



# One Day to Protect New Yorkers

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## **Benefits to the New York Criminal Justice System**

The One Day to Protect New Yorkers Act will furnish improvements to the administration of the criminal justice system in several ways:

- ❖ **Efficient Plea Negotiations:** Because a class A misdemeanor may trigger a host of negative immigration consequences, and because defense counsel must advise clients of those consequences, defendants are often unwilling to take pleas that might otherwise appear to benefit all parties. As a result, cases involving minor offenses may lead to protracted negotiations. This bill would eliminate or reduce prolonged negotiations, and will allow defendants to accept pleas that appear to benefit all parties.
- ❖ **Fewer Unnecessary Trials:** In a similar vein, the bill would effectively help to avoid unnecessary, resource-intensive trials. Immigrant defendants, in cases involving minor offenses, may be compelled to go to trial rather than accept a plea that triggers negative immigration consequences. Because this bill would produce fewer harsh immigration consequences, immigrant defendants will be more willing to accept plea offers and thus avoid the use of resources associated with trials.
- ❖ **Reduced Pre-Trial Detention:** The bill will also help reduce the amount of time immigrant defendants are in pre-trial custody. If immigrant defendants are more quickly able to accept pleas that benefit all parties, they will not spend unnecessary weeks or months in jail unable to resolve their cases, during which time they may lose employment or be unable to care for family.
- ❖ **Fewer Post-Conviction Relief Motions:** This bill will also reduce future post-conviction relief motions which relate to defense counsel's failure to advise of immigration consequences of minor convictions. If minor convictions no longer carry such negative immigration consequences, then fewer immigrant defendants will need to file these types of motions seeking to vacate prior pleas.

*The Immigrant Defense Project and the Kathryn O. Greenberg Immigration Justice Clinic at Cardozo Law School are eager to work with New York State to strengthen immigrant families and the state as a whole. Please contact [1Day4NY@immdefense.org](mailto:1Day4NY@immdefense.org) for more information about the One Day to Protect New Yorkers campaign.*