

Excerpt from Annual Message of Governor Rockefeller -Jan.4,1961

REVISION OF THE PENAL LAW AND CODE OF CRIMINAL PROCEDURE

The present Penal Law and Code of Criminal Procedure were each adopted in 1881. Since then neither has been the subject of a major revision.

The Penal Law and the Code contain archaic provisions which should be modernized. The volume of provisions can be greatly reduced and procedures can be simplified without affecting substantial rights. I recommend that the Penal Law and the Code of Criminal Procedure be revised and simplified to provide a streamlined substantive law and procedure and that this be undertaken by a Commission including in its membership the Chairman of the Judicial Conference, law enforcement officials and members of the bar.

Hopefully, such a revision can also serve to reduce delay in the trial of criminal cases. In that connection, I also urge second passage of the proposed constitutional amendment, sponsored by Senator Rulison and Assemblyman Amann, designed to expedite criminal justice by permitting a defendant to waive indictment under appropriate safeguards to protect the rights of the defendant and the State.