

Criminal Justice Committee
District Attorney Office
AGENDA

September 18, 2017

Committee Members: MONTESI, Geraghty, Girard, Brock, Simpson, Vanselow, Braymer, Seeber
McDonald

- I. Committee meeting called to order by Chairman
- II. Motion to approve minutes of prior Committee meeting
- III. Action Agenda/New Business
 - 1. 2018 District Attorney Office Budget Review
 - 2. Request to apply for Aid to Prosecution Grant.
Rationale: Resolution request to apply for Aid to Prosecution grant in the amount of \$38,172.00.
 - 3. Request to apply for Legislative Initiatives Grant.
Rationale: Resolution request to apply for Legislative Initiative grant in the amount of \$15,000.00.
 - 4. Request to apply for Crimes Against Prosecution (CARP) Grant.
Rationale: Resolution request to apply for Crimes Against Prosecution (CARP) grant in the amount of \$59,600.00.
- IV. Referral/Pending Items
N/A
- V. Information for Discussion/Review
N/A
- VI. Privilege of the Floor to discuss any additional items to come before the Committee
- VI. Motion to adjourn

Attachments

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY ALL DETAILED BUDGET SHEETS

WARREN COUNTY BUDGET SUMMARY SHEET

PRIOR YEAR EXPENDITURES AND REQUEST FOR 2018 APPROPRIATIONS

REQUEST SUBMISSION TO THE CLERK OF THE BOARD OF SUPERVISORS

NAME OF DEPARTMENT: District Attorney
 BUDGET ACCOUNT CODE: A.1165

OBJECT CODES	2016 EXPENDITURES	2017 ADOPTED	2017 AMENDED	2018 DEPARTMENT REQUESTS
100's PERSONAL SERVICES	\$837,503.45	\$886,851.00	\$889,441.00	\$858,184.00
200's EQUIPMENT	\$619.19	\$0.00	\$6,500.00	\$0.00
400's CONTRACTUAL	\$67,478.62	\$69,150.00	\$62,650.00	\$70,650.00
800's EMPLOYEE BENEFITS	\$288,297.20	\$328,300.00	\$328,903.00	\$308,378.00
TOTALS	\$1,193,898.46	\$1,284,301.00	\$1,287,494.00	\$1,237,212.00

2016 REVENUES	2017 ADOPTED REVENUES	2017 ESTIMATED REVENUES	2018 DEPARTMENT REQUESTS
\$173,341.74	\$210,264.00	\$210,264.00	\$198,836.00

SIGNED: 
 DEPARTMENT HEAD
 TITLE: ACTING DA
 DATE: 9/14/17

Revenue Budget Worksheet Report

Budget Year 2018

Account	Account Description	2016 Actual Amount	2017 Adopted Budget	2017 Amended Budget	2017 Actual Amount	2018 Departmental Request
Fund A - General						
Department 1165 - District Attorney						
<i>State Aid</i>						
3030	State Rev D.A. Salary	72,189.00	72,189.00	72,189.00	.00	72,189.00
3031	D.A. Prosecution	27,265.00	29,200.00	29,200.00	12,250.68	38,172.00
3042	Leandras Law	6,487.50	7,000.00	7,000.00	2,452.50	.00
3043	Crimes Against Prosecution	38,525.24	63,000.00	63,000.00	8,533.45	59,600.00
<i>State Aid Totals</i>		<u>\$144,466.74</u>	<u>\$171,389.00</u>	<u>\$171,389.00</u>	<u>\$23,236.63</u>	<u>\$169,961.00</u>
<i>Federal Aid</i>						
4313	Byrne Grant	.00	10,000.00	10,000.00	3,659.17	.00
<i>Federal Aid Totals</i>		<u>\$0.00</u>	<u>\$10,000.00</u>	<u>\$10,000.00</u>	<u>\$3,659.17</u>	<u>\$0.00</u>
<i>Fines & Forfeitures</i>						
2611	Stop DWI Fines - DA	28,875.00	28,875.00	28,875.00	.00	28,875.00
<i>Fines & Forfeitures Totals</i>		<u>\$28,875.00</u>	<u>\$28,875.00</u>	<u>\$28,875.00</u>	<u>\$0.00</u>	<u>\$28,875.00</u>
Department 1165 - District Attorney Totals		<u>\$173,341.74</u>	<u>\$210,264.00</u>	<u>\$210,264.00</u>	<u>\$26,895.80</u>	<u>\$198,836.00</u>
Fund A - General Totals		<u>\$173,341.74</u>	<u>\$210,264.00</u>	<u>\$210,264.00</u>	<u>\$26,895.80</u>	<u>\$198,836.00</u>
Net Grand Totals		<u>\$173,341.74</u>	<u>\$210,264.00</u>	<u>\$210,264.00</u>	<u>\$26,895.80</u>	<u>\$198,836.00</u>

Expense Budget Worksheet Report

Budget Year 2018

Account	Account Description	2016 Actual Amount	2017 Adopted Budget	2017 Amended Budget	2017 Actual Amount	2018 Departmental Request
Fund A - General						
Department 1165 - District Attorney						
<i>Personal Services</i>						
110	Salaries - Regular	837,503.45	886,851.00	889,441.00	586,764.70	858,184.00
<i>Personal Services Totals</i>		<u>\$837,503.45</u>	<u>\$886,851.00</u>	<u>\$889,441.00</u>	<u>\$586,764.70</u>	<u>\$858,184.00</u>
<i>Equipment</i>						
220	Office Equipment	619.19	.00	6,500.00	3,659.17	.00
<i>Equipment Totals</i>		<u>\$619.19</u>	<u>\$0.00</u>	<u>\$6,500.00</u>	<u>\$3,659.17</u>	<u>\$0.00</u>
<i>Contractual Expense</i>						
410	Supplies	10,365.35	10,000.00	9,879.27	8,179.41	11,000.00
422	Repair/Maint-Equipment	.00	.00	125.00	124.95	.00
423	Telephone	3,606.04	4,500.00	4,500.00	2,158.03	4,500.00
424	Postage	1,658.75	2,500.00	2,500.00	1,085.05	2,500.00
426	Subscriptions	4,878.82	4,350.00	4,350.00	2,862.00	4,350.00
427	Memberships & Dues	769.15	800.00	800.00	769.15	800.00
428	Data Processing & Internet Fees	1,410.12	1,500.00	1,500.00	1,374.08	2,000.00
439	Misc Fees & Expenses	60.00	.00	.00	.00	.00
440	Legal/Transcript Fees	31,574.15	35,000.00	28,500.00	21,906.40	35,000.00
441	Auto-Supplies & Repair	.00	.00	120.73	.00	.00
444	Travel/Education/Conference	12,263.91	10,000.00	9,875.00	7,215.37	10,000.00
445	Foods	892.33	500.00	500.00	416.51	500.00
<i>Contractual Expense Totals</i>		<u>\$67,478.62</u>	<u>\$69,150.00</u>	<u>\$62,650.00</u>	<u>\$46,090.95</u>	<u>\$70,650.00</u>
<i>Employee Benefits</i>						
810	Retirement	113,955.33	121,512.00	121,915.00	81,256.38	107,451.00
830	Social Security	47,101.50	51,576.00	51,737.00	35,195.34	49,723.00
831	Medicare Contribution	11,837.67	12,860.00	12,898.00	8,231.06	12,446.00
860	Hospitalization	104,687.27	133,113.00	133,113.00	86,870.46	118,224.00
865	Dental Insurance	2,153.06	2,784.00	2,784.00	1,777.90	2,448.00
<i>Employee Benefits Totals</i>		<u>\$279,734.83</u>	<u>\$321,845.00</u>	<u>\$322,447.00</u>	<u>\$213,331.14</u>	<u>\$290,292.00</u>
<i>Other Benefits</i>						
840	Workmen's Compensation	5,762.21	6,455.00	6,456.00	6,455.16	5,887.00
861	Retirees Hospitalization	2,800.16	.00	.00	5,187.76	12,199.00
<i>Other Benefits Totals</i>		<u>\$8,562.37</u>	<u>\$6,455.00</u>	<u>\$6,456.00</u>	<u>\$11,642.92</u>	<u>\$18,086.00</u>
Department 1165 - District Attorney Totals		<u>\$1,193,898.46</u>	<u>\$1,284,301.00</u>	<u>\$1,287,494.00</u>	<u>\$861,488.88</u>	<u>\$1,237,212.00</u>

Expense Budget Worksheet Report

Budget Year 2018

Account	Account Description	2016 Actual Amount	2017 Adopted Budget	2017 Amended Budget	2017 Actual Amount	2018 Departmental Request
Fund	A - General Totals	\$1,193,898.46	\$1,284,301.00	\$1,287,494.00	\$861,488.88	\$1,237,212.00
	Net Grand Totals	\$1,193,898.46	\$1,284,301.00	\$1,287,494.00	\$861,488.88	\$1,237,212.00

2018 Salary Schedule (Position Budgeting)
District Attorney.District Attorney

Empl. #	Name	Position	Annual Earnings	Empl. Type	Benefit Group	Hire Date
	Jan1 Grade & Rate	Ann. Grade & Rate				
12193	Brown, Travis N/A / \$40.11	3rd Assistant DA N/A / \$40.11	\$73,000.00	Full Time	Appointed F/T	7/30/2012
10929	Burin, Matthew N/A / \$51.10	1st Assistant DA N/A / \$51.10	\$93,000.00	Full Time	Appointed F/T	6/6/2005
9824	Carusone, Jason N/A / \$100.77	District Attorney N/A / \$100.77	\$183,400.00	Full Time	Appointed F/T	6/7/1999
9263	Derbyshire, Yvette 04-14 / \$17.43	Word Processing Operator 04-15 / \$17.67	\$36,559.00	Full Time	CSEA/FT	5/27/2003
12997	Gurtler, Mark 02-00 / \$12.86	Clerk 02-1 / \$13.13	\$27,306.00	Full Time	CSEA/FT	1/3/2017
12996	McCarty, Robert N/A / \$28.30	6th Assistant DA N/A / \$28.30	\$51,500.00	Full Time	Appointed F/T	1/1/2017
10233	McDonald, Paulette N/A / \$23.56	Secretary to DA N/A / \$23.56	\$49,000.00	Full Time	Out of UnitFT	5/3/2001
10641	Nealon, Rebecca N/A / \$41.21	2nd Assistant DA N/A / \$41.21	\$75,000.00	Full Time	Appointed F/T	7/31/2017
10531	Ovitt, Nancy 07-14 / \$19.70	Office Specialist 07-15 / \$19.94	\$41,471.00	Full Time	CSEA/FT	1/2/2003
12897	Shkolnik, Marat N/A / \$31.32	5th Assistant DA N/A / \$31.32	\$57,000.00	Full Time	Appointed F/T	4/11/2016
12695	Smith, Benjamin N/A / \$35.44	4th Assistant DA N/A / \$35.44	\$64,500.00	Full Time	Appointed F/T	11/17/2014
12870	Troelstra, Laura 03-01 / \$13.40	Keyboard Specialist 03-02 / \$13.63	\$28,359.00	Full Time	CSEA/FT	1/5/2016
		7th Assistant DA N/A / \$27.20	\$49,500.00			

04-00 / \$13.74

Secretary

\$28,589.00

N/A / \$13.74

14

\$858,184.00

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY ALL DETAILED BUDGET SHEETS

WARREN COUNTY BUDGET SUMMARY SHEET

PRIOR YEAR EXPENDITURES AND REQUEST FOR 2018 APPROPRIATIONS

REQUEST SUBMISSION TO THE CLERK OF THE BOARD OF SUPERVISORS

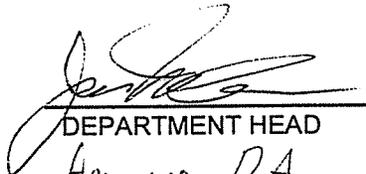
NAME OF DEPARTMENT: Crime Victims-Assist.DA

BUDGET ACCOUNT CODE: A.1168

OBJECT CODES	2016 EXPENDITURES	2017 ADOPTED	2017 AMENDED	2018 DEPARTMENT REQUESTS
100's PERSONAL SERVICES	\$100,660.00	\$102,282.00	\$104,308.00	\$109,067.00
200's EQUIPMENT	\$22,204.90	\$32,737.00	\$34,237.00	\$47,806.00
400's CONTRACTUAL	\$16,247.96	\$27,653.00	\$27,653.00	\$48,500.00
800's EMPLOYEE BENEFITS	\$37,101.60	\$38,214.00	\$38,685.00	\$39,314.00
TOTALS	\$176,214.46	\$200,886.00	\$204,883.00	\$244,687.00

2016 REVENUES	2017 ADOPTED REVENUES	2017 ESTIMATED REVENUES	2018 DEPARTMENT REQUESTS
\$146,594.18	\$162,672.00	\$162,672.00	\$205,373.00

SIGNED:


DEPARTMENT HEAD

TITLE:

ACTING DA

DATE:

9/14/17

Budget Worksheet Report

Budget Year 2018

Account	Account Description	2016 Actual Amount	2017 Adopted Budget	2017 Amended Budget	2017 Actual Amount	2018 Departmental Request
Fund A - General						
REVENUE						
	Department 1168 - Crime Victims-Assist.DA					
	State Aid					
3032	Crime Victims Advocate -DA	146,594.18	162,672.00	162,672.00	67,616.39	205,373.00
	State Aid Totals	\$146,594.18	\$162,672.00	\$162,672.00	\$67,616.39	\$205,373.00
	Department 1168 - Crime Victims-Assist.DA Totals	\$146,594.18	\$162,672.00	\$162,672.00	\$67,616.39	\$205,373.00
	REVENUE TOTALS	\$146,594.18	\$162,672.00	\$162,672.00	\$67,616.39	\$205,373.00

Budget Worksheet Report

Budget Year 2018

Account	Account Description	2016 Actual Amount	2017 Adopted Budget	2017 Amended Budget	2017 Actual Amount	2018 Departmental Request
Fund A - General						
EXPENSE						
Department 1168 - Crime Victims-Assist.DA						
Personal Services						
110	Salaries - Regular	100,660.00	102,282.00	104,308.00	70,550.19	109,067.00
	<i>Personal Services Totals</i>	\$100,660.00	\$102,282.00	\$104,308.00	\$70,550.19	\$109,067.00
<i>Equipment</i>						
210	Furniture/Furnishings	22,204.90	32,737.00	32,737.00	.00	47,806.00
	<i>Equipment Totals</i>	\$22,204.90	\$32,737.00	\$32,737.00	\$0.00	\$47,806.00
	Comments					
	Account	Level	Comment			
	210	Departmental Request	Office of Victim Services is allowing for the purchase of furniture and furnishings			
<i>Contractual Expense</i>						
410	Supplies	3,234.58	6,000.00	6,000.00	2,729.19	10,000.00
423	Telephone	1,579.63	3,000.00	3,000.00	977.93	4,000.00
424	Postage	315.68	1,000.00	1,000.00	259.19	3,000.00
426	Subscriptions	1,839.99	200.00	200.00	.00	1,000.00
427	Memberships & Dues	25.00	100.00	100.00	35.00	500.00
428	Data Processing & Internet Fees	124.00	1,500.00	1,500.00	124.00	2,500.00
435	Medical Fees	.00	1,200.00	1,200.00	.00	1,500.00
439	Misc Fees & Expenses	384.78	1,000.00	1,000.00	835.83	2,000.00
440	Legal/Transcript Fees	5,638.90	2,653.00	2,653.00	2,079.00	6,000.00
444	Travel/Education/Conference	1,803.18	6,000.00	6,000.00	4,358.71	10,000.00
445	Foods	1,302.22	5,000.00	5,000.00	1,270.31	8,000.00
	<i>Contractual Expense Totals</i>	\$16,247.96	\$27,653.00	\$27,653.00	\$12,669.16	\$48,500.00
<i>Employee Benefits</i>						
810	Retirement	15,687.18	16,161.00	16,477.00	11,429.77	17,233.00
830	Social Security	6,098.19	6,341.00	6,467.00	4,260.36	6,763.00
831	Medicare Contribution	1,426.20	1,483.00	1,512.00	996.36	1,581.00
860	Hospitalization	13,770.03	14,109.00	14,109.00	10,513.50	13,617.00
865	Dental Insurance	120.00	120.00	120.00	90.00	120.00
	<i>Employee Benefits Totals</i>	\$37,101.60	\$38,214.00	\$38,685.00	\$27,289.99	\$39,314.00
	Department 1168 - Crime Victims-Assist.DA Totals	\$176,214.46	\$200,886.00	\$203,383.00	\$110,509.34	\$244,687.00
	EXPENSE TOTALS	\$176,214.46	\$200,886.00	\$203,383.00	\$110,509.34	\$244,687.00
	Fund A - General Totals					
	REVENUE TOTALS	\$146,594.18	\$162,672.00	\$162,672.00	\$67,616.39	\$205,373.00
	EXPENSE TOTALS	\$176,214.46	\$200,886.00	\$203,383.00	\$110,509.34	\$244,687.00

Budget Worksheet Report

Budget Year 2018

Fund A - General Totals	(\$29,620.28)	(\$38,214.00)	(\$40,711.00)	(\$42,892.95)	(\$39,314.00)
Net Grand Totals					
REVENUE GRAND TOTALS	\$146,594.18	\$162,672.00	\$162,672.00	\$67,616.39	\$205,373.00
EXPENSE GRAND TOTALS	\$176,214.46	\$200,886.00	\$203,383.00	\$110,509.34	\$244,687.00
Net Grand Totals	(\$29,620.28)	(\$38,214.00)	(\$40,711.00)	(\$42,892.95)	(\$39,314.00)

2018 Salary Schedule (Position Budgeting)
 District Attorney.Crime Victims Assistance Unit

Empl. #	Name	Position	Annual Earnings	Empl. Type	Benefit Group	Hire Date
	Jan1 Grade & Rate	Ann. Grade & Rate				
11177	Affinito, Manon	Victim Assist Program Director	\$59,960.00	Full Time	CSEA/FT	9/1/2006
	21-11 / \$28.83	21-12 / \$28.83				
11293	Savoie, Joy	Crime Victim Specialist	\$49,107.00	Full Time	CSEA/FT	5/14/2007
	14-10 / \$23.61	14-11 / \$23.61				
		2	\$109,067.00			

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY ALL DETAILED BUDGET SHEETS

WARREN COUNTY BUDGET SUMMARY SHEET

PRIOR YEAR EXPENDITURES AND REQUEST FOR 2018 APPROPRIATIONS

REQUEST SUBMISSION TO THE CLERK OF THE BOARD OF SUPERVISORS

NAME OF DEPARTMENT: Narcotics Control-DA

BUDGET ACCOUNT CODE: A.4220

OBJECT CODES	2016 EXPENDITURES	2017 ADOPTED	2017 AMENDED	2018 DEPARTMENT REQUESTS
100's PERSONAL SERVICES	\$32,430.69	\$55,452.00	\$55,452.00	\$55,453.00
200's EQUIPMENT				\$0.00
400's CONTRACTUAL	\$5,260.56	\$6,501.00	\$6,501.00	\$6,526.00
800's EMPLOYEE BENEFITS	\$2,480.94	\$4,243.00	\$4,243.00	\$4,243.00
TOTALS	\$40,172.19	\$66,196.00	\$66,196.00	\$66,222.00

2016 REVENUES	2017 ADOPTED REVENUES	2017 ESTIMATED REVENUES	2018 DEPARTMENT REQUESTS
\$1,229.17			\$0.00

SIGNED:



DEPARTMENT HEAD

TITLE:

ACTING DA

DATE:

9/14/17

Revenue Budget Worksheet Report

Budget Year 2018

Account	Account Description	2016 Actual Amount	2017 Adopted Budget	2017 Amended Budget	2017 Actual Amount	2018 Departmental Request
Fund	A - General					
	Department 4220 - Narcotics Control-DA					
	<i>Sale of Property And Compensation for Loss</i>					
2680	Insurance Recoveries	1,229.17	.00	.00	.00	.00
	<i>Sale of Property And Compensation for Loss Totals</i>	\$1,229.17	\$0.00	\$0.00	\$0.00	\$0.00
	Department 4220 - Narcotics Control-DA Totals	\$1,229.17	\$0.00	\$0.00	\$0.00	\$0.00
	Fund A - General Totals	\$1,229.17	\$0.00	\$0.00	\$0.00	\$0.00
	Net Grand Totals	\$1,229.17	\$0.00	\$0.00	\$0.00	\$0.00

Expense Budget Worksheet Report

Budget Year 2018

Account	Account Description	2016 Actual Amount	2017 Adopted Budget	2017 Amended Budget	2017 Actual Amount	2018 Departmental Request
Fund A - General						
Department 4220 - Narcotics Control-DA						
<i>Personal Services</i>						
130	Salaries - Part Time	32,430.69	55,452.00	55,452.00	32,543.74	55,453.00
	<i>Personal Services Totals</i>	<u>\$32,430.69</u>	<u>\$55,452.00</u>	<u>\$55,452.00</u>	<u>\$32,543.74</u>	<u>\$55,453.00</u>
<i>Contractual Expense</i>						
418	Ins-General Liability	476.24	501.00	501.00	500.65	526.00
423	Telephone	905.38	1,000.00	1,000.00	584.17	1,000.00
441	Auto-Supplies & Repair	2,470.67	2,500.00	2,500.00	899.28	2,500.00
442	Automotive - Gas & Oil	1,408.27	2,500.00	2,500.00	867.03	2,500.00
	<i>Contractual Expense Totals</i>	<u>\$5,260.56</u>	<u>\$6,501.00</u>	<u>\$6,501.00</u>	<u>\$2,851.13</u>	<u>\$6,526.00</u>
<i>Employee Benefits</i>						
830	Social Security	2,010.71	3,438.00	3,438.00	2,017.70	3,438.00
831	Medicare Contribution	470.23	805.00	805.00	471.90	805.00
	<i>Employee Benefits Totals</i>	<u>\$2,480.94</u>	<u>\$4,243.00</u>	<u>\$4,243.00</u>	<u>\$2,489.60</u>	<u>\$4,243.00</u>
	Department 4220 - Narcotics Control-DA Totals	<u>\$40,172.19</u>	<u>\$66,196.00</u>	<u>\$66,196.00</u>	<u>\$37,884.47</u>	<u>\$66,222.00</u>
	Fund A - General Totals	<u>\$40,172.19</u>	<u>\$66,196.00</u>	<u>\$66,196.00</u>	<u>\$37,884.47</u>	<u>\$66,222.00</u>
	Net Grand Totals	<u>\$40,172.19</u>	<u>\$66,196.00</u>	<u>\$66,196.00</u>	<u>\$37,884.47</u>	<u>\$66,222.00</u>

2018 Salary Schedule (Position Budgeting)
District Attorney.Narcotics Control

Empl. #	Name	Position	Annual Earnings	Empl. Type	Benefit Group	Hire Date
	Jan1 Grade & Rate	Ann. Grade & Rate				
8474	Breen, Robert N/A / \$26.66	PT Investigator #4 N/A / \$26.66	\$22,181.00	Part Time	Less P/T12/21/12	10/20/2014
10493	Huskie, Michael N/A / \$26.66	Investigator #2 N/A / \$26.66	\$11,091.00	Part Time	Less than P/T	10/1/2002
12825	Lail, Russell N/A / \$26.66	Investigator #3 - PT N/A / \$26.66	\$22,181.00	Less than Half	Less P/T12/21/12	9/1/2015
		3	\$55,453.00			

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: District Attorney

DATE: September 14, 2017

- (a) Purpose of Grant:
To apply for the Aid to Prosecution Grant AP17-1013-E00

- (b) Name of Grantor:
New York State Division of Criminal Justice Services

- (c) Address of Contractor: **80 South Swan Street**
Albany, NY 12210

- (d) Grantor's Contact Person and Telephone Number:
Jamie Spina, Ph. (518) 457-3776

- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? **Attached**

- (f) Effective Date of Grant: **October 1, 2017**

- (g) Termination Date of Grant: **September 30, 2018**

- (h) Total Dollar Amount Involved (not to exceed): **\$38,172.00**

- (i) Deadline to Submit Grant Application and/or Grant Agreement:
September 25, 2017

- (j) Is a Budget amendment required? **No** If yes, also complete and submit Form No. 7.

- (k) Are the funds to go into a Capital Project or Capital Reserve Project? **No** If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.

- (i) Is a Local Share Required? **No** If Yes, Where are the Funds? List Budget Code, Object Code, Full Title* and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount:

Sample: A.1010 470 Legislative Board – Contract \$xx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

*as listed in budget and LOGOS

Grant Application

Aid to Prosecution

Project No.

Grantee Name

AP17-1013-E00

Warren County

09/01/2017

Project Title: Aid to Prosecuton

Contacts	
<p>Mr. Michael Swan County Treasurer 1340 State Route 9 Lake George, NY 12804 Phone:518-761-6379, Ext: Fax:518-761-6470 Email:swanm@warrencountyny.gov</p>	<p>Project Start: 10/01/2017 Project End: 09/30/2018 Project Period: Years 1 Months 0 Submission Date: 08/30/2017 03:36 PM</p>
<p>Mr. Ronald F. Conover Chairman of the Board 1340 State Route 9 Lake George, NY 12845 Phone:518 761 7656, Ext: Fax: Email:allena@warrencountyny.gov</p>	<p>EIN: 146002576 Municipality No: 520100000000 Dun & Bradstreet No: 098334733 Charities Registration No: _ Not For Profit _ Sectarian Entity</p>
<p>Mr. Jason M. Carusone Acting District Attorney 1340 State Route 9 Lake George, NY 12845 Phone:518 761 6405, Ext: Fax: Email:carusonej@warrencountyny.gov</p>	<p>County: Warren Region: Capital District</p>
<p>Ms. Nancy L. Ovitt Paralegal 1340 State Route 9 Lake George, NY 12845 Phone:518-761-7603, Ext: Fax:518-761-7603 Email:ovittn@warrencountyny.gov</p>	<p>BUDGET SUMMARY Grant Funds: \$38,172.00 100.00% Matching Funds: \$0.00 0.00% Total Funds: \$38,172.00</p>

Grant Application**Aid to Prosecution****Project No.**

AP17-1013-E00

Grantee Name

Warren County

09/01/2017

Summary Description of Project

The Aid to Prosecution will continue to partially fund two Assistant District Attorneys who will prosecute serious felony offenses while utilizing vertical prosecution. Prosecutors assigned to this grant will work collectively to focus on expediting the prosecution process by felony review and fast tracking of serious cases to the Grand Jury.

Federal Program Purpose Area

Program Purpose Code	Description
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Participants

Participant Name	Type	Comments
Warren County	Grantee	

Contacts for Warren County

Contact Name	Type	Phone
Mr. Michael Swan	Fiscal	518-761-6379
Mr. Ronald F. Conover	Signatory	518 761 7656

Participant Name	Type	Comments
Warren County District Attorney	Implementing Agency	

Contacts for Warren County District Attorney

Contact Name	Type	Phone
Mr. Jason M. Carusone	Primary	518 761 6405
Ms. Nancy L. Ovitt	Primary	518-761-7603

Grant Application

Aid to Prosecution

Project No.

Grantee Name

AP17-1013-E00

Warren County

09/01/2017

Work Plan

Goal: To Be Determined

Objective #1

To Be Determined

Task #1 for Objective #1

To Be Determined

#	Performance Measure
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1	To Be Determined
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Grant Application**Aid to Prosecution****Project No.**

AP17-1013-E00

Grantee Name

Warren County

09/01/2017

Specific Questions**Question #1****1 - 4: Program Narrative Questions (1-4) (80 Points)**

Question #1 - Describe the physical location of the project. Provide a brief profile of the District Attorney's Office, including its organizational structure and operational units or divisions. Detail the role of any position(s) for which funding is requested through the Aid to Prosecution program. - (20 points) - Not to exceed 3 pages

Answer

The Warren County District Attorney's Office is a collection of highly skilled and dedicated individuals committed to public service, fighting crime and seeking justice. Warren County is a small county located in upstate New York with a population of approximately 34,000 in the off season, but that population doubles in the summer and winter. The Aid to Prosecution grant is imperative for Warren County District Attorney's Office to insure Warren County remains a safe place to live, raise families and promote tourism. The District Attorney's staff is responsible for covering not only eleven local courts, a City Court, County Court but also specialty courts, including domestic violence court and felony drug treatment court. Given that we are a small county with only six Assistant District Attorney's we must guarantee that all the attorneys are highly trained and skilled. As our population continues to grow the responsibilities of the prosecutors continue to increase. Although we are a small rural county the severity of the crimes are not insignificant. In the first seven months of 2017 there were six felony trials in Warren County Court. Many of these trials require more than one Assistant District Attorney and they last several weeks, schedules need to be altered to provide coverage of all matters. One trial lasted more than three weeks and gained national media attention because a fatal boat crash, that involved drugs, claimed the life of an eight year old. Due to the severity of this case and the attention it was given, Warren County leaders are hoping a multi-county approach will prompt state legislators to toughen boating while intoxicated laws. To help the Assistant District Attorney's with these rigorous cases there are four paralegals in the District Attorney's Office. Three Investigators split up the work week at the Warren County District Attorney's Office and they are available to assist in interviews, locate witnesses and serve subpoenas. Past statistics have revealed that Assistant District Attorney's in Warren County have the same amount of total dispositions as counties double in size. These prosecutors have proven their ability to utilize vital resources to perform thorough investigations and implement enhanced prosecution and vertical prosecution of violent and serious felony offenders. These efforts have attempted to create safer communities and reduce crime throughout Warren County. Prosecutors have needed to dramatically expand their duties to address new crime trends and maintain progressive criminal justice initiatives. The Warren County District Attorney's Office currently has a system in place to designate which Assistant District Attorney will handle each case by screening felony arrests as they are provided to the office. Prosecutors assigned to this grant will work collectively to focus on expediting the prosecution process by felony review and fast tracking of serious cases to the Grand Jury. This grant will continue to partially fund two Assistant District Attorneys who will prosecute serious felony offenses while utilizing vertical prosecution. The First Assistant District Attorney has been employed by Warren County since June of 2005 and handles serious felony offenses along with drug crimes in Warren County. Our society is constantly changing and the drug crimes are not necessarily just drug possession crimes but they create complex cases involving drugs, robbery, burglary and forgery crimes, a whole cycle of crimes designated to help the users get what they want. Warren County is witnessing an increase in violent felony robberies, burglaries and assaults related to drug crimes. The First Assistant District Attorney will be the lead prosecutor on all crimes related to drugs. The other Assistant District Attorney assigned to this grant was recently hired by Warren County but is no stranger to the Warren County District Attorney's Office. This attorney was an intern and legal assistant for three years from 2002 through 2004. Prior to coming back to Warren County she was an Assistant State Attorney and brings with her all the knowledge obtained at that position. She will be responsible for all of the sexual assault and domestic violence cases. She has a heightened sensitivity to the needs of crime victims and because of vertical prosecution she is able to keep victims apprised of their case through every step. She includes victims and witnesses in the decision making process by giving them the opportunity to present statements at critical stages and sentencing. This ADA will also be responsible for handling the Warren County Drug Court Program that is utilized as an alternative to incarceration. The drug court program in Warren County has successfully lowered recidivism rates of members that have successfully completed the program. Warren County District Attorney's Office is pleased to have this Assistant District Attorney and her knowledge of vertical prosecution as part of the team.

Question #2**-4 Program Narrative Questions (1-4) (80 Points)**

Question #2 - Using data provided in Appendix: *2017-18 Aid to Prosecution Award Allocations*, describe the violent and non-violent

felony activity occurring within the county. Include any identified trends or patterns and/or other relevant information or data that supports the need for this funding. - (20 points) - Not to exceed 3 pages

Answer

Warren County is a main corridor for people traveling from major population centers on the east coast to northern New York, Canada and Vermont, creating increased traffic and increased big city problems. The Aid to Prosecution grant will be used to maintain experienced and highly qualified Assistant District Attorneys who have many years of experience as prosecutors and who will utilize vertical prosecution. Within the past week Warren County law enforcement arrested a local man in possession of more than a pound of cocaine, a Class A felony, the states most serious drug charge. In addition to the significant rise in drug crimes there has been a rise in violent felony activity related to those crimes. Warren County is prosecuting assaults and robberies that are the direct result of drug use or drug sales. One defendant punched a man in the face and stole his prescription drugs resulting in serious injuries to the victim. On one occasion five young men were charged with first-degree robbery for a home invasion in which they threatened a man with a gun while wearing masks, assaulted him and robbed his marijuana. A man was shot five times in a convenience store robbery that netted the defendant less than three hundred dollars. This defendant fled which resulted in an extensive investigation prior to the defendant being caught. Within seventy-two hours twelve defendants were charged in Warren County with Attempted Rape and a combination of Attempted Aggravated Sexual Abuse 3rd or Attempted Criminal Sex Act 2nd in a sex sting named Operation Spider Byte. These twelve men arrested expressed the desire to have sex with an underage decoy. One of those arrested was a school bus driver, one was a corrections captain and there was also a local radio personality. For every one of these arrests vertical prosecution will be utilized and the Assistant District Attorney assigned to this grant will be handling the cases. These cases will require extensive hours to prosecute because of the extensive correspondence through social media, text messages and the video recorded interviews that will have to be carefully examined. In August of 2017 Warren County incurred a murder-suicide in which a man killed his brother and then turned the gun on himself. The killer was still alive when police arrived but was pronounced dead shortly after arriving at the hospital. Two days later Warren County endured a heinous double murder in which an acquaintance slashed the throats of a thirty-three year old mother and her four year old daughter. The murderer in this case fled the scene which prompted a widespread investigation and the defendant being caught several hours later. In one statement the defendant claimed to be high on drugs preceding the murders. The statistics compiled by the state Division of Criminal Justice Services shows that Warren County had a significant drop in violent index crimes from 2012 to 2013 by dropping from 125 to 53. In 2014 violent index crimes dropped even further to 40. In 2015 violent index crimes rose to 108 due to the expanded crime category of rape being included as an index crime. In 2016 the violent index crimes rose to 111. Warren County is a rural county and sees its fair share of sex related crimes. The Assistant District Attorney assigned to this grant will handle all related sex crimes with vertical prosecution. As the Aid to Prosecution Award Allocation illustrates Warren County has more violent felony arrests than compared to counties of similar population. The Warren County District Attorney's Office will utilize vertical prosecution on all serious felony arrests.

Question #3

- 4: Program Narrative Questions (1-4) (80 Points)

Question #3 - Provide information regarding the office's current ability to effectively prosecute violent and non-violent felony cases. (20 points) - Not to exceed 3 pages

Answer

Currently the Warren County District Attorney's Office effectively prosecutes violent and non-violent felony cases effectively because the attorneys are committed to the day to day challenges confronting a prosecutor. This office utilizes vertical prosecution whenever possible and that gives the ability to effectively prosecute violent and non-violent felony cases in an expeditious and favorable manner. In addition to basic responsibilities of prosecuting cases Assistant District Attorneys are conducting long-term investigations and there is an increase in the number of cases that require specialization and knowledge of technology. In many cases phones or electronics are seized and examined or analyzed to see what information will be helpful in proving a case. Not only are Assistant District Attorney's prosecuting felony cases, but they are also investigating cases and providing victim services. Their decisions affect the lives of many people, starting with the victim and the accused. Assistant District Attorney's currently assigned to the Aid to Prosecution grant seek maximum incarceration where warranted although they are not looking to improve conviction and incarceration rates but just seek justice.

Question #4

- 4: Program Narrative Questions (1-4) (80 Points)

Question #4 - Describe the proposed program and delineate how funding through the Aid to Prosecution program will enable the county to better combat and prosecute serious violent crime. - (20 points) - Not to exceed 3 pages

Answer

Funding through the Aid to Prosecution grant will allow the Warren County District Attorney's District Attorney's Office to meet their constitutional obligation by enhancing investigations and maintaining a policy of vertical prosecution to decrease violent crime and create safer communities. Each Assistant District Attorney assigned to this grant will be responsible for the initial review of all serious felony offenses. This will allow detailed attention to their cases from start to finish. Vertical prosecution allows all interactions with victims, witnesses and related individuals to be streamlined. These vulnerable individuals have contact with one staff member at the District Attorney's office which allows them to always know who is handling a case. Vertical prosecution also allows law enforcement officers to always know who to contact and this process creates a better service to the public. Assistant District Attorneys are responsible for determining the sufficiency of the evidence to support the charges originally brought by the police. At arraignment, bail will be determined and Assistant District Attorney's will obtain all documentation on their case. They will then review police reports, perform research and review the case overall for possible Grand Jury action. They will need to take into account if there has been a preliminary hearing scheduled or if the defendant is in custody. Assistant District Attorney's will need to determine the status of victims and the severity of injuries if there are any. If Grand Jury is necessary, interviewing witnesses and organizing evidence will need to happen quickly. When there is not a lot of time to prepare a case for Grand Jury it is helpful to have been involved in the case since the investigation or arrest. Once the case is indicted or the defendant waives to County Court the original Assistant District Attorney assigned to the case will continue to prosecute the case at that level. In County Court the Assistant District Attorney, the Judge and the Defense Counsel will be present at arraignment and then conference the case to determine the best course of action. Occasionally alternatives to incarceration are sought but sometimes State Prison is necessary or even mandated. If motions are filed to address legal issues the Assistant District Attorney assigned to that case will prepare their own motions to keep in line with vertical prosecution. Throughout the legal process Assistant District Attorneys are able to easily notify victims and witnesses of updates because they have been in contact with them since the case was presented to the District Attorney's office. If a plea bargain is to be negotiated the victim's opinion will be weighed heavily. Certain circumstances warrant a trial and a vulnerable witness will need to testify. These situations are not taken lightly but it is easier for the victims if they have been in contact with the same prosecutor handling their case from the start. All pretrial hearings, the trial and sentencing will be handled by the same Assistant District Attorney that first reviewed the case. The Warren County District Attorney's Office Aid to Prosecution Program for 2017/2018 will continue to focus on vertical prosecution of repeat violent and serious felony crimes throughout Warren County.

Question #5

i. Operating Budget Detail and Justification (20 points)

Using Appendix: *Budget Detail Worksheet and Budget Narrative Sheet* as a guide, enter the operating budget directly into the budget module "tab" of the GMS application. Prepare a line item budget, including justification, by appropriate category of expense (e.g., Personnel, Fringe Benefits, Consultants, etc.). All funded positions should clearly indicate the general duties, full annual salary of the position, hours worked per week, and proposed hours or percentage FTE supported by the grant. Budgets should reflect total projected costs for a 12-month contract period and be limited to eligible costs associated with the prosecution of felony offenders. Operating budgets must not exceed the applicant's eligible award amount if provided. The detailed budget for the grant period must be complete and provide sufficient detail. It must also be reasonable and appropriate, as determined by DCJS, and directly tied to the work plan.

Answer

Done

Question #6

i. Program Work Plan (0 points)

In the GMS *Work plan* module, enter "To Be Determined" for your Program Goal, Objective, Task, and Performance Measure. This entry is necessary in order for GMS to accept your application. Upon successful application and notification of award, DCJS staff will then assist offices with developing an appropriate program work plan, including project goal, objectives, tasks, and performance measures. Accordingly, there are no points attributed to this component of your application.

Answer

To Be Determined.

Grant Application**Aid to Prosecution****Project No.****Grantee Name**

AP17-1013-E00

Warren County

09/01/2017

Budget Summary by Participant

Warren County

Version 1

#	Personnel	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Assistant District Attorney -2	1	\$13,077.00	\$13,077.00	\$13,077.00	\$0.00
Justification: This Assistant District Attorney will prosecute all sex offenses and serious felony offenders. Approximately seventeen percent of her time spend on Aid to Prosecution cases. This Assistant District Attorney's salary is \$75,000.00 and is based on a forty four week, however this attorney commits more than forty hours per week.						
2	First Assistant District Attorney	1	\$16,286.00	\$16,286.00	\$16,286.00	\$0.00
Justification: The First Assistant District Attorney will prosecute repeat violent and serious felony offenders. Approximately eventeen percent of his time will be dedicated to these cases. The First Assistant District Attorney's salary is \$93,000.00 and is based on a forty hour week, however this attorney commits more than forty hours per week.						
Total				\$29,363.00	\$29,363.00	\$0.00

#	Fringe Benefits	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Fringe for First Assistant District Attorney	1	\$4,886.00	\$4,886.00	\$4,886.00	\$0.00
Justification: The First Assistant District Attorney will spend approximately seventeen percent of his time on CARP related cases \$16,286.00 X 30% = \$4,886.00.						
2	Fringe for Assistant District Attorney - 2	1	\$3,923.00	\$3,923.00	\$3,923.00	\$0.00
Justification: This Assistant District Attorney will spend approximately seventeen percent of her time on CARP related cases \$13,077.00 X 30% = \$3,923.00.						
Total				\$8,809.00	\$8,809.00	\$0.00

Version 1 Total	Total Cost	Grant Funds	Matching Funds
	\$38,172.00	\$38,172.00	\$0.00

Warren County District Attorney

Advance Request**Advance:** \$0.00**Justification:**

Grant Application**Aid to Prosecution****Project No.****Grantee Name**

AP17-1013-E00

Warren County

09/01/2017

Assurance

NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
OFFICE OF PROGRAM DEVELOPMENT AND FUNDING

Certified Assurances for Federally-supported Projects, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug Free Workplace Requirements; Standard Assurances

The applicant hereby assures and certifies compliance with all Federal and State statutes, regulations, policies, guidelines, and requirements, including OMB Circulars No. A-21, A-87, A-102, A-110, A-122, A-133, , E.O. 12372 (intergovernmental review of federal programs) and Uniform Administrative Requirements for Grants and Cooperative Agreements - 28 CFR, Part 66 or 70 (administrative requirements for grants or programs), Common Rule, that govern the application, acceptance, and use of Federal funds for this federally-assisted project. The applicant also assures and certifies that:

I. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, 'Disclosure of Lobbying Activities,' in accordance with its instructions;
- c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all levels (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

II. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67

The applicant certifies that it and its principals:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- f. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

III. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620 A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

- (b) Establishing an on-going drug-free awareness program to inform employees about
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Department of Justice
 Office of Justice Programs
 ATTN: Control Desk
 310 Seventh Street, N.W.,
 Washington, D.C. 20531

Notice shall include the identification number(s) of each affected grant;

- f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
 - 1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), e), and (f).

h. It possesses legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application); that a resolution, motion, or similar action, has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein and in directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

i. It will comply with the requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.

j. It will comply with the provisions of Federal law known as the Hatch Act which limit certain political activities of employees of a State or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants (5 USC, Section 1501, et seq, as amended).

k. It will comply with the minimum wage and minimum hours provisions of the Federal Fair Labor Standards Act, if applicable.

l. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

m. It will give the U.S. Department of Justice, New York State Division of Criminal Justice Service (DCJS) or the New York State Comptroller's Office, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

n. It will comply with all requirements imposed by the U.S. Department of Justice and New York State concerning special requirements of law, program requirements, and other administrative requirements.

11. It will ensure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify DCJS of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
12. It will comply with the flood insurance requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102 (a) requires, on or after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase, 'Federal financial assistance' includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or other form of direct or indirect Federal assistance.
13. It will assist DCJS in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593 and the Archeological and Historical Preservation Act of 1966 (16 U.S.C. 496a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, notifying DCJS of the existence of any such properties, and by (b) complying with all requirements established by the Federal Government to avoid or mitigate adverse effects upon such properties.
14. It will comply with the applicable provisions of the Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victim of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs' Financial Guide; and all other applicable Federal laws, orders, circulars, or regulations.
15. It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure, Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environment Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures, and Federal laws or regulations applicable to Federal assistance programs.
16. It will comply, and all its contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C,D,E, and G; and Department of Justice regulations on disability discrimination. CFR Part 35 and Part 39.
17. It assures that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against applicant, the applicant will forward a copy of the finding to DCJS for transmittal to the U.S. Department of Justice, Office of Civil Rights.
18. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
19. It will be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered pursuant to this agreement. The applicant will indemnify and hold harmless New York State and its officers and employees from claims, suits, actions, damages, and costs of every nature arising out of the provision of federally-funded services. The applicant is potentially an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of New York State nor make any claim, demand or application to or for any right based upon any different status.
20. It assures that Federal formula grant funds, or the required cash matching funds, will not be used to supplant State or local funds but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement and criminal justice activities.

21. It assures that matching funds required to pay the non-Federal portion of the cost of each program and project, for which federal funds are made available, shall be in addition to funds that would otherwise be made available for law enforcement and criminal justice activities by recipients of grant funds.

22. It assures that it shall maintain such data and information and submit such reports in such form at such times and containing such data and information as DCJS may reasonably require to administer the program.

23. It agrees that, in compliance with Section 623 of Public Law 102-141, no amount of this award shall be used to finance the acquisition of goods or services (including construction services) that have an aggregate value of \$500,000 or more, unless the recipient:

- (a) specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and
- (b) expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.

24. New York State agency applicants assure compliance with Title V of the Anti-Drug Abuse Act of 1988 and regulations promulgated by the Federal Government to maintain a drug-free workplace.

25. A state or local government agency or any business with 50 or more employees which receives a single award of \$25,000 or more is required to formulate and maintain an Equal Employment Opportunity Program (EEOP), in accordance with 28 CFR, Chapter 1, Part 42, subpart e., on file and available for review at any time. A recipient that is required to maintain an EEOP must submit it to the Department of Justice Office for Civil Rights if it receives a single award of \$500,000 or more. If a subrecipient is exempt from the requirement to maintain an EEOP, this exemption must be certified to the OCR. Additionally, if a subrecipient must maintain an EEOP, but is exempt from the submission requirement, that exemption must be certified to the OCR. Both certifications may be transmitted to the OCR by use of the EEOP Certification Form available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>. The grantee must update its EEOP and/or Certification every two years, and resubmit to the OCR where applicable. Further, the grantee must provide DCJS with a copy of any EEOP or certification transmitted to the OCR.

26. Under Section 601 of Title VI, 42 U.S.C. § 2000d and Executive Order 13166, grant recipients are required to take reasonable steps to ensure meaningful access to their services to persons who, as a result of their national origin, are Limited in the English Proficiency (LEP). To help recipients understand and meet this obligation, the DOJ published Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, which can be found at 67 Fed. Reg. 41455 (June 18, 2002) or at www.lep.gov (LEP Guidance). While no certification or filing requirement exists for this requirement under Title VI, in certain circumstances, such as in complaint investigations or compliance reviews, recipients may be required to provide to federal agencies a copy of any plan created by the recipient.

27. It agrees that any publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the applicant describing programs or projects funded in whole or in part with Federal funds, shall contain the following statement: This project was supported by Grant #_____, awarded by the Office of Justice Programs, U.S. Department of Justice to the State of New York, Division of Criminal Justice Services (DCJS). Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice or DCJS.' The applicant also agrees that one copy of any such publication will be submitted to DCJS to be placed on file and distributed as appropriate to other potential grantees or interested parties. DCJS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

28. It will include in its application a signed Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion.

29. If the grant applied for is awarded, it will be provided by the State of New York from funds appropriated under one of the various titles of the Violent Crime Control and Law enforcement Act of 1994 (PL 103-322). The applicant assures that all information contained in the application is correct and that it will abide by all statutes, rules, and regulations of the United States and of New York State affecting the conduct of grantees, as well as to conform to the terms and conditions stated in the contractual agreement.
May 2012

Certified by - on

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: District Attorney

DATE: September 14, 2017

- (a) Purpose of Grant:
To apply for the Legislative Initiatives Grant LG17-1195-D00
- (b) Name of Grantor:
New York State Division of Criminal Justice Services
- (c) Address of Contractor: **80 South Sawn Street
Albany, NY 12210**
- (d) Grantor's Contact Person and Telephone Number:
Jamie Brough, Criminal Justice Program Representative, Ph. (518) 457-3776
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? **Attached**
- (f) Effective Date of Grant: **October 1, 2017**
- (g) Termination Date of Grant: **September 30, 2018**
- (h) Total Dollar Amount Involved (not to exceed): **\$15,000.00**
- (i) Deadline to Submit Grant Application and/or Grant Agreement:
September 1, 2017
- (j) Is a Budget amendment required? **No** If yes, also complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? **No** If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (i) Is a Local Share Required? **No** If Yes, Where are the Funds? List Budget Code, Object Code, Full Title* and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount:

**Sample: A.1010 470 Legislative Board – Contract \$xx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx**

*as listed in budget and LOGOS



**Division of Criminal
Justice Services**

MEMORANDUM

TO: Award Recipients

FROM: Michael C. Green
Executive Deputy Commissioner, NYS Division of Criminal Justice Services

DATE: June 1, 2017

SUBJECT: Legislative Grant Award

I am pleased to advise you that the enacted 2017-18 New York State Budget includes an appropriation of funds to support the program noted on the attached Grant Information Sheet.

Applications must be completed and submitted via the NYS Division of Criminal Justice Services (DCJS) Grant Management System (GMS) within 30 days of receiving this award notice. Please contact DCJS Criminal Justice Program Representative Jamie Brough at (518) 457-3776 or via email at Jamie.brough@dcjs.ny.gov to initiate this process.

Please note that all not-for-profit grantees are required to prequalify in the Grants Gateway in advance of receiving grant funding. Additional information on prequalification and the Grants Gateway can be found on the Grants Reform website at (<http://grantsreform.ny.gov/>). Grantees should complete this requirement as soon as possible to avoid any delay in the approval of your grant contract.

Congratulations on your grant award. DCJS looks forward to working with your organization to administer this grant.

Attachment

GRANT AWARD INFORMATION

July 26, 2017

Project ID: LG17-1195-D00

DCJS Number: LG17102477

Project Title: Drug Enforcement

Award Recipient: Warren County District Attorney's Office

Mailing Address: Warren County District Attorney's Office
1340 Route 9
Lake George, NY 12845

Contact Person: Jason Carusone

Award Amount: \$15,000

DCJS Contact: Jamie Brough, Criminal Justice Program Representative
Division of Criminal Justice Services
Office of Program Development and Funding
80 S. Swan Street
Albany, NY 12210
(518) 457-3776
(518) 485-2728 Fax

Application Return Date: Within 30 Days of Receipt of this Award Notice

Technical Assistance to Complete
Applications Available Upon Request
GMS Help Desk
At (518) 457-9787

Grant Application

Legislative Initiatives

Project No.

Grantee Name

LG17-1195-D00

Warren County

09/01/2017

Project Title: Drug Enforcement

Contacts										
<p>Mr. Michael Swan County Treasurer 1340 State Route 9 Lake George, NY 12804 Phone:518-761-6379, Ext: Fax:518-761-6470 Email:swanm@warrencountyny.gov</p>	<p>Project Start: 10/01/2017 Project End: 09/30/2017 Project Period: Years 0 Months 0 Submission Date: 09/01/2017 02:29 PM</p>									
<p>Mr. Ronald F. Conover Chairman of the Board 1340 State Route 9 Lake George, NY 12845 Phone:518 761 7656, Ext: Fax: Email:allena@warrencountyny.gov</p>	<p>EIN: 146002576 Municipality No: 520100000000 Dun & Bradstreet No: 098334733 Charities Registration No: _ Not For Profit _ Sectarian Entity</p>									
<p>Mr. Jason M. Carusone Acting District Attorney 1340 State Route 9 Lake George, NY 12845 Phone:518 761 6405, Ext: Fax: Email:carusonej@warrencountyny.gov</p>	<p>County: Warren Region: Capital District</p>									
<p>Ms. Nancy L. Ovitt Paralegal 1340 State Route 9 Lake George, NY 12845 Phone:518-761-7603, Ext: Fax:518-761-7603 Email:oviltn@warrencountyny.gov</p>	<p>BUDGET SUMMARY</p> <table> <tr> <td>Grant Funds:</td> <td>\$15,000.00</td> <td>100.00%</td> </tr> <tr> <td>Matching Funds:</td> <td>\$0.00</td> <td>0.00%</td> </tr> <tr> <td>Total Funds:</td> <td>\$15,000.00</td> <td></td> </tr> </table>	Grant Funds:	\$15,000.00	100.00%	Matching Funds:	\$0.00	0.00%	Total Funds:	\$15,000.00	
Grant Funds:	\$15,000.00	100.00%								
Matching Funds:	\$0.00	0.00%								
Total Funds:	\$15,000.00									

Grant Application**Legislative Initiatives****Project No.**

LG17-1195-D00

Grantee Name

Warren County

09/01/2017

Summary Description of Project

Funding to support the Warren and Washington Counties drug task force.

Federal Program Purpose Area**Program Purpose Code****Description****Participants**

Participant Name	Type	Comments
Warren County	Grantee	

Contacts for Warren County

Contact Name	Type	Phone
Mr. Michael Swan	Fiscal	518-761-6379
Mr. Ronald F. Conover	Signatory	518 761 7656

Participant Name	Type	Comments
Warren County District Attorney	Implementing Agency	

Contacts for Warren County District Attorney

Contact Name	Type	Phone
Mr. Jason M. Carusone	Primary	518 761 6405
Ms. Nancy L. Ovitt	Secondary	518-761-7603
Ms. Laura Troelstra	Alternate	518-761-6405

Grant Application

Legislative Initiatives

Project No.

Grantee Name

LG17-1195-D00

Warren County

09/01/2017

Work Plan

Goal:

To enhance the Warren County District Attorney's office's response to drug issues in Warren and Washington counties through the acquisition of equipment that will assist in drug enforcement.

Objective #1

Reflective of the legislative award purpose, the Warren County District Attorney's office will identify the equipment to be acquired and research costs associated with acquisition of the equipment.

Task #1 for Objective #1

Within the first three (3) months of the grant contract, the grantee will research the equipment to be acquired and identify a vendor used upon appropriate procurement policies and procedures.

Performance Measure

Provide a description(s) of the approved equipment ordered.

Task #2 for Objective #1

By the end of the second quarter, the grantee will work with the appropriate vendor(s) to order the equipment.

Performance Measure

Provide the date(s) the approved equipment was ordered.

Objective #2

By the end of the grant contract all funded equipment will be acquired, installed, and in use.

Task #1 for Objective #2

The grantee will work with the appropriate vendor(s) to ensure the receipt and installation of all approved equipment is completed by the contract end date.

Performance Measure

Provide the date(s) of equipment installation.

Provide the location(s) of installed equipment.

Submit a completed DCJS Equipment Inventory Report (EIR) form to DCJS or indicate the date the EIR was submitted to DCJS.

Task #2 for Objective #2

The grantee will provide a brief narrative describing the usage and maintenance of equipment acquired through the grant.

Performance Measure

During each quarter the funded equipment was operational, provide a brief narrative describing the usage and maintenance of equipment acquired through the grant, detailing how the acquisition of the funded equipment has enhanced the Warren County District Attorney's office and the needs of the community.

Grant Application**Legislative Initiatives****Project No.****Grantee Name**

LG17-1195-D00

Warren County

09/01/2017

Specific Questions**Question #1**

Provide a brief summary of your proposed project. State the problem to be addressed through this project using appropriate statistical data where applicable. NOTE: IF YOU ARE A MUNICIPAL AGENCY AND YOUR ONLY GOAL AND OBJECTIVE IS TO PURCHASE EQUIPMENT AND ARE APPLYING FOR AN EQUIPMENT ONLY GRANT, ANSWER THIS SECTION BY STATING "NOT APPLICABLE", OTHERWISE YOU MUST COMPLETE THE FOLLOWING. When completing this section, keep in mind the following issues need to be addressed: WHAT IS THE PROJECT? Describe your project. Is it a mobile patrol, neighborhood watch, equipment purchase, etc.? WHY IS THE PROJECT NEEDED? Describe what services will be provided and how the project will meet the needs of the target population. WHERE WILL THE PROJECT OPERATE? Describe the physical location(s) of the project. WHEN WILL THE PROJECT OPERATE? State the hours and/or days of operation. Also include the schedule of the project. For example, you may be running different projects throughout the year, or you may need to hire personnel or develop project materials. ALL APPLICANTS MUST COMPLETE THE FOLLOWING SECTION: WHAT OTHER RESOURCES, IF ANY, WILL BE UTILIZED TO SUPPORT THE IMPLEMENTATION OF THIS PROJECT? (INCLUDE OTHER GRANT OR AGENCY FUNDS, OR EXISTING AGENCY RESOURCES SUCH AS EQUIPMENT, PERSONNEL, VOLUNTEERS, ETC.)

Answer

NOT APPLICABLE

Grant Application**Legislative Initiatives****Project No.**
LG17-1195-D00**Grantee Name**
Warren County

09/01/2017

Budget Summary by Participant

Warren County

Warren County District Attorney

Version 1

#	Equipment	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Concealed Cameras and Equipment	1	\$3,908.00	\$3,908.00	\$3,908.00	\$0.00
Justification: The Warren County District Attorney's Office works closely with law enforcement in Warren and Washington County to combat drug crimes. Many times before an undercover buy is performed law enforcement consults with the District Attorney's office. Even with prior planning and law enforcement performing their undercover buys in a precise and professional manner those buys are not valuable if prosecutors are unable to clearly see or hear the video that was obtained. New concealed cameras will allow clear video and audio while providing safety to the informant or undercover law enforcement and protecting the confidentiality of the case. These cameras will also allow for hidden surveillance when needed.						
2	Speakers	1	\$999.00	\$999.00	\$999.00	\$0.00
Justification: As electronics grow in the daily lives of individuals they also grow as a part of the lives of criminal. Many times while listening to law enforcement body cameras, video from under cover buys, voice messages or recorded phone conversations it is very difficult to hear exactly what is being said. In drug cases it is imperative to hear without speculation what both the undercover law enforcement or confidential informant and defendant are saying. These conversations can make or break a case. Speakers are essential in prosecuting drug crimes for Warren and Washington County.						
3	Portable Projector	1	\$1,000.00	\$1,000.00	\$1,000.00	\$0.00
Justification: Many occasions warrant having to project photos or data to a group of people and only a quality projector can accomplish that. The Warren County District Attorney's Office does have the equipment to for that purpose. A projector that provides brilliant images that are easy to see and can be used in the office or in a local court another court is essential to prosecuting cases. This projector will need to be able to be set up and run quickly and be compatible with many media players and laptops. It needs to be lightweight and easily transportable. A projector will allow information or evidence to be presented to everyone in the court room at the same time, whether it is a preliminary hearing, pretrial hearings, a trial or sentencing.						
4	Tablet with Accessories for District Attorney	1	\$999.00	\$999.00	\$999.00	\$0.00
Justification: The Warren County District Attorney is frequently required to attending meetings and conferences outside of the office. While he is away from the office he is still expected to be reachable for questions, comments and guidance regarding new arrests. Viewing and responding to extensive and complex questions or documents is not easy to do on a cell phone because of its size and lack of programs. The District Attorney is in constant contact with law enforcement on serious felony arrests, the most recent being a Class A Felony drug arrest. A tablet would allow more flexibility and would allow effortless connectivity and a feature to sync other devices. This device would need to have a reliable operation system, ample sound, adequate battery life and memory to handle the tasks involved with being the District Attorney.						
5	Mobile Forensic Device - upgrade	1	\$6,395.00	\$6,395.00	\$6,395.00	\$0.00
Justification: In 2015 the Warren County District Attorney's Office purchased a Cellebrite Ultimate Touch and we have been informed that in 2018 this device will be obsolete because of upgrades. The price to upgrade to a Cellebrite Ultimate Touch 2 is \$1,995.00 and the renewal for the required contract on this device is \$3,400.00. This device is used by trained law enforcement that have taken rigorous courses to be certified in the usage of the Cellebrite. Currently the device is analyzing about 200 phones a year in Warren and Washington Counties and the majority of the cases are drug related. This device extracts, decodes, analyses and exports data in a readable form from mobile devices, tablets and memory cards that would otherwise be invisible or unattainable. This device has proven to be invaluable when investigating and prosecuting all criminal cases, but specifically drug crimes.						
6	Phone Jump Drive	1	\$700.00	\$700.00	\$700.00	\$0.00
Justification: A Phone Jump Drive is a USB flash drive for phones. The Phone Jump Drive will allow the District Attorney's Office to download and obtain valuable information from cell phones from victims, witnesses, and law enforcement. Many cases do not require a full phone analysis and just a picture, an email or a text message is needed to prosecute a case. The Phone Jump Drive would give a viable option to transfer that data. Sending the data through email is not always reliable and does not keep the original						

quality of the document being sent. The Phone Jump Drive would allow the District Attorney's Office the ability to transfer data from a variety of devices including iPhones, tablets, and Galaxy devices. Many instances involve a victim, a witness to drug crime or a confidential informant who has information to share but who may want to keep their identity unknown and this device would enable that.

7	External Hard Drives to back up data	1	\$999.00	\$999.00	\$999.00	\$0.00
Justification: Many criminal cases involve a great deal of computer information or data that needs to be transferred from law enforcement to the District Attorney's Office. This data needs to be transferred and stored efficiently and securely to maintain confidentiality in a case. Many of these files cannot be transferred by email or saved to a thumb drive because of their size. External hard drives will allow law enforcement and the District Attorney's Office to share and save files quickly while maintaining the original format. Users will be able to bring the documentation with them to investigate a case or prosecute a case. Today's drug cases involve increased body cameras and undercover buy videos being used which makes this equipment imperative.						
Total				\$15,000.00	\$15,000.00	\$0.00

Version 1 Total	Total Cost	Grant Funds	Matching Funds
	\$15,000.00	\$15,000.00	\$0.00

Advance Request

Advance: \$0.00

Justification:

Grant Application**Legislative Initiatives****Project No.****Grantee Name**

LG17-1195-D00

Warren County

09/01/2017

Assurance

NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
OFFICE OF PROGRAM DEVELOPMENT AND FUNDING

Certified Assurances for Federally-supported Projects, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug Free Workplace Requirements; Standard Assurances

The applicant hereby assures and certifies compliance with all Federal and State statutes, regulations, policies, guidelines, and requirements, including OMB Circulars No. A-21, A-87, A-102, A-110, A-122, A-133, , E.O. 12372 (intergovernmental review of federal programs) and Uniform Administrative Requirements for Grants and Cooperative Agreements - 28 CFR, Part 66 or 70 administrative requirements for grants or programs), Common Rule, that govern the application, acceptance, and use of Federal funds for this federally-assisted project. The applicant also assures and certifies that:

. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, 'Disclosure of Lobbying Activities,' in accordance with its instructions;
- c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all levels (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67

The applicant certifies that it and its principals:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620 A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

- b) Establishing an on-going drug-free awareness program to inform employees about
 - 1) The dangers of drug abuse in the workplace;
 - 2) The grantee's policy of maintaining a drug-free workplace;
 - 3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - 1) Abide by the terms of the statement; and
 - 2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title,

Department of Justice
 Office of Justice Programs
 TTN: Control Desk
 10 Seventh Street, N.W.,
 Washington, D.C. 20531

- Notice shall include the identification number(s) of each affected grant;
- f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
 - 1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - 3) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

It possesses legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of a project described in this application; that a resolution, motion, or similar action, has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein and in directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

It will comply with the requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.

It will comply with the provisions of Federal law known as the Hatch Act which limit certain political activities of employees of a State or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants (5 USC, Section 1501, et seq, as amended).

It will comply with the minimum wage and minimum hours provisions of the Federal Fair Labor Standards Act, if applicable.

It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

It will give the U.S. Department of Justice, New York State Division of Criminal Justice Service (DCJS) or the New York State Comptroller's Office, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

It will comply with all requirements imposed by the U.S. Department of Justice and New York State concerning special requirements of law, program requirements, and other administrative requirements.

11. It will ensure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify DCJS of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
12. It will comply with the flood insurance requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102 (a) requires, on or after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase, 'Federal financial assistance' includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or other form of direct or indirect Federal assistance.
13. It will assist DCJS in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593 and the Archeological and Historical Preservation Act of 1966 (16 U.S.C. 496a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, notifying DCJS of the existence of any such properties, and by (b) complying with all requirements established by the Federal Government to avoid or mitigate adverse effects upon such properties.
14. It will comply with the applicable provisions of the Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victim of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs' Financial Guide; and all other applicable Federal laws, orders, circulars, or regulations.
15. It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure, Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environment Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures, and Federal laws or regulations applicable to Federal assistance programs.
16. It will comply, and all its contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Executive Order 13279 (equal protection of the laws for faith-based and community organizations); Department of Justice Non-discrimination Regulations, 28 CFR Part 42, Subparts C,D,E, and G; and Department of Justice regulations on disability discrimination. CFR Part 35 and Part 39.
17. It assures that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against applicant, the applicant will forward a copy of the finding to DCJS for transmittal to the U.S. Department of Justice, Office of Civil Rights.
18. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
19. It will be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered pursuant to this agreement. The applicant will indemnify and hold harmless New York State and its officers and employees from claims, suits, actions, damages, and costs of every nature arising out of the provision of federally-funded services.
20. The applicant is potentially an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of New York State nor make any claim, demand or application to or for any right based upon any different status.
21. It assures that Federal formula grant funds, or the required cash matching funds, will not be used to supplant State or local funds but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement and criminal justice activities.

21. It assures that matching funds required to pay the non-Federal portion of the cost of each program and project, for which federal funds are made available, shall be in addition to funds that would otherwise be made available for law enforcement and criminal justice activities by recipients of grant funds.

22. It assures that it shall maintain such data and information and submit such reports in such form at such times and containing such data and information as DCJS may reasonably require to administer the program.

23. It agrees that, in compliance with Section 623 of Public Law 102-141, no amount of this award shall be used to finance the acquisition of goods or services (including construction services) that have an aggregate value of \$500,000 or more, unless the recipient:

- a) specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and
- b) expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.

24. New York State agency applicants assure compliance with Title V of the Anti-Drug Abuse Act of 1988 and regulations promulgated by the Federal Government to maintain a drug-free workplace.

25. A state or local government agency or any business with 50 or more employees which receives a single award of \$25,000 or more is required to formulate and maintain an Equal Employment Opportunity Program (EEOP), in accordance with 28 CFR, Chapter 1, Part 42, subpart e., on file and available for review at any time. A recipient that is required to maintain an EEOP must submit it to the Department of Justice Office for Civil Rights if it receives a single award of \$500,000 or more. If a subrecipient is exempt from the requirement to maintain an EEOP, this exemption must be certified to the OCR. Additionally, if a subrecipient must maintain an EEOP, but is exempt from the submission requirement, that exemption must be certified to the OCR. Both certifications may be transmitted to the OCR by use of the EEOP Certification Form available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>. The grantee must update its EEOP and/or Certification every two years, and resubmit to the OCR where applicable. Further, the grantee must provide DCJS with a copy of any EEOP or certification transmitted to the OCR.

26. Under Section 601 of Title VI, 42 U.S.C. § 2000d and Executive Order 13166, grant recipients are required to take reasonable steps to ensure meaningful access to their services to persons who, as a result of their national origin, are Limited in the English proficiency (LEP). To help recipients understand and meet this obligation, the DOJ published Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, which can be found at 67 Fed. Reg. 41455 (June 18, 2002) or at www.lep.gov (LEP Guidance). While no certification or reporting requirement exists for this requirement under Title VI, in certain circumstances, such as in complaint investigations or compliance reviews, recipients may be required to provide to federal agencies a copy of any plan created by the recipient.

27. It agrees that any publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the applicant describing programs or projects funded in whole or in part with Federal funds, shall contain the following statement: 'This project was supported by Grant # _____, awarded by the Office of Justice Programs, U.S. Department of Justice to the State of New York, Division of Criminal Justice Services (DCJS). Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice or DCJS.' The applicant also agrees that one copy of any such publication will be submitted to DCJS to be placed on file and distributed as appropriate to other potential grantees or interested parties. DCJS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

28. It will include in its application a signed Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion.

29. If the grant applied for is awarded, it will be provided by the State of New York from funds appropriated under one of the various titles of the Violent Crime Control and Law enforcement Act of 1994 (PL 103-322). The applicant assures that all information contained in the application is correct and that it will abide by all statutes, rules, and regulations of the United States and of New York State affecting the conduct of grantees, as well as to conform to the terms and conditions stated in the contractual agreement. May 2012

certified by - on

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: District Attorney

DATE: September 14, 2017

- (a) Purpose of Grant:
**To apply for the Crimes Against Prosecution (CARP) grant Contract #C444472,
Project Number CR15-1012-E02**
- (b) Name of Grantor:
New York State Division of Criminal Justice Services
- (c) Address of Contractor: **80 South Sawn Street
Albany, NY 12210**
- (d) Grantor's Contact Person and Telephone Number:
Jamie Spina, Ph. (518) 457-3776
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? **Attached**
- (f) Effective Date of Grant: **January 1, 2018**
- (g) Termination Date of Grant: **December 31, 2018**
- (h) Total Dollar Amount Involved (not to exceed): **\$59,600.00**
- (i) Deadline to Submit Grant Application and/or Grant Agreement:
September 21, 2017
- (j) Is a Budget amendment required? **No** If yes, also complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? **No** If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (i) Is a Local Share Required? **No** If Yes, Where are the Funds? List Budget Code, Object Code, Full Title* and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount:

**Sample: A.1010 470 Legislative Board – Contract \$xx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx**

*as listed in budget and LOGOS



**Division of Criminal
Justice Services**

ANDREW M. CUOMO
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

August 22, 2017

Mr. Jason M. Carusone
Warren County Acting District Attorney
County Municipal Center
1340 State Route 9
Lake George, NY 12845

Re: 2018 Crimes Against Revenue Program (CARP)
Contract Number: C444472

Dear Acting District Attorney Carusone:

I am pleased to advise you that the Warren County District Attorney's Office will receive a grant award in the amount of \$59,600 for the Crimes Against Revenue Program (CARP) for the period beginning January 1, 2018 to December 31, 2018. Please be advised that the New York State Fiscal Year 2017-18 enacted budget included a 5.4% reduction in local assistance funding. This reduction has been applied to all CARP grants and is reflected in your award amount.

The CARP program is administered jointly by the NYS Division of Criminal Justice Services (DCJS) and the NYS Department of Taxation and Finance (DTF). Please see the attached *Contract Instruction Sheet* for additional information and note that items are required within 30 days of receiving this letter to further facilitate the development of your contract.

Should you have any questions, please contact Joann Tierney-Daniels, DCJS Office of Program Development and Funding at (518) 457-8404 or by email at Joann.Tierney-Daniels@dcjs.ny.gov. We look forward to working with you on this important project.

Very truly yours,

A handwritten signature in black ink that reads "Michael C. Green".

Michael C. Green
Executive Deputy Commissioner

MCG:jtd:nb

Attachment