regular Session of the New York State Legislature began with the real promise of Rockefeller Drug Law reform and the first pay raise for 18-B lawyers in sixteen years. But early hopes for positive change in the area of criminal justice were slowly eclipsed by the inevitable budget battle that developed between the Legislature and Governor. Governor George Pataki's refusal to engage in budget negotiations this year raised fears of a repeat of 1998, when he unexpectedly vetoed nearly \$1 billion of appropriations approved by the Senate and Assembly. This August, the Legislature sought to break the standoff by passing a Spartan "baseline" budget, which, it was hoped, would cause so much fiscal pain that it would force the Governor to participate in three-way negotiations on a supplemental budget. Then, of course, the cataclysmic events of Sept. 11th forced a change in everyone's priorities. The Legislature convened in an Extraordinary Session on Sept. 17th to quickly pass an anti-terrorism bill, and the budget was finally laid to rest in October with only small additions to the stripped-down "baseline budget." As a result of these extraordinary events, and for the time being, Rockefeller Drug Law reform and an increase in 18-B rates remain seemingly out of reach. There are reports that the Legislature will reconvene in December and may take up these long-neglected issues.

In addition to the anti-terrorism bills passed on Sept. 17th, some of the more significant criminal justice legislation this year included the elimination of mandatory sequestration in criminal trials, and a drastic expansion of the "Son of Sam Law." The Legislature also passed its usual share of minor and technical bills. Summarized below are the bills affecting public defense work that have either been signed into law by Governor Pataki, or have passed both houses and will be forwarded to him for his approval or veto. The complete text of all bills and chapter laws can be found on the New York State Senate and Assembly web sites (www.senate.state.ny.us and

* Al O'Connor is a Backup Center Staff Attorney. He coordinates the Association's amicus and legislative work.

www.assembly.state.ny.us). These sites can also be accessed on the Research Links page of NYSDA's web site (www.nysda.org).

New Offenses & Offense Level Upgrades

Chap. 300 (S.70002) (Anti-Terrorism Act of 2001).

Effective: September 17, 2001

Less than a week after the Sept. 11th terrorist attack on the World Trade Center, the Legislature convened in an Extraordinary Session to pass the Anti-Terrorism Act of 2001. The Act establishes four new substantive penal law offenses: act of terrorism, soliciting or providing support for an act of terrorism, making a terroristic threat, and hindering prosecution of terrorism. It also includes the first amendment to New York's death penalty statute since capital punishment was reinstated on Sept. 1, 1995.

Crime of terrorism—Penal Law § 490.25

A person is guilty of a crime of terrorism when, with intent to intimidate or coerce a civilian population, influence the policy of a unit of government by intimidation or coercion, or affect the conduct of a unit of government by murder, assassination or kidnapping, he or she commits a specified offense.

Definitions—Penal Law § 490.05 (1)

1. "Act of terrorism":

- (a) For purposes of this article means an act or acts constituting a specified offense as defined in subdivision three of this section for which a person may be convicted in the criminal courts of this state pursuant to article twenty of the criminal procedure law, or an act or acts constituting an offense in any other jurisdiction within or outside the territorial boundaries of the United States which contains all of the essential elements of a specified offense, that is intended to:
 - (i) intimidate or coerce a civilian population;
 - (ii) influence the policy of a unit of government by intimidation or coercion; or
 - (iii) affect the conduct of a unit of government by murder, assassination or kidnapping; or
- (b) for purposes of subparagraph (xiii) of paragraph (a) of subdivision one of section 125.27 of this chapter means activities that involve a violent act or acts dangerous to human life that are in violation of the criminal laws of this state and are intended to:
 - (i) intimidate or coerce a civilian population;
 - (ii) influence the policy of a unit of government by intimidation or coercion; or
 - (iii) affect the conduct of a unit of government by murder, assassination or kidnapping.

Specified Offense—Penal Law § 490.05 (3)

3. “Specified offense” for purposes of this article means a class A felony offense other than an offense as defined in article two hundred twenty, a violent felony offense as defined in section 70.02, manslaughter in the second degree as defined in section 125.15, criminal tampering in the first degree as defined in section 145.20 of this chapter, and includes an attempt or conspiracy to commit any such offense.

Sentencing Provisions—Penal Law § 490.25 (2)

- (a) When a person is convicted of a crime of terrorism pursuant to this section, and the specified offense is a class B, C, D or E felony offense, the crime of terrorism shall be deemed a violent felony offense.
- (b) When a person is convicted of a crime of terrorism pursuant to this section, and the specified offense is a class C, D or E felony offense, the crime of terrorism shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit the offense, whichever is applicable.
- (c) When a person is convicted of a crime of terrorism pursuant to this section, and the specified offense is a class B felony offense, the crime of terrorism shall be deemed a class A-I felony offense and the sentence imposed upon conviction of such offense shall be in accordance with section 70.00 of this chapter.
- (d) Notwithstanding any other provision of law, when a person is convicted of a crime of terrorism pursuant to this section, and the specified offense is a class A-I felony offense, the sentence upon conviction of such offense shall be life imprisonment without parole; provided, however, that nothing herein shall preclude or prevent a sentence of death when the specified offense is murder in the first degree as defined in section 125.27 of this chapter.

Death Penalty Amendment—Penal Law § 125.27 (1) (xiii)

A person is guilty of murder in the first degree when:
(xiii) The victim was killed in furtherance of an act of terrorism, as defined in paragraph (b) of subdivision one of section 490.05 of this chapter. . .

Soliciting or providing support for an act of terrorism in the second degree—Penal Law § 490.10

A person commits soliciting or providing support for an act of terrorism in the second degree when, with intent

that material support or resources will be used, in whole or in part, to plan, prepare, carry out or aid in either an act of terrorism or the concealment of, or an escape from, an act of terrorism, he or she raises, solicits, collects or provides material support or resources.

(Class D violent felony)

Soliciting or providing support for an act of terrorism in the first degree—Penal Law § 490.15

A person commits soliciting or providing support for an act of terrorism in the first degree when he or she commits the crime of soliciting or providing support for an act of terrorism in the second degree and the total value of material support or resources exceeds one thousand dollars.

(Class C violent felony)

Definitions—Penal Law § 490.05

- 2. “Material support or resources” means currency or other financial securities, financial services, lodging, training, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.
- 4. “Renders criminal assistance” for purposes of sections 490.30 and 490.35 of this article shall have the same meaning as in section 205.50 of this chapter.

Making a terroristic threat—Penal Law § 490.20

- 1. A person is guilty of making a terroristic threat when with intent to intimidate or coerce a civilian population, influence the policy of a unit of government by intimidation or coercion, or affect the conduct of a unit of government by murder, assassination or kidnapping, he or she threatens to commit or cause to be committed a specified offense and thereby causes a reasonable expectation or fear of the imminent commission of such offense.
- 2. It shall be no defense to a prosecution pursuant to this section that the defendant did not have the intent or capability of committing the specified offense or that the threat was not made to a person who was a subject thereof.

(Class D violent felony)

Hindering prosecution of terrorism in the second degree—Penal Law § 490.30

A person is guilty of hindering prosecution of terrorism in the second degree when he or she renders criminal assistance to a person who has committed an act of terrorism, knowing or believing that such person engaged in conduct constituting an act of terrorism.

(Class C violent felony)

Hindering prosecution of terrorism in the first degree— Penal Law § 490.35

A person is guilty of hindering prosecution of terrorism in the first degree when he or she renders criminal assistance to a person who has committed an act of terrorism that resulted in the death of a person other than one of the participants, knowing or believing that such person engaged in conduct constituting an act of terrorism.

(Class B violent felony)

Chap. 244 (S.357-c) (Falsely Reporting an Incident — Placing a False Bomb). Effective: November 1, 2001

Adds a new subdivision (6) to Penal Law § 240.60 (Falsely reporting an incident in the first degree) concerning false reports of an impending explosion or release of a hazardous substance in a *sports stadium or arena, mass transportation facility or enclosed shopping mall*. As originally enacted, Chapter 244 established the crime as a Class E felony. However, the section was subsequently amended by Chapter 301 to reclassify the crime a Class D violent felony.

Establishes the new Penal Law offense of Placing a false bomb in a sports stadium or arena, mass transportation facility or enclosed shopping mall (Penal Law § 240.63 - as originally enacted a Class E felony but crime was reclassified a Class D violent felony by Chapter 301).

Chapter 301 (Falsely Reporting an Incident — Placing a False Bomb). Effective: September 17, 2001 / November 1, 2001

As part of the Extraordinary Session on September 17th in the wake of the World Trade Center attacks, the Legislature elevated the offenses levels of Falsely reporting an incident (Penal Law §§ 240.50, 240.55, 240.60) and Placing a false bomb (Penal Law §§ 240.61, 240.62, 240.63):

- Falsely reporting an incident in the third degree (Penal Law § 240.50): Elevated from a Class B to a Class A misdemeanor.
- Falsely reporting an incident in the second degree (Penal Law § 240.55): Elevated from a Class A misdemeanor to a Class E violent felony.
- Falsely reporting an incident in the first degree (Penal Law § 240.60): Elevated from a Class E felony to a Class D violent felony.
- Placing a false bomb in the second degree (Penal Law § 240.61): Elevated from a Class A misdemeanor to a Class E violent felony.
- Placing a false bomb in the first degree (Penal Law § 240.62): Elevated from a Class E felony to a Class D violent felony.

- Placing a false bomb in a sports stadium or arena, mass transportation facility or enclosed shopping mall (Penal Law § 240.63): Elevated from a Class E felony to a Class D violent felony.

Chapter 301 also includes substantive amendments to the elements of the following crimes:

Falsely reporting an incident in the second degree (Class E violent felony) — Adds a new subdivision:

4. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is likely public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or an impending occurrence of a fire, an explosion, or the release of a hazardous substance upon any private premises.

Falsely reporting an incident in the first degree (Class D violent felony) — Amends subdivision 6 to additionally apply to false reports of a fire and false reports relating to “any public building or any public place.”

Placing a false bomb in the first degree (Class D violent felony) — Amends section to apply to false bombs placed in “a public building or a public place.”

Chap 42 (A.5305) (Judiciary Law — Providing a Juror with a gratuity). Effective: November 1, 2001

After the jury deadlocked at his 1999 trial on tax evasion charges, Abe Hirschfeld, offered each juror a tip of \$2,500. In response to this incident, the Legislature has now established the new Class A misdemeanor of providing a juror with a gratuity:

Penal Law § 215.22 — Providing a Juror with a Gratuity

A person is guilty of providing a juror with a gratuity when he or she, having been a party in a concluded civil or criminal action or proceeding or having been a person with regard to whom a grand jury has taken action pursuant to any subdivision of section 190.60 of the criminal procedure law (or acting on behalf of such a party or such a person), directly or indirectly confers, offers to confer or agrees to confer upon a person whom he or she knows has served as a juror in such action or proceeding or on such grand jury any benefit with intent to reward such person for such service (Class A misdemeanor).

Chap. 224 (A.808) (Arson in the Fifth Degree). Effective: November 1, 2001

Establishes the new crime of Arson in the fifth degree, a Class A misdemeanor, which applies when a person intentionally damages property of another (without the owner’s consent) by starting a fire or causing an explosion. While such conduct has always been punishable as criminal mischief, the new offense is intended to facilitate

closer monitoring of arsonists by insuring that criminal history reports reflect the true of the defendant's actions.

Penal Law § 150.01 — Arson in the Fifth Degree

A person is guilty of arson in the fifth degree when he or she intentionally damages property of another without consent of the owner by intentionally starting a fire or causing an explosion (Class A misdemeanor).

Penal Law

Chap. 385 (S.4233) (Aggravated Harassment in the Second Degree — Elements). Effective: November 1, 2001

Amends Penal Law § 240.30 to criminalize harassing communications made during the course of a telephone call that was not initiated by the defendant. The legislation was adopted to overrule such cases as *People v. Monroe*, 183 Misc.2d 374 (Crim. Ct. New York County 2000), where the court held that the language of the statute did not apply to threatening remarks made during the course of a telephone call initiated by the complainant.

Chap. ___ (S.5612) (Fireworks — Dangerous Fireworks — Excluded items). Effective: 60 days after Governor's signature

Amends Penal Law § 270 to exclude from the definition of "fireworks" and "dangerous fireworks" those party poppers, snappers, snakes, glow worms and sparklers that are in compliance with federal regulations.

Chapter 317 (Unlawful wearing of body vest). Effective: November 1, 2001

Penal Law § 270.20 makes it a Class E felony to wear a body vest during the commission of a violent felony in which the defendant possesses a firearm. Chapter 317 now adds rifles and shotguns to the list of weapons covered by the statute.

Chap. 395 (S.204a) (Loitering — school buses). Effective: November 1, 2001

Amends Penal Law § 240.35 (Loitering) to add school buses to the list of places covered by the statute.

Chap. ___ (S.5580) (Conditions of Probation and Conditional Discharge — Services for not-for-profit organizations). Effective: 60 days after Governor's signature

Amends Penal Law § 65.10 to provide that services for not-for-profit organizations ordered by a court to be performed by a defendant as a term and condition or probation or conditional discharge "shall not result in the displacement of employed workers or in the impairment of existing contracts for services, nor shall the performance of any such

services be required or permitted in any establishment involved in any labor strike or lockout."

Criminal Procedure Law

Chap. 47 (S.5394) (Mandatory Sequestration Eliminated). Effective: May 30, 2001

In 1995, the Legislature amended CPL 310.10 to eliminate the requirement that deliberating juries be sequestered, except upon the trial of a Class A or B felony, or a Class C violent felony, an amendment that was routinely extended after its original expiration date in 1997. Chapter 47 abolishes mandatory sequestration across-the-board and makes the change permanent. From now on, judges will have discretion to permit deliberating juries to separate in all criminal trials in New York, including capital cases.

Chap. ___ (S.2829) (Adjournment in Contemplation of Dismissal — Superior Court). Effective: November 1, 2002

Gives superior court judges authority to order an adjournment in contemplation of dismissal with the consent of the parties when the sole remaining count or counts of an indictment charge a misdemeanor offense (Adds CPL § 210.47).

Chap. 412 (S.2830) (Youthful Offender Records Available to Defendant). Effective: November 1, 2001

Amends CPL § 730.35 to make clear that confidential youthful offender records must be made available for inspection and copying by the person who was the defendant in the underlying proceeding.

Chap. ___ (S.2832) (Rendition of Verdict — Technical Amendment). Effective: Upon Governor's signature

Amends CPL § 310.40 to provide that a court may allow another member of the jury to report the verdict when the jury foreperson "refuses or is unable" to do so. The legislation is reportedly in response to an actual case where the jury foreperson refused to announce a verdict while the defendant's mother was present in the courtroom.

Chapter 384 (Domestic Violence — Orders of Protection — Statement of Reasons). Effective: November 1, 2001

Amends CPL § 530.12 and § 530.13 to require a judge presiding over a family offense matter to state on the record "the reasons for issuing or not issuing" an order of protection in any case where a temporary order of protection was issued.

Chapter 315 (S.3337) (Audio-Visual Court Appearances — Ontario County — Sunset Extended). Effective: September 19, 2001

Amends CPL § 182.20 to add Ontario County to the list of jurisdictions authorized to participate in the experimental program of audio-visual arraignments and court appearances via two-way closed circuit television. Extends the sunset provision of CPL Article 182 to December 31, 2004.

Family Law Practice

Chap. 340 (S.5464a) (Family Court Orders of Protection — Determination by Referee). Effective: September 1, 2001

Amends the Judiciary Law to give Family Court judges authority to refer certain applications for orders of protection (including temporary orders of protection) brought after 5 p.m. to referees for determination. [New Judiciary Law § 212 (2)(n)]

Chap. 386 (A.4203) (Domestic Relations Law — Family Court Act — Uniform Child Custody Jurisdiction and Enforcement Act). Effective: April 28, 2002

Enacts, with minor changes to conform to New York law, the Uniform Child Custody Jurisdiction and Enforcement Act, which has been promulgated by the National Conference of Commissioners of Uniform State Laws and adopted by over twenty states. Chapter 386 replaces the Uniform Child Custody Jurisdiction Act, which had been codified in New York as Domestic Relations Law Article 5-A.

Chap. 236 (Domestic Relations Law — Family Court Act — Confidentiality of addresses in Family Court and matrimonial proceedings). Effective: September 4, 2001

Amends the Family Court Act (§ 154-b) and the Domestic Relations Law (new § 254) to provide additional authority for a court in a Family Court or matrimonial proceeding to order that information concerning the whereabouts of a party or child remain confidential where “disclosure of the address or other identifying information would pose an unreasonable risk to the health or safety of a party or the child.”

Vehicle and Traffic Law

Chap. 69 (S.5400) (Vehicle and Traffic Law — Use of hand-held mobile phones prohibited). Effective: November 1 & December 1, 2001

Establishes a new traffic infraction involving the use of a hand-held mobile phone while a vehicle is in motion on a public highway; establishes a presumption that “an

operator of a motor vehicle who holds a mobile telephone to, or in the immediate proximity of [,] his or her ear while such vehicle is in motion is presumed to be engaging in a call.” (Traffic infraction carrying a maximum \$100 fine)

Exclusions:

The new law does not apply to “(a) the use of a mobile telephone for the sole purpose of communicating with any of the following regarding an emergency situation: an emergency response operator; a hospital, physician’s office or health clinic; an ambulance company or corps; a fire department, district or company; or a police department, (b) any of the following persons while in the performance of their official duties: a police officer or peace officer; a member of a fire department, district or company; or the operator of an authorized emergency vehicle as defined in section one hundred one of this chapter, or (c) the use of a hands-free mobile telephone.” (VTL § 1225-c).

The law is effective on December 1, 2001, but beginning November 1st law enforcement officers may stop motorists for the purpose of issuing warnings.

Chap. ___ (A.235-b) (Vehicle and Traffic Law — Leaving the scene of an incident involving a non-motorized wheeled conveyance). Effective: November 1, 2002

Requires adult operators of non-motorized wheeled conveyances (e.g., bicycles, in-line skates, skateboards) to provide their name and exact address to any person who suffers physical injury or serious physical injury “due to” the operation of the conveyance, and to provide such information to the police at the scene or at the nearest police station. Leaving the scene of an incident involving a non-motorized wheeled conveyance is divided into two degrees. The second degree offense (a non-criminal violation) applies where the operator knows or has reason to know that the injured person has suffered physical injury; the first degree offense (Class B misdemeanor) applies where the operator knows or has reason to know that the injured person has suffered serious physical injury.

Chap. 406 (S.1992-A) (Vehicle and Traffic Law — Elimination of Conviction Stubs). Effective: January 29, 2002

Amends the Vehicle and Traffic Law to eliminate references to the driver’s license “conviction stub,” which has become antiquated because information about a motorists’ prior infractions is now widely available through computerized DMV abstracts.

Crime Victims

Chap. 62 (S.5110a) (“Son of Sam Law” expanded). Effective: June 25, 2001

Chapter 62 greatly expands New York's "Son of Sam Law" (Executive Law § 632-a) Originally enacted to prevent notorious criminals from profiting through media exploitation of their crimes, the law now applies in a far wider array of circumstances. The new law permits crime victims to sue convicted criminal defendants for damages—despite expiration of the governing Statute of Limitations—whenever an inmate or defendant under supervision receives funds or property in excess of \$10,000 from any source, except earned income or child support payments (e.g., gifts, bequests, civil damage awards). The law sets up an elaborate system of notification to the Crime Victim's Board (CVB) whenever a defendant covered by the Act receives such funds; it also authorizes steep fines for persons or organizations who fail to notify the Board when required to do so. The CVB will notify all of the defendant's known crime victims that the he is no longer judgment-proof, paving the way for them to bring civil damage actions within three years of the CVB's notice. The CVB is authorized to seek provisional remedies on behalf of crime victims in order to avoid wasting of the defendant's assets (e.g., attachment). Victims will be authorized to enforce any resulting judgments against all funds in excess of \$1,000 in an inmate's prison trust account, and from up to 90% of compensatory damages (less attorney's fees) and 100% of punitive damages awarded to criminal defendants in civil suits (e.g., brutality, medical malpractice actions).

Miscellaneous

Chap. 56 (Arts and Cultural Affairs Law — Ticket Scalping — Increased price mark-ups and "buffer zones"). Effective: November 18, 2001.

Amends the Arts and Cultural Affairs Law to increase the maximum ticket price mark-up on resale to \$5 or 20% of the face value (up from \$5 or 10%); increases the no scalping buffer zone around places of entertainment to 1500 feet (from 1000 feet); increases penalties for bribery involving the sale of tickets by box office employees.

Chap. ___ (S.3239a) (Revised Interstate Compact for Adult Offender Supervision — Executive Law § 259-m). Effective: Upon Governor's signature

Enacts the revised Uniform Interstate Compact for Adult Offender Supervision (Executive Law § 259-m) relating to the interstate supervision of parolees and probationers. Repeals existing interstate compact (also Executive Law § 259-m) upon passage of the revised compact by 35 signatory states.

Chap. ___ (S.4255) (Public Health Law — Controlled Substances). Effective: The first day of January following Governor's signature

In 2000, the Sexual Assault Reform Act amended Public Health Law § 3306 to add gamma hydroxybutyric acid, a so-called "date rape drug," to the list of Schedule 1 controlled substances. This bill includes certain substances having a structure substantially similar to gamma hydroxybutyric acid, or having a depressant effect on the central nervous system substantially similar to gamma hydroxybutyric acid, to the list of depressants listed as controlled substances under the Public Health Law.

Chap 355 (A.8723) (Subpoena Duces Tecum — Technical Amendment). Effective: January 1, 2002

Amends CPLR § 2301 to provide that a trial subpoena duces tecum shall include on its face a direction to the recipient that all papers or items delivered to the court in response to the subpoena shall be accompanied by a copy of the subpoena itself.

Sunset Clause Extended

Chap. 242 (A.8930) (Sunset Extended — Driver's License Suspension after Drug Conviction). Sunset Extended to October 1, 2002

In 1993, the Legislature passed a law requiring a 6-month suspension of the driver's license, or a 6-month delay in eligibility to receive a license, of any person convicted of a misdemeanor or felony drug offense, including juvenile and youthful offender adjudications (L.1993, ch. 533). The sunset clause of the law has been extended to October 1, 2002.

Chap. 72 (S.3613) (Sunset Extender — VTL — suspension of driver's license for failure to pay child support). Sunset Extended to June 30, 2003

Legislation was enacted in 1995 to mandate suspension of a parent's driver's license for failure to pay four or more months of child support (L. 1995, ch. 81). The sunset clause of this legislation has been extended from June 30, 2001 to June 30, 2003.

Chapter 86 (A.8939) (Sunset Extended — VTL — DWI Ignition Interlock Program). Sunset Extended to July 1, 2003

Extends the sunset clause of VTL § 1198, which established a pilot ignition interlock program in certain counties, to July 1, 2003.

Chapter 95 (S.5544) (Omnibus Sunset Extender to September 1, 2003)

Extends the sunset clauses of the following programs and laws from September 1, 2001 to September 1, 2003:

—Correction Law Article 22-A (§ 630 et seq.) —
Parole release from a definite sentence

Legislative Review *continued*

- Correction Law Article 26-A — SHOCK Incarceration Program
- Correction Law § 805 — Earned Eligibility Program
- Correction Law Article 26 (§ 851 et seq) — Temporary Release Programs
- Penal Law §§ 205.16, 205.17, 205.18, 205.19 — Absconding offenses
- Penal Law § 60.35 — No waiver of mandatory surcharge
- Executive Law § 259-r — Medical Parole
- Correction Law § 189 — \$1 weekly incarceration fee
- Correction Law § 2 (18) — ASAT
- Executive Law § 259-a (9) — Parole supervision fee

Chap. 273 (S3337) (Sunset Extended — Closed-Circuit testimony of child witnesses). Sunset extended to September 1, 2002

Extends the sunset clause of CPL Article 65 relating to the closed-circuit testimony of certain child-witnesses to September 1, 2002.

Chapter 315 (S.3337) (Audio-Visual Court Appearances — Ontario County — Sunset Extended). Sunset extended to September 19, 2001

Amends CPL § 182.20 to add Ontario County to the list of jurisdictions authorized to participate in the experimental program of audio-visual arraignments and court appearances via two-way closed circuit television. Extends the sunset provision of CPL Article 182 to December 31, 2004. ⚡

Job Opportunities

The Bronx Defenders, an innovative public defender office, seeks experienced, caring and aggressive Staff Attorneys/Public Defenders to work collaboratively with other lawyers, social workers and investigators. Candidates should have at least two years criminal defense experience. New York Bar membership or eligibility for reciprocal admission preferred. People of color and bilingual (Spanish/English) strongly encouraged to apply. Send cover letter and resume to Robin Steinberg, Executive Director, Bronx Defenders, 890 Grant Avenue, Bronx, NY 10451.

The Office of the Federal Public Defender for the Middle and Western Districts of Louisiana seeks an Assistant Federal Public Defender. Required: ability to immediately undertake defense of major criminal cases in the US District Court (Western District LA) and 5th Circuit; law school graduate; active membership in good standing of the bar, any state or territory; substantial criminal trial experience; knowledge of federal criminal trial practice and federal sentencing guidelines; excellent research and writing skills and oral advocacy skills; experience in computer-assisted legal research; word processing capability; time management and administrative skills; and ability to understand and manage complex factual and legal issues. Travel is a requirement. No phone calls or faxes. EOE, women and minorities are encouraged to apply. Closing date: 12/15/01. Send resume, three references, and writing sample to: Rebecca L. Hudsmith, Federal Public Defender, 102 Versailles Boulevard, Suite 816, Lafayette, Louisiana 70501. ⚡

JOB LISTINGS ON THE WEB

**Check Job Opportunities under
NYSDA Resources at www.nysda.org for
Job notices received after the *REPORT* deadline and
Links to relevant permanent job listing sites**

[In printed issues, Wizard of Id cartoon, by Parker and Hart, dated 6/11/01, reprinted with permission.]

Reprinted by permission of Johnny Hart and Creators Syndicate, Inc.