

“Innovations in Peacemaking: A Grass Roots Perspective”

National Consortium on Racial and Ethnic Fairness in the Courts Conference

June 12, 2015

New York Legal Authority for Case Dispositions Involving Peacemaking

1. Adjournment in Contemplation of Dismissal

CPL § 170.55 Adjournment in Contemplation of Dismissal for Misdemeanors

CPL § 170.55 (5) Condition dispute resolution

CPL § 170.55 (6) Condition community service

CPL § 215 Adjournment in Contemplation of Dismissal for Purposes of Referring Selected Felonies to Dispute Resolution at a Dispute Resolution Center as established Article 21-A § 849-b of the Judiciary Law

FCA § 205.24 Terms and conditions of order adjourning a proceeding in contemplation of dismissal in accordance with section 315.3 of FCA

FCA § 205.24 (7) cooperate with a mental health, social services or other appropriate community facility or agency to which the respondent is referred

2. Community Service

CPL § 170.55 (6) Adjournment in Contemplation of Dismissal: Condition community service

PL § 65.10 (2)(h) Conditions of Probation and of Conditional Discharge: Condition community service

3. Sentences of Probation and Conditional Discharge and Unconditional Discharge

PL § 65.00 Sentence of probation

PL § 65.05 Sentence of conditional discharge

PL § 65.20 Sentence of unconditional discharge

PL § 65.10 (2)(h) Conditions of Probation and of Conditional Discharge: Condition community service

PL § 65.10 (2) (l) Conditions of Probation and Conditional discharge: Conditions relating to conduct and rehabilitation: Satisfy any other conditions reasonably related to his rehabilitation

CPL § 410.10 Sentences of Probation, Conditional Discharge and Parole Supervision: Specification of conditions of the sentence

4. Interim Probation Supervision

CPL § 390.30 (6) Adjourn sentencing and order that the defendant be placed on interim probation supervision

5. Restitution and Reparation

PL § 60.27 Authorization Dispositions of Offenders: Restitution and reparation

CPL § 420.10 Fines, Restitution and Reparation: Collection of fines, restitution and reparation

6. General Purpose of Penal Law

PL § 1.05(6) ..the promotion of their [offender] successful and productive reentry and reintegration into society...