

Message from the Chair

One of the wonderful things about being Section Chair is the opportunity to travel the state to advance the interests of our members.



Our Fall Program was held at the Nassau County Bar Association with live demonstrations of a DWI arrest. (Photos are in this issue at pages 14–15). We enlisted local law enforcement to conduct Standardized Field Sobriety Tests (SFST) on volunteers in various states of intoxication. The program also included direct examination of the police officer by a local prosecutor, as well as cross-examination by a local defense attorney. I highlight this program above all others because it embraces everything our Section programs should be about: it was unique, insightful, hands-on and informative. We also worked closely with the local bar to co-sponsor the program, recruit local speakers, and promote it to prosecutors, institutional defenders, judges and private attorneys. We had attendees from most of these categories in greater numbers than in the past. The program concluded with an informal networking reception at a local restaurant. In my view, these opportunities are at the heart of what the Section should be doing for its members. We will be offering more of this type of programming!

Next, I traveled to Buffalo to connect with NYSBA President Sharon Stern Gertsman. I feel it is imperative that our Section leadership keep an honest and effective line of communication open with the Bar President and the Bar leadership as a whole. We discussed the financial health of the Section in comparison to other substantive sections and the ways we may be able to work together with these other Sections to provide cost-effective programs to appeal to the members of each Section. Additionally, we discussed bail reform and the importance of moving forward with that initiative as we approach the Annual Meeting. It is an important issue for our Section to advance because it is one that defenders, judges and prosecutors agree needs to be addressed. Our Bail Reform Committee is already working diligently to prepare a report to share with our Section's Executive Committee and the Association's House of Delegates. The hope is to create Bar policy on this issue.

I also traveled back to Nassau County to testify before the Governor's Traffic and Safety Commission on proposed legislation. In sum, the legislation seeks to create a duty on law enforcement to "field test" mobile telephones and other electronic devices after a motor vehicle accident. The technology is referred to as a "Textalyzer"

primarily because the refusal to submit to the "field test" would result in the revocation of a motorist's driver's license similar to a refusal of a breathalyzer in the DWI context. This issue was explored by our Vehicle and Traffic Law Committee and a report was approved by our Executive Committee earlier this year. It is fair to say that not all our membership agreed with the conclusion to oppose the proposed legislation. However, the process embodies the diverse spirit of our Section's leadership in that it was debated by judges, defense attorneys and prosecutors. It is this type of spirited debate and consideration that adds legitimacy to all of our Section's reports. We continue to honor this tradition as we tackle other substantive criminal justice issues, such as the sealing of federal convictions, counsel at first appearance and centralized arraignments.

My previous "Message from the Chair" alluded to a strategic planning session of our Executive Committee. The session was productive and helped us focus on the various ways we deliver benefits to our members. We identified two key perspectives: (1) responsibility to the profession through the advancement and/or opposition to legislation affecting criminal justice, and (2) responsibility to our members by offering benefits such as programming that is unique, insightful, hands-on and informative. We focused upon the need for our committees to stay in front of proposed legislation so we can effectively research, report and debate *before* the issue becomes a legislative priority in Albany. We also recognized that too often our programs are geared toward the delivery of CLE. In this day and age, CLE can be obtained over the internet and by other providers. We committed to delivering programs that are not merely CLE-based. Instead, we will provide our members with an experience that cannot be duplicated while sitting at home in pajamas. We will endeavor to honor these responsibilities as we move into the new year...and beyond!

I look forward to seeing you at our Annual Meeting program in January in New York City. Thank you for the privilege of serving as your Chair.

Tucker C. Stancliff

A graphic with a dark background and white text. The text reads: "Mark Your Calendar! CJS Annual Meeting CLE and Awards Luncheon Wednesday, January 24, 2018 New York Hilton Midtown, NYC". The background features a faint, stylized image of a person's face.

Mark Your Calendar!
**CJS Annual Meeting CLE
and Awards Luncheon**
Wednesday, January 24, 2018
New York Hilton Midtown, NYC