

CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE MEETING  
DISTRICT ATTORNEY AGENDA  
September 20, 2023

COMMITTEE MEMBERS: Supervisors GERACI, Magawon, Smith, Conover, McDevitt, Driscoll, and Leggett.

- Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C (4) of the Rules of the Board.

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Privilege of the Floor and public comment
- IV. Action Agenda/New Business Items:
  1. Request: to apply for Crimes Against Revenue Prosecution Grant (CARP)  
Rationale: Resolution request to apply for Crimes Against Revenue Prosecution Grant (CARP) in an amount to be determined.
- V. Discussion Items:
  1. Received notification of receipt of Aid to Prosecution Grant funding for the grant period of April 1, 2023 to March 31, 2024, in the amount of \$249,356.00.
  2. Review 2024 District Attorney's Budgets:   A.1165 District Attorney  
  A.1168 Crime Victims-Assist. DA  
  A.4220 Narcotics Control DA
- VI. Referrals/Pending Items: None.
- VII. Privilege of the floor and public comment
- VIII. Motion to adjourn

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Attachments:

1. Resolution Request Form No. 5 – Request to Apply for a Grant Application and Grant Agreement – Crimes Against Revenue Prosecution Grant (CARP), with Grant Award Notice for 2023, awaiting application
2. Grand Award Notice - Aid to Prosecution
3. A.1165 District Attorney Budget
4. A.1168 Crime Victims-Assist. DA Budget
5. A.4220 Narcotics Control DA Budget

## ***RESOLUTION REQUEST FORM NO. 5***

### ***Request to Apply for a Grant Application and Grant Agreement***

**DEPARTMENT NAME: District Attorney**

**DATE: September 20, 2023**

- (a) Purpose of Grant: **To apply for renewal of Crimes Against Revenue Prosecution Grant (CARP), DCJS No. CR21445343**
- (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: **Katelyn Mallick, Ph. (518) 457-3776**
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? **No - awaiting additional information**
- (f) Effective Date of Grant: **January 1, 2024**
- (g) Termination Date of Grant: **December 31, 2024**
- (h) Total Dollar Amount Involved (not to exceed): **TBD**
- (i) Deadline to Submit Grant Application and/or Grant Agreement: **TBD**
- (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**

**KATHY HOCHUL**  
Governor

**ROSSANA ROSADO**  
Commissioner

**YVONNE TURNER**  
Director of Funding

## Grant Award Notice

Grantee/Contractor: <b>Warren County District Attorney</b>	Date: <b>May 5, 2023</b>
Program Name: <b>CARP</b>	Award Amount: <b>\$59,600<sup>1</sup></b>
Signatory Name and Title: <b>Kevin Geraghty, County Board Chair</b>	Term Dates: <b>1/1/2023 - 12/31/2023</b>
Email: <b>allena@warrencountyny.gov</b>	Contract Number: <b>C445445</b>
Program Description: <b>Crimes Against Revenue Program</b>	
Additional Programmatic Information: <b>The Crimes Against Revenue Program (CARP) is to combat financial crimes that deprive New York State of taxes and certain other financial obligations and funds rightfully owed to the State. CARP grants support local investigation and prosecution efforts to recover evaded State revenue and do so in a manner that deters non-compliance with State laws.</b>	
<b>Grant Questions</b>	
<b>PRIMARY CONTACT</b> <b>Katelyn Mallick</b> Public Safety Grants Representative NYS Division of Criminal Justice Services Office of Program Development and Funding Phone: (518) 457-3776 Email: <a href="mailto:Katelyn.Mallick@dcjs.ny.gov">Katelyn.Mallick@dcjs.ny.gov</a>	<b>SECONDARY CONTACT</b> <b>David Martin</b> Public Safety Grants Representative NYS Division of Criminal Justice Services Office of Program Development and Funding Phone: (518) 485-9607 Email: <a href="mailto:David.Martin@dcjs.ny.gov">David.Martin@dcjs.ny.gov</a>

Thank you for all the work you do. We look forward to working with you in our continued efforts to safeguard the health and safety of all New York residents and visitors.

cc: Jason Carusone

Attachment: Instruction Sheet

<sup>[1]</sup> The award amount listed above is contingent upon the completion and submission (as applicable) of all contractual obligations as well as approval by the NYS Division of Budget and execution of the grant contract by the NYS Office of the State Comptroller.



KATHY HOCHUL  
Governor

ROSSANA ROSADO  
Commissioner

DEAN DEFRUSCIO  
Deputy Commissioner

## Grant Award Notice

August 24, 2023

The Division of Criminal Justice Services (DCJS) is pleased to advise you that your county will receive funding under the State’s Aid to Prosecution Program for State Fiscal Year (SFY) 2023-24.

<b>Project Name:</b>	<b>Warren County District Attorney Aid to Prosecution Program</b>	<b>Award Amount:</b>	<b>\$249,356</b>
<b>Budget:</b>	<b>SFY 2023-24</b>	<b>Term Dates:</b>	<b>April 1, 2023 to March 31, 2024</b>

### Additional Information:

We are pleased to inform you that Governor Kathy Hochul secured an additional \$40 million in the SFY 2023-2024 Budget to assist in county prosecution efforts. Your SFY 2023-24 Aid to Prosecution Program award to support your respective district attorney’s office is consistent with the appropriation amounts enacted for this purpose in the State Budget.

Please note that you will not receive a DCJS grant contract for this funding; rather, money will be automatically disbursed to the county in one payment. The county shall subsequently and promptly make this funding available to the respective district attorney’s office. Consistent with the appropriation, this funding assistance is being provided to help offset the cost of prosecutorial services that your county has and will incur for the period of April 1, 2023 to March 31, 2024.

To streamline processing and facilitate timely distribution of funds, the DCJS Office of Financial Services will disburse your planned payment directly to your county for use by the respective district attorney’s office.

If you have any questions on this award, please contact:

**Nadia Rockwell**  
DCJS Associate Budgeting Analyst  
NYS Division of Criminal Justice Services, Finance Office  
(518) 485-0091 or [nadia.rockwell@dcjs.ny.gov](mailto:nadia.rockwell@dcjs.ny.gov)

Thank you for your continued partnership to help keep New Yorkers safe and ensure a justice system that works for all.

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

**WARREN COUNTY BUDGET SUMMARY SHEET**


**PRIOR YEAR EXPENDITURES AND REQUEST FOR 2024 APPROPRIATIONS**

**REQUEST SUBMISSION TO THE CLERK OF THE BOARD OF SUPERVISORS**

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

OBJECT CODES	2022 EXPENDITURES	2023 ADOPTED	2023 AMENDED	2024 DEPARTMENT REQUESTS
100's PERSONAL SERVICES	\$1,297,136.91	\$1,426,798.00	\$1,436,383.62	\$1,451,078.00
200's EQUIPMENT	\$1,796.91	\$2,000.00	\$4,836.26	\$2,000.00
400's CONTRACTUAL	\$88,666.16	\$98,800.00	\$95,963.74	\$109,100.00
800's EMPLOYEE BENEFITS	\$387,992.82	\$452,662.00	\$454,406.29	\$519,382.00
<b>TOTALS</b>	<b>\$1,775,592.80</b>	<b>\$1,980,260.00</b>	<b>\$1,991,589.91</b>	<b>\$2,081,560.00</b>

2022 REVENUES	2023 ADOPTED REVENUES	2023 AMENDED REVENUES	2024 DEPARTMENT REQUESTS
\$402,014.43	\$416,035.00	\$416,035.00	\$647,099.00

SIGNED:   
DEPARTMENT HEAD  
TITLE: DISTRICT ATTORNEY  
DATE: 9/07/2023

Account	Account Description	2022 Actual Amount	2023 Adopted Budget	2023 Amended Budget	2023 Actual Amount	2024 Departmental Request
<b>Fund A - General</b>						
<b>REVENUE</b>						
Department <b>1165 - District Attorney</b>						
State Aid						
3030	State Rev D.A. Salary	72,189.00	72,189.00	72,189.00	.00	72,189.00
3031	D.A. Prosecution	31,825.40	38,172.00	38,172.00	.00	249,356.00
3043	Crimes Against Prosecution	51,926.03	59,600.00	59,600.00	26,494.28	59,600.00
3047	Discovery Reform	217,199.00	217,199.00	217,199.00	.00	237,079.00
<i>State Aid Totals</i>		<b>\$373,139.43</b>	<b>\$387,160.00</b>	<b>\$387,160.00</b>	<b>\$26,494.28</b>	<b>\$618,224.00</b>
Comments						
<i>Account</i>		<i>Level</i>		<i>Comment</i>		
3031		Departmental Request		Total Award \$249,356.00		
3047		Departmental Request		Total award \$346,168.00. \$115,389.00 applied to Sheriff's Office.		
<i>Fines &amp; Forfeitures</i>						
2611	Stop DWI Fines - DA	28,875.00	28,875.00	28,875.00	.00	28,875.00
<i>Fines &amp; Forfeitures Totals</i>		<b>\$28,875.00</b>	<b>\$28,875.00</b>	<b>\$28,875.00</b>	<b>\$0.00</b>	<b>\$28,875.00</b>
<i>Sale of Property And Compensation for Loss</i>						
2692	Other Compensation for Loss	.00	.00	.00	995.41	.00
<i>Sale of Property And Compensation for Loss Totals</i>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$995.41</b>	<b>\$0.00</b>
Department <b>1165 - District Attorney Totals</b>		<b>\$402,014.43</b>	<b>\$416,035.00</b>	<b>\$416,035.00</b>	<b>\$27,489.69</b>	<b>\$647,099.00</b>
<b>REVENUE TOTALS</b>		<b>\$402,014.43</b>	<b>\$416,035.00</b>	<b>\$416,035.00</b>	<b>\$27,489.69</b>	<b>\$647,099.00</b>
<b>EXPENSE</b>						
Department <b>1165 - District Attorney</b>						
<i>Personal Services</i>						
110	Salaries - Regular	1,297,083.28	1,426,298.00	1,435,883.62	922,446.99	1,450,578.00
120	Salaries - Overtime	53.63	500.00	500.00	.00	500.00
<i>Personal Services Totals</i>		<b>\$1,297,136.91</b>	<b>\$1,426,798.00</b>	<b>\$1,436,383.62</b>	<b>\$922,446.99</b>	<b>\$1,451,078.00</b>
Comments						
<i>Account</i>		<i>Level</i>		<i>Comment</i>		
110		Departmental Request		- Utilize 3031 D.A. Prosecution Grant (Aid to Prosecution) for attorney retention. - Increase DA On Call Pay from \$28,500. to \$44,556. (115 X \$387.44) - COLA for all non-bargaining employees and DA On Call Pay.		
<i>Equipment</i>						
210	Furniture/Furnishings	.00	.00	1,710.00	1,708.26	.00
220	Office Equipment	1,142.44	.00	1,126.26	1,126.26	.00
250	Technical Equipment	97.64	2,000.00	2,000.00	.00	2,000.00

Account	Account Description	2022 Actual Amount	2023 Adopted Budget	2023 Amended Budget	2023 Actual Amount	2024 Departmental Request
<b>Fund A - General</b>						
<b>EXPENSE</b>						
Department 1165 - District Attorney						
Equipment						
260	Other Equipment	556.83	.00	.00	.00	.00
<i>Equipment Totals</i>		<b>\$1,796.91</b>	<b>\$2,000.00</b>	<b>\$4,836.26</b>	<b>\$2,834.52</b>	<b>\$2,000.00</b>
<i>Contractual Expense</i>						
410	Supplies	9,792.54	13,000.00	11,873.74	6,312.25	13,000.00
413	Repair & Maint.-Bldg/Property	3,394.00	.00	.00	.00	.00
423	Telephone	2,362.81	3,500.00	3,500.00	1,539.08	3,500.00
424	Postage	1,820.10	2,600.00	2,600.00	953.60	2,600.00
426	Subscriptions	7,135.60	6,900.00	6,900.00	3,150.00	6,900.00
428	Data Processing & Internet Fees	2,117.88	2,300.00	2,300.00	1,862.02	2,600.00
439	Misc Fees & Expenses	60.00	.00	.00	.00	.00
440	Legal/Transcript Fees	45,630.14	50,000.00	48,290.00	19,548.47	60,000.00
444	Travel/Education/Conference	12,971.34	15,000.00	15,000.00	4,005.36	15,000.00
445	Foods	51.75	500.00	500.00	362.48	500.00
470	Contract	3,330.00	5,000.00	5,000.00	4,998.00	5,000.00
<i>Contractual Expense Totals</i>		<b>\$88,666.16</b>	<b>\$98,800.00</b>	<b>\$95,963.74</b>	<b>\$42,731.26</b>	<b>\$109,100.00</b>
Comments						
Account	Level	Comment				
440	Departmental Request	- Request to increase 440 Legal/Transcript from \$50,000.00 to \$60,000.00. The Special Prosecutor's agreement is currently \$10,000.00 per year, the request would make the new agreement \$20,000.00 per year.				
<i>Employee Benefits</i>						
810	Retirement	124,745.18	157,744.00	158,754.99	94,078.22	207,721.00
830	Social Security	73,866.28	85,132.00	85,726.32	54,693.09	87,476.00
831	Medicare Contribution	17,958.19	20,686.00	20,824.98	12,791.04	21,039.00
860	Hospitalization	155,029.55	169,572.00	169,572.00	113,905.89	181,106.00
865	Dental Insurance	2,648.56	2,736.00	2,736.00	2,219.22	3,264.00
<i>Employee Benefits Totals</i>		<b>\$374,247.76</b>	<b>\$435,870.00</b>	<b>\$437,614.29</b>	<b>\$277,687.46</b>	<b>\$500,606.00</b>
<i>Other Benefits</i>						
840	Workmen's Compensation	6,190.00	7,122.00	7,122.00	7,122.00	7,762.00
861	Retirees Hospitalization	7,506.57	7,420.00	7,420.00	4,328.59	8,014.00

Account	Account Description	2022 Actual Amount	2023 Adopted Budget	2023 Amended Budget	2023 Actual Amount	2024 Departmental Request
Fund A - General						
	EXPENSE					
	Department 1165 - District Attorney					
	Other Benefits					
862	Health Insurance Cost Reimbursement	48.49	2,250.00	2,250.00	1,083.51	3,000.00
	Other Benefits Totals	\$13,745.06	\$16,792.00	\$16,792.00	\$12,534.10	\$18,776.00
	Department 1165 - District Attorney Totals	\$1,775,592.80	\$1,980,260.00	\$1,991,589.91	\$1,258,234.33	\$2,081,560.00
	EXPENSE TOTALS	\$1,775,592.80	\$1,980,260.00	\$1,991,589.91	\$1,258,234.33	\$2,081,560.00
	Fund A - General Totals					
	REVENUE TOTALS	\$402,014.43	\$416,035.00	\$416,035.00	\$27,489.69	\$647,099.00
	EXPENSE TOTALS	\$1,775,592.80	\$1,980,260.00	\$1,991,589.91	\$1,258,234.33	\$2,081,560.00
	Fund A - General Totals	(\$1,373,578.37)	(\$1,564,225.00)	(\$1,575,554.91)	(\$1,230,744.64)	(\$1,434,461.00)
	Net Grand Totals					
	REVENUE GRAND TOTALS	\$402,014.43	\$416,035.00	\$416,035.00	\$27,489.69	\$647,099.00
	EXPENSE GRAND TOTALS	\$1,775,592.80	\$1,980,260.00	\$1,991,589.91	\$1,258,234.33	\$2,081,560.00
	Net Grand Totals	(\$1,373,578.37)	(\$1,564,225.00)	(\$1,575,554.91)	(\$1,230,744.64)	(\$1,434,461.00)

2024 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				
10929	Burin, Matthew N/A / \$66.59	1st Assistant DA N/A / \$66.59	\$121,190.00	Full Time	Appointed F/T	6/6/2005
13544	Caivano, Emily 10-02 / \$23.58	Legal Clerk III #1 10-03 / \$23.94	\$49,443.00	Full Time	CSEA/FT	6/3/2021
9824	Carusone, Jason N/A / \$110.11	District Attorney N/A / \$110.11	\$200,400.00	Full Time	Elected/FT	6/7/1999
13597	Christensen, Ryan N/A / \$41.83	9th Assistant DA N/A / \$41.83	\$76,137.00	Full Time	Appointed F/T	9/7/2021
13600	Cosentino, Morgan N/A / \$41.83	8th Assistant DA N/A / \$41.83	\$76,137.00	Full Time	Appointed F/T	10/12/2021
13655	Davis, Deondra 08-01 / \$21.81	Legal Clerk II #3 08-02 / \$22.14	\$45,842.00	Full Time	CSEA/FT	4/11/2022
13570	DeFalco, Stephanie 08-02 / \$22.14	Legal Clerk II #2 08-03 / \$22.47	\$46,397.00	Full Time	CSEA/FT	6/23/2021
9263	Derbyshire, Yvette 05-20 / \$23.88	Legal Clerk #3 05-21 / \$23.88	\$49,671.00	Full Time	CSEA/FT	5/27/2003
13139	Goldstein, Avi N/A / \$51.79	4th Assistant DA N/A / \$51.79	\$94,250.00	Full Time	Appointed F/T	1/2/2018
13405	Jones, Grant N/A / \$46.20	5th Assistant DA N/A / \$46.20	\$84,082.00	Full Time	Appointed F/T	11/22/2019
12996	McCarty, Robert N/A / \$53.50	3rd Assistant DA N/A / \$53.50	\$97,370.00	Full Time	Appointed F/T	1/1/2017
10233	McDonald, Paulette N/A / \$31.68	Secretary to DA N/A / \$31.68	\$65,895.00	Full Time	Out of UnitFT	5/3/2001
13774	Oshier, Bridgett 08-00 / \$21.50	Legal Clerk II #1 08-01 / \$21.81	\$45,199.00	Full Time	CSEA/FT	4/3/2023

10531	Ovitt, Nancy 10-20 / \$28.19	Legal Clerk III #2 10-21 / \$28.19	\$58,644.00 Full Time	CSEA/FT	1/2/2003
12695	Smith, Benjamin N/A / \$58.03	2nd Assistant DA N/A / \$58.03	\$105,606.00 Full Time	Appointed F/T	11/17/2014
13417	Smith, Connor N/A / \$46.20	6th Assistant DA N/A / \$46.20	\$84,082.00 Full Time	Appointed F/T	1/24/2020
12870	Troelstra, Laura 05-07 / \$21.92	Legal Clerk #4 05-08 / \$21.92	\$45,596.00 Full Time	CSEA/FT	1/5/2016
13588	Vondrak, Ann N/A / \$41.83	7th Assistant DA N/A / \$41.83	\$76,137.00 Full Time	Appointed F/T	8/23/2021
	N/A / \$0.00	DA On Call Pay N/A / \$0.00	\$28,500.00		
	N/A / \$0.00	District Attorney - Overtime N/A / \$0.00	\$500.00		
			<b>20</b>		
					<b>\$1,451,078.00</b>

We are requesting a Cost of Living Increase for all non-bargaining positions including the DA On Call Pay Salary.

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 1<sup>st</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary *Atty 65, I 15 → Inc. 20*
- (b) Justification for Request: Matt Burin is an indispensable asset to Warren County. He recently awarded the Robert M. Morgenthau Award in recognition of his professional accomplishments, honesty, integrity, and commitment to the fair and ethical administration of justice. Matt was one of four attorneys in New York State to receive the award in 2023. Matt is a career prosecutor who, throughout his nearly 19 years with the County has made the personal sacrifices necessary to ensure that victims of the most serious crimes receive the best possible representation. Matt is a terrific First Assistant District Attorney. He has taken on a critical position in the office and he leads by example. Less experienced attorneys frequently turn to Matt for his help and guidance. Matt continues to train junior attorneys and help them develop as prosecutors. Matt is totally reliable and willing to put the needs of the office first. He routinely steps up to assist with difficult situations and he is always exceptionally prepared. Like many of the attorneys in the office, Matt brings work home, calls from vacation, and can be relied upon at any time day or night. I rely on Matt to assist me in the development of the office and as a sounding board on serious decisions. He is self-motivated and takes pride in his work and the work of the office as a whole. I often seek his guidance and input when working on strategies to improve our internal processes. Many of his suggestions lead to positive changes within the office. PLEASE NOTE: This salary increase is fully funded by the D.A. Prosecution Grant with no anticipated cost to Warren County Taxpayers.

(c) Projected change in Salary Dollars: \$5,766.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW

(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed:

*[Handwritten signature]*  
8/16/23

HR Director has Reviewed this form when initialed:

*[Handwritten signature]*  
8/16/23

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents the People of the State of New York;

Handles such proceedings as are necessary to protect the rights of the People;

Assists the District Attorney in the preparation of various court proceedings;

Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;

Presents cases to the Grand Jury;

Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;

Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;

Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;

May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;

May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

**REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of criminal law and court proceedings;

Thorough knowledge of judicial procedures and rules of evidence;

Ability to interpret and work with New York State criminal code;

Ability to communicate effectively both orally and in writing;

Ability to reason quickly and logically in stressful situations;

Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;

Ability to prepare for and present cases in court;

Ability to establish and maintain effective working relationships with others.

**MINIMUM QUALIFICATIONS:**

Possession of a Law License and admission in good standing to practice law in the State of New York.

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 2<sup>nd</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary Grade from 4 to 5
- (b) Justification for Request: An analysis of current job openings shows that the 2<sup>nd</sup> ADA is paid below market rate. *AA, Inc4 → AS, Inc10*  
Ben Smith started interning for the Warren County District Attorney's Office before passing the bar, obtaining his law license and entering the workforce. He began his career with the Rensselaer County District Attorney's Office as an assistant district attorney and later joined the Warren County District Attorney's Office as an ADA. He is entering his 9<sup>th</sup> year as a fulltime prosecutor for Warren County and his time with the office extends further back because of his lengthy internship. Ben has demonstrated tremendous growth as a member of the office and he currently handles all sex crimes including cases with adults or where a child is the victim. To help him better interact with children he attended and successfully completed the forensic training for child interviews. He is also responsible for assessing and prosecuting child exploitation cases including child pornography. Ben has become proficient in technical and digital evidence, which includes cell phone analysis, computer crimes, and other digital evidence collection. He is an aid to law enforcement by serving as a sounding board on complex factual and legal issues that arise. He has successfully prosecuted numerous serious sex crimes including Class A felony offenses that, if convicted, include mandatory life sentences. These are some of the most serious crimes facing our County and also some of the most challenging due to the nature of the proof, the often tragic allegations, and the age of the victims. Due to the advent of criminal justice reforms, which increased workloads for all prosecutors, Ben has began working to develop junior prosecutors in the handling of these cases. That supervisory role is critical in the development of attorneys who do not have Ben's experience. For many prosecutors, handling sex crimes as described would fully describe a senior attorney's responsibilities. Ben does all that and much more. He has directly assisted me in violent felony offense prosecutions including homicide prosecutions. He is willing to take on any case and has become a leader within the office. One recent example of Ben's unique abilities is highlighted by the culmination of a lengthy financial crimes prosecution. Ben handled the preparation and prosecution of the case, including serving as lead prosecutor on a 4 week trial.

After the guilty verdict he assisted ADA Bob McCarty in the preparation of an extremely complex and lengthy appeal. Recently Ben successfully argued the appeal in Albany and he may be called upon to argue the case in the Court of Appeals. The unusual length of the Appellate decision is a testament to the complexity of the case and the tremendous work that was done. After the verdict and success on appeal, I received an unsolicited email from the New York Comptroller's Office complimenting Ben's work. Ben is not only valued in my office, but he is respected within the circles of Statewide Government offices. In summary, Ben is a proven sex crimes prosecutor, complex financial crimes prosecutor, felony trial attorney, and he can both write and argue complex appeals. Beyond all of what he does for the County, he is also a mentor to less experienced attorneys and a legal sounding board to members of law enforcement. Ben has demonstrated tremendous ability and very few attorneys share the breadth of his skills and accomplishments. I strongly recommend Ben to be approved for as a grade 5 attorney at the 10<sup>th</sup> increment. PLEASE NOTE: This salary increase is fully funded by the D.A. Prosecution Grant with no anticipated cost to Warren County Taxpayers.

(c) Projected change in Salary Dollars: \$10,092.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW

(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed: *POJ 8/16/23*

HR Director has Reviewed this form when initialed: *PS 8/10/23*

## **ASSISTANT DISTRICT ATTORNEY**

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents the People of the State of New York;

Handles such proceedings as are necessary to protect the rights of the People;

Assists the District Attorney in the preparation of various court proceedings;

Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;

Presents cases to the Grand Jury;

Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;

Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;

Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;

May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;

May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

### **REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of criminal law and court proceedings;

Thorough knowledge of judicial procedures and rules of evidence;

Ability to interpret and work with New York State criminal code;

Ability to communicate effectively both orally and in writing;

Ability to reason quickly and logically in stressful situations;

Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;

Ability to prepare for and present cases in court;

Ability to establish and maintain effective working relationships with others.

### **MINIMUM QUALIFICATIONS:**

Possession of a Law License and admission in good standing to practice law in the State of New York.

WC: 8.21

JC: Exempt

Format Update 2022

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 3<sup>rd</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary AA, Inc 4 → Inc 5
- (b) Justification for Request: An analysis of current job openings shows that the 3<sup>rd</sup> ADA is paid below market rate. Bob McCarty came to the office as an unpaid intern and spent three years volunteering his time to Warren County. After graduating law school and obtaining his law license he joined the District Attorney's Office. I have perhaps seen the most growth in all of the attorneys in Bob McCarty. He has developed into our appeals, and motions attorney and also handles a local court and steps in for others as needed. While entering his seventh year as a prosecutor he has been a fixture at the office for ten years. He has had tremendous success in his appellate writing since taking over the role. His skillset, and institutional knowledge cannot be replaced and I ask that he be paid commensurate with his Grade and time of service. PLEASE NOTE: This salary increase is consistent with the County Chart, it's stated purpose, and the increase is fully funded by the D.A. Prosecution Grant with no anticipated cost to Warren County Taxpayers.

- (c) Projected change in Salary Dollars: \$8,236.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW

(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed: *[Signature]* 8/16/23

HR Director has Reviewed this form when initialed: *[Signature]* 8/16/23

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents the People of the State of New York;

Handles such proceedings as are necessary to protect the rights of the People;

Assists the District Attorney in the preparation of various court proceedings;

Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;

Presents cases to the Grand Jury;

Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;

Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;

Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;

May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;

May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

### **REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of criminal law and court proceedings;

Thorough knowledge of judicial procedures and rules of evidence;

Ability to interpret and work with New York State criminal code;

Ability to communicate effectively both orally and in writing;

Ability to reason quickly and logically in stressful situations;

Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;

Ability to prepare for and present cases in court;

Ability to establish and maintain effective working relationships with others.

### **MINIMUM QUALIFICATIONS:**

Possession of a Law License and admission in good standing to practice law in the State of New York.

WC: 8.21

JC: Exempt

*Format Update 2022*

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 4<sup>th</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary AA, Inc 2 → Inc 5
- (b) Justification for Request: An analysis of current job openings shows that the 4<sup>th</sup> ADA is paid below market rate. Avi Golstien came to the office with three years of private practice as an attorney. He is entering his 6<sup>th</sup> year as a prosecutor in Warren County and approaching his tenth year as an active attorney. He also previously interned at a District Attorney's Office. I seek a salary adjustment based on current market conditions. This request is to follow the County Chart based on Grade and work experience with Warren County. PLEASE NOTE: This salary increase is consistent with the County Chart, it's stated purpose, and the increase is fully funded by the the D.A. Prosecution Grant with no anticipated cost to Warren County Taxpayers.
- (c) Projected change in Salary Dollars: \$11,356.00
- (d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grants fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW  
(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed: 8/16/23

HR Director has Reviewed this form when initialed: 8/16/23

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

- Represents the People of the State of New York;
- Handles such proceedings as are necessary to protect the rights of the People;
- Assists the District Attorney in the preparation of various court proceedings;
- Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;
- Presents cases to the Grand Jury;
- Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;
- Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;
- Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;
- May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;
- May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

### **REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

- Thorough knowledge of criminal law and court proceedings;
- Thorough knowledge of judicial procedures and rules of evidence;
- Ability to interpret and work with New York State criminal code;
- Ability to communicate effectively both orally and in writing;
- Ability to reason quickly and logically in stressful situations;
- Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;
- Ability to prepare for and present cases in court;
- Ability to establish and maintain effective working relationships with others.

### **MINIMUM QUALIFICATIONS:**

- Possession of a Law License and admission in good standing to practice law in the State of New York.

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 5<sup>th</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary Grade from 3 to 4  
A3, Inc 2 → A4, Inc 2
- (b) Justification for Request: An analysis of current job openings shows that the 5<sup>th</sup> ADA is paid below market rate. See attached chart. In an office of hard workers Grant has earned the reputation of being a workhorse. Grant came to the office after doing an internship with the Montgomery County DA's Office. He came with a glowing recommendation and that has proven to be true. His work ethic is unmatched and he has proven to be highly capable and a real asset to the County. Grant has developed to become a felony prosecutor while also covering a full misdemeanor case load. He is frequently in court and therefore he must be efficient when he finds time at his desk. He handles hearings, bail arguments, arraignments, writing, Certificates of Compliance, ERPOs, SORA hearings, Grand Jury, and basically anything that is asked of him. He is a team player who always steps up when asked, or even when he isn't asked. Like other ADAs in the office, he would be covered by many DA's Offices. I strongly recommend Grant for a grade change from 3 to 4 at the 2<sup>nd</sup> year increment. PLEASE NOTE: This increase is fully funded by the D.A. Prosecution Grant with no anticipated cost to Warren County Taxpayers.

(c) Projected change in Salary Dollars: \$10,168.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW

(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed: AP 8/16/23

HR Director has Reviewed this form when initialed: AP 8/16/23

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents the People of the State of New York;

Handles such proceedings as are necessary to protect the rights of the People;

Assists the District Attorney in the preparation of various court proceedings;

Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;

Presents cases to the Grand Jury;

Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;

Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;

Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;

May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;

May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

**REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of criminal law and court proceedings;

Thorough knowledge of judicial procedures and rules of evidence;

Ability to interpret and work with New York State criminal code;

Ability to communicate effectively both orally and in writing;

Ability to reason quickly and logically in stressful situations;

Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;

Ability to prepare for and present cases in court;

Ability to establish and maintain effective working relationships with others.

**MINIMUM QUALIFICATIONS:**

Possession of a Law License and admission in good standing to practice law in the State of New York.

WC: 8.21

JC: Exempt

*Format Update 2022*

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 6<sup>th</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary Grade from 3 to 4
- (b) Justification for Request: An analysis of current job openings shows that the 6<sup>th</sup> ADA is paid below market rate. See attached Chart. Connor, came to the office with prior work under a practice order for the Rockville Public Defender's Office and then in private practice as an attorney. As a member of his Law School's Law Review he entered the office with excellent research and writing skills. His prior work as an attorney also meant that he had some experience, which made his transition to prosecution easier. Connor has proven to be extremely capable and he now handles our busiest court, a heavy misdemeanor caseload, as well as a felony caseload. He has taken it upon himself to share duties on Sex Offender Registration hearings as well as a myriad of other responsibilities. Connor has handled jury trials and successfully prosecuted a felony jury trial to verdict. He has always been extremely reliable, team oriented, and willing to help others as needed. He is a vital part of the office with research and writing abilities beyond his years. I strongly recommend him for a Grade Change from 3 to 4 at the 2<sup>nd</sup> year increment. PLEASE NOTE: This increase is fully funded by the D.A. Prosecution Grant with no anticipated cost to Warren County Taxpayers.

(c) Projected change in Salary Dollars: \$10,168.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW

(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed: Pat 5/14/23

HR Director has Reviewed this form when initialed: rs 8/10/23

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents the People of the State of New York;  
Handles such proceedings as are necessary to protect the rights of the People;  
Assists the District Attorney in the preparation of various court proceedings;  
Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;  
Presents cases to the Grand Jury;  
Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;  
Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;  
Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;  
May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;  
May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

### **REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of criminal law and court proceedings;  
Thorough knowledge of judicial procedures and rules of evidence;  
Ability to interpret and work with New York State criminal code;  
Ability to communicate effectively both orally and in writing;  
Ability to reason quickly and logically in stressful situations;  
Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;  
Ability to prepare for and present cases in court;  
Ability to establish and maintain effective working relationships with others.

### **MINIMUM QUALIFICATIONS:**

Possession of a Law License and admission in good standing to practice law in the State of New York.

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 7<sup>th</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary Grade from 2 to 4  
*A2, Inc Entry → A4, Inc Entry*
- (b) Justification for Request: An analysis of current job openings shows the 7<sup>th</sup> ADA is paid below the market rate. See attached chart. Ann came to the office with a year of experience as an attorney and she had also interned for a District Attorney's Office and the Texas Attorney General's Office. This prior experience gave Ann a level of confidence not typical of an entry-level prosecutor. Since joining the team Ann has continued to develop as a prosecutor and she has progressed to working on felony files and taking a more independent role on her caseload. She has conducted a felony hearing in a rape case and also has advanced to Grand Jury work. Ann has a pleasant yet professional approach that is appreciated within the office and an asset when interacting with the public, police, and witnesses. Her calm demeanor helps her interact with child victims and domestic violence victims who have suffered severe trauma. Ann has proven to be a reliable advocate and as she has developed and taken on more serious cases she warrants a change from entry-level grade 2 to grade 4 entry level. In August of 2023 Ann enters her third year as a Warren County prosecutor and her fourth year as an attorney. PLEASE NOTE: This increase is fully funded by the D.A. Prosecution Grant with no anticipated cost to Warren County Tax payers.

(c) Projected change in Salary Dollars: \$13,385.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW  
(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed: AS 9/16/23

HR Director has Reviewed this form when initialed: AS 9/16/23

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents the People of the State of New York;  
Handles such proceedings as are necessary to protect the rights of the People;  
Assists the District Attorney in the preparation of various court proceedings;  
Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;  
Presents cases to the Grand Jury;  
Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;  
Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;  
Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;  
May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;  
May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

**REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of criminal law and court proceedings;  
Thorough knowledge of judicial procedures and rules of evidence;  
Ability to interpret and work with New York State criminal code;  
Ability to communicate effectively both orally and in writing;  
Ability to reason quickly and logically in stressful situations;  
Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;  
Ability to prepare for and present cases in court;  
Ability to establish and maintain effective working relationships with others.

**MINIMUM QUALIFICATIONS:**

Possession of a Law License and admission in good standing to practice law in the State of New York.

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 8<sup>th</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary Grade from 2 to 4  
*A2, Inc. Entry → AA, Inc. Entry*
- (b) Justification for Request: An analysis of current job openings shows the 8<sup>th</sup> ADA is paid below the market rate. See attached chart. Prior to becoming an intern, Morgan volunteered as an intern for the Warren County District Attorney's Office. After Law School, Morgan worked for several years as a legal assistant. In that time she had helped work on several appeals and many other legal duties. Her prior years of experience were very helpful when she joined the office on 10/12/2021. She was immediately adept at legal writing and she was able to be quickly assist in appellate and motion writing. Even when she began, she was not working as an entry-level prosecutor. She was able to rapidly get up to speed and transition to prosecution. Now Morgan is working on domestic violence cases, sexual assault cases, and other serious matters, all while also managing a misdemeanor case load. She is a valued member of the office who has a passion for the work and her desire to help crime victims is displayed daily. She is exceptionally reliable and she has demonstrated a high work quality, which has allowed her to do Grand Jury work and sit as a second chair attorney in a felony rape trial. I recommend her for a Grade 4, entry level. PLEASE NOTE: This salary increase is fully funded by the D.A. Prosecution Grant with no anticipated cost to Warren County Taxpayers.

(c) Projected change in Salary Dollars: \$13,385.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW

(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed:

*[Handwritten initials]* 8/1/23

HR Director has Reviewed this form when initialed:

*[Handwritten initials]* 8/1/23

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

- Represents the People of the State of New York;
- Handles such proceedings as are necessary to protect the rights of the People;
- Assists the District Attorney in the preparation of various court proceedings;
- Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;
- Presents cases to the Grand Jury;
- Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;
- Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;
- Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;
- May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;
- May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

### **REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

- Thorough knowledge of criminal law and court proceedings;
- Thorough knowledge of judicial procedures and rules of evidence;
- Ability to interpret and work with New York State criminal code;
- Ability to communicate effectively both orally and in writing;
- Ability to reason quickly and logically in stressful situations;
- Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;
- Ability to prepare for and present cases in court;
- Ability to establish and maintain effective working relationships with others.

### **MINIMUM QUALIFICATIONS:**

Possession of a Law License and admission in good standing to practice law in the State of New York.

## 2024 BUDGET - PERSONNEL REQUEST

DEPARTMENT NAME: District Attorney

BUDGET CODE: A.1165 110 Salaries

Title of Position: 9<sup>th</sup> Assistant District Attorney

### FOR NEW POSITIONS

- (a) Annual Base Salary (and Grade if Applicable): Click or tap here to enter text.
- (b) List any position(s) in the Department's Table of Organization being DELETED as a result of this request (Include annual Salary and grade if applicable): Click or tap here to enter text.
- (c) Is this a mandated position? If so, please explain: Click or tap here to enter text.
- (d) Is there expected Revenue from this position? If so, please explain: Click or tap here to enter text.

### FOR OTHER PERSONNEL REQUESTS (Change in Employee Status FT/PT/Temp/Per Diem, Change in Non-bargaining Salary Grade)

- (a) Description of Change: Change in Non-Bargaining Salary Grade from 2 to 3  
*AZ, Inc. Entry → A3, Inc. 2*
- (b) Justification for Request: An analysis of current job openings shows the 9<sup>th</sup> ADA is paid below the market rate. See attached chart. Ryan, the 9<sup>th</sup> ADA, took a unique route to becoming a prosecutor for our office. On 9/7/2021, after graduating law school, taking the bar exam, and while awaiting admission / receipt of his law license, Ryan joined the office as a Legal Clerk (at the time, the County did not have a position for new attorneys awaiting bar admission). Ryan was not only an employee of within the office, but he had prior internships in a District Attorney's Office and he served as a Judicial intern. His experience as a Legal Clerk permitted him to learn the Prosecutor's Case Management System and he became proficient at building files. On 6/29/2022, after receiving his law license, Ryan became a full-time prosecutor for the office and now he manages all of the online traffic tickets for the county, he handles traffic courts, criminal courts, and weekday 8:30 a.m. centralized arraignments. Ryan has begun working more on felony files through the disclosure of discovery, the preparation of certificates of compliance, the preparation of protective orders, handling redactions for disclosure, including Grand Jury transcripts, and other felony level disclosures. In September of 2023 he will enter his third year with the office. He is no longer doing solely entry-level work and he has become an important asset on misdemeanor and felony files. He has proven to be a team player and highly reliable. I recommend him for a Grade 3 at the second increment. PLEASE NOTE: This salary increase is fully funded by the D.A. Prosecution grant with no anticipated cost to Warren County Taxpayers.

(c) Projected change in Salary Dollars: \$7,945.00

(d) Is there expected Revenue impact from this change? If so, please explain: D.A. Prosecution Grant fully funds the request.

PERSONNEL OFFICER AND HUMAN RESOURCE DIRECTOR REVIEW

(Must be initialed before being presented to Budget Team)

Personnel Officer has Reviewed this form when initialed: *[Signature]*

HR Director has Reviewed this form when initialed: *[Signature]*

## ASSISTANT DISTRICT ATTORNEY

**DISTINGUISHING FEATURES OF THE CLASS:** This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

- Represents the People of the State of New York;
- Handles such proceedings as are necessary to protect the rights of the People;
- Assists the District Attorney in the preparation of various court proceedings;
- Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;
- Presents cases to the Grand Jury;
- Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;
- Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;
- Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;
- May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;
- May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

### **REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

- Thorough knowledge of criminal law and court proceedings;
- Thorough knowledge of judicial procedures and rules of evidence;
- Ability to interpret and work with New York State criminal code;
- Ability to communicate effectively both orally and in writing;
- Ability to reason quickly and logically in stressful situations;
- Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;
- Ability to prepare for and present cases in court;
- Ability to establish and maintain effective working relationships with others.

### **MINIMUM QUALIFICATIONS:**

- Possession of a Law License and admission in good standing to practice law in the State of New York.

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

### WARREN COUNTY BUDGET SUMMARY SHEET

PRIOR YEAR EXPENDITURES AND REQUEST FOR 2024 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	2022 EXPENDITURES	2023 ADOPTED	2023 AMENDED	2024 DEPARTMENT REQUESTS
100's PERSONAL SERVICES	\$118,641.04	\$129,186.00	\$129,186.00	\$131,721.00
200's EQUIPMENT	\$403.63			\$0.00
400's CONTRACTUAL	\$2,087.20	\$15,861.00	\$15,861.00	\$11,066.00
800's EMPLOYEE BENEFITS	\$32,200.04	\$33,063.00	\$33,063.00	\$46,073.00
<b>TOTALS</b>	<b>\$153,331.91</b>	<b>\$178,110.00</b>	<b>\$178,110.00</b>	<b>\$188,860.00</b>

2022 REVENUES	2023 ADOPTED REVENUES	2023 AMENDED REVENUES	2024 DEPARTMENT REQUESTS
\$146,584.53	\$171,389.00	\$171,389.00	\$171,389.00

SIGNED:

  
DEPARTMENT HEAD

TITLE:

DISTRICT ATTORNEY

DATE:

9/06/2023

Account	Account Description	2022 Actual Amount	2023 Adopted Budget	2023 Amended Budget	2023 Actual Amount	2024 Departmental Request
<b>Fund A - General</b>						
REVENUE						
Department <b>1168 - Crime Victims-Assist.DA</b>						
<i>State Aid</i>						
3032	Crime Victims Advocate -DA	146,584.53	171,389.00	171,389.00	73,574.48	171,389.00
	<i>State Aid Totals</i>	<u>\$146,584.53</u>	<u>\$171,389.00</u>	<u>\$171,389.00</u>	<u>\$73,574.48</u>	<u>\$171,389.00</u>
	Department <b>1168 - Crime Victims-Assist.DA Totals</b>	<u>\$146,584.53</u>	<u>\$171,389.00</u>	<u>\$171,389.00</u>	<u>\$73,574.48</u>	<u>\$171,389.00</u>
	REVENUE TOTALS	<u>\$146,584.53</u>	<u>\$171,389.00</u>	<u>\$171,389.00</u>	<u>\$73,574.48</u>	<u>\$171,389.00</u>

Account	Account Description	2022 Actual Amount	2023 Adopted Budget	2023 Amended Budget	2023 Actual Amount	2024 Departmental Request
<b>Fund A - General</b>						
EXPENSE						
Department <b>1168 - Crime Victims-Assist.DA</b>						
<i>Personal Services</i>						
110	Salaries - Regular	118,181.23	128,686.00	128,686.00	84,004.11	131,221.00
120	Salaries - Overtime	459.81	500.00	500.00	.18	500.00
<i>Personal Services Totals</i>		<b>\$118,641.04</b>	<b>\$129,186.00</b>	<b>\$129,186.00</b>	<b>\$84,004.29</b>	<b>\$131,721.00</b>
<i>Contractual Expense</i>						
410	Supplies	353.56	4,606.00	4,606.00	1,524.72	4,606.00
423	Telephone	866.23	1,500.00	1,500.00	531.02	1,500.00
424	Postage	297.35	300.00	300.00	107.52	300.00
427	Memberships & Dues	25.00	50.00	50.00	25.00	50.00
428	Data Processing & Internet Fees	134.00	140.00	140.00	140.00	164.00
444	Travel/Education/Conference	411.06	4,446.00	4,446.00	819.04	4,446.00
<i>Contractual Expense Totals</i>		<b>\$2,087.20</b>	<b>\$11,042.00</b>	<b>\$11,042.00</b>	<b>\$3,147.30</b>	<b>\$11,066.00</b>
<i>Employee Benefits</i>						
810	Retirement	15,663.87	15,641.00	15,641.00	9,753.27	20,236.00
830	Social Security	7,220.17	8,009.00	8,009.00	5,079.14	8,166.00
831	Medicare Contribution	1,688.60	1,873.00	1,873.00	1,187.85	1,910.00
860	Hospitalization	7,507.28	7,420.00	7,420.00	6,491.95	15,521.00
865	Dental Insurance	120.12	120.00	120.00	106.26	240.00
<i>Employee Benefits Totals</i>		<b>\$32,200.04</b>	<b>\$33,063.00</b>	<b>\$33,063.00</b>	<b>\$22,618.47</b>	<b>\$46,073.00</b>
Department <b>1168 - Crime Victims-Assist.DA Totals</b>		<b>\$152,928.28</b>	<b>\$173,291.00</b>	<b>\$173,291.00</b>	<b>\$109,770.06</b>	<b>\$188,860.00</b>
EXPENSE TOTALS		<b>\$152,928.28</b>	<b>\$173,291.00</b>	<b>\$173,291.00</b>	<b>\$109,770.06</b>	<b>\$188,860.00</b>
<b>Fund A - General Totals</b>						
REVENUE TOTALS		<b>\$146,584.53</b>	<b>\$171,389.00</b>	<b>\$171,389.00</b>	<b>\$73,574.48</b>	<b>\$171,389.00</b>
EXPENSE TOTALS		<b>\$152,928.28</b>	<b>\$173,291.00</b>	<b>\$173,291.00</b>	<b>\$109,770.06</b>	<b>\$188,860.00</b>
<b>Fund A - General Totals</b>		<b>(\$6,343.75)</b>	<b>(\$1,902.00)</b>	<b>(\$1,902.00)</b>	<b>(\$36,195.58)</b>	<b>(\$17,471.00)</b>
Net Grand Totals						
REVENUE GRAND TOTALS		<b>\$146,584.53</b>	<b>\$171,389.00</b>	<b>\$171,389.00</b>	<b>\$73,574.48</b>	<b>\$171,389.00</b>
EXPENSE GRAND TOTALS		<b>\$152,928.28</b>	<b>\$173,291.00</b>	<b>\$173,291.00</b>	<b>\$109,770.06</b>	<b>\$188,860.00</b>
Net Grand Totals		<b>(\$6,343.75)</b>	<b>(\$1,902.00)</b>	<b>(\$1,902.00)</b>	<b>(\$36,195.58)</b>	<b>(\$17,471.00)</b>

2024 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 21-17 / \$35.91	Victim Assist Program Director 21-18 / \$35.91	\$74,700.00	Full Time	CSEA/FT	9/1/2006
13347	Choppa, Michaela 14-04 / \$26.17	Crime Victim Specialist 14-05 / \$28.35	\$56,521.00	Full Time	CSEA/FT	7/8/2019
	N/A / \$0.00	Crime Victims Assistance - OT N/A / \$0.00	\$500.00			
		<b>3</b>	<b>\$131,721.00</b>			



## Office of Victim Services

KATHY HOCHUL  
Governor

ELIZABETH CRONIN, Esq.  
Director

Warren County District Attorney's Office  
1340 Sate Route 9  
Lake George NY 12845

**RE:** Contract Number C11415GG

**DATE:** June 14, 2023

**Year 2 Contract Period:** 10/1/23-9/30/24

Dear Colleague:

The Office of Victim Services (OVS) previously awarded your program a grant for the period October 1, 2022 through September 30, 2025. It is now time to submit and finalize your budget for year 2 of this grant, which covers October 1, 2023 through September 30, 2024.

Your award amount for the 2023-24 contract year is: \$171,389.59

All budget submissions need to be completed in the Grants Gateway. Paper submissions will not be accepted. Since data entered into the budget for year 1 expenses will automatically be carried over in the Grants Gateway to year 2, this should be modified accordingly. Please enter your 2023-24 budget in the "Expenditure Budget" section of the "Forms Menu" in the Grants Gateway.

Accompanying this award letter please find a checklist and other forms you may need. The relevant forms should be uploaded into the "Grantee Document Folder" located in the "Forms Menu" of the Grants Gateway.

Please note that match continues to be waived for this contract year. As a result, budget submissions will be accepted excluding match.

Please submit all necessary documents in the Grants Gateway by the close of business on July 14, 2023.

On behalf of the Office of Victim Services and the Grants Unit, we look forward to continuing our shared efforts to serve innocent victims of crime in New York State.

Sincerely

*Kathleen Joslin*

Kathleen Joslin  
Contract Management Specialist 3  
New York State Office of Victim  
Services

# **ADVISORY BULLETIN**

TRANSMITTAL NO. 2023-5

TO: ALL FUNDED PROGRAMS  
ADVISORY COUNCIL MEMBERS

FROM: ELIZABETH CRONIN, ESQ.  
DIRECTOR

SUBJECT: VOCA Match Waiver

DATE: Tuesday, August 8, 2023

The New York State Office of Victim Services (OVS) remains focused on finding ways to help our funded programs during this time of continued financial and operational challenges. It is our goal to help you meet these challenges so you can continue to provide critical services to your clients and communities.

OVS is formally notifying our funded programs that the blanket match waiver will be extended through September 30, 2024. All contract periods ending on September 30, 2023 (Year 1 of the 2022 RFA awards) and September 30, 2024 (Year 2 of the 2022 RFA awards) will not require match. An official notification will be sent to each individual awardee confirming this waiver at a later date. The match requirements for the contract period ending September 30, 2025 (Year 3 of the 2022 RFA awards) have yet to be determined, so additional information for Year 3 will be communicated at a later date.

Waiving this match requirement provides programs with added flexibility in spending your awards on VOCA-allowable expenses and allows you to continue to provide services.

OVS worked with the federal Office for Victims of Crime (OVC) to develop our Match Waiver Policy, which gives the agency the authority "...to issue partial, or full, match waivers to some, or all OVS subrecipients during any contract term when unique circumstances justify such action. Examples of unique circumstances include, but are not limited to, a natural disaster, a pandemic, or a mass violence incident."

Should you have any questions about the match waiver, please email or call your assigned Contract Management Specialist.

On behalf of OVS, thank you for your continued commitment to providing the highest quality services to victims of crime in New York State.



Elizabeth Cronin, Esq.  
Director

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

**WARREN COUNTY BUDGET SUMMARY SHEET**


PRIOR YEAR EXPENDITURES AND REQUEST FOR 2024 APPROPRIATIONS

REQUEST SUBMISSION TO THE CLERK OF THE BOARD OF SUPERVISORS

NAME OF DEPARTMENT: Narcotics Control-DA  
BUDGET ACCOUNT CODE: A.4220

OBJECT CODES	2022 EXPENDITURES	2023 ADOPTED	2023 AMENDED	2024 DEPARTMENT REQUESTS
100's PERSONAL SERVICES	\$57,273.70	\$65,919.00	\$66,218.92	\$68,908.00
200's EQUIPMENT				\$0.00
400's CONTRACTUAL	\$4,294.72	\$4,215.00	\$4,215.00	\$6,320.00
800's EMPLOYEE BENEFITS	\$4,381.45	\$5,043.00	\$5,065.94	\$5,272.00
<b>TOTALS</b>	<b>\$65,949.87</b>	<b>\$75,177.00</b>	<b>\$75,499.86</b>	<b>\$80,500.00</b>

2022 REVENUES	2023 ADOPTED REVENUES	2023 AMENDED REVENUES	2024 DEPARTMENT REQUESTS
\$0.00			\$0.00

SIGNED:   
DEPARTMENT HEAD  
TITLE: DISTRICT ATTORNEY  
DATE: 9/07/2023

Account	Account Description	2022 Actual Amount	2023 Adopted Budget	2023 Amended Budget	2023 Actual Amount	2024 Departmental Request
Fund A - General						
EXPENSE						
Department 4220 - Narcotics Control-DA						
Personal Services						
130	Salaries - Part Time	57,273.70	65,919.00	65,919.00	34,277.62	68,908.00
	<i>Personal Services Totals</i>	<b>\$57,273.70</b>	<b>\$65,919.00</b>	<b>\$65,919.00</b>	<b>\$34,277.62</b>	<b>\$68,908.00</b>
<i>Contractual Expense</i>						
418	Ins-General Liability	141.99	165.00	241.00	238.43	270.00
423	Telephone	374.93	450.00	450.00	218.44	450.00
441	Auto-Supplies & Repair	1,894.80	2,000.00	1,924.00	296.70	2,000.00
442	Automotive - Gas & Oil	1,883.00	1,600.00	1,600.00	761.57	1,600.00
444	Travel/Education/Conference	.00	.00	.00	.00	2,000.00
	<i>Contractual Expense Totals</i>	<b>\$4,294.72</b>	<b>\$4,215.00</b>	<b>\$4,215.00</b>	<b>\$1,515.14</b>	<b>\$6,320.00</b>
Comments						
	Account	Level	Comment			
	444	Departmental Request	- Request \$2,000.00 for State mandated training for DA Investigators.			
<i>Employee Benefits</i>						
830	Social Security	3,550.97	4,087.00	4,087.00	2,125.20	4,272.00
831	Medicare Contribution	830.48	956.00	956.00	497.02	1,000.00
	<i>Employee Benefits Totals</i>	<b>\$4,381.45</b>	<b>\$5,043.00</b>	<b>\$5,043.00</b>	<b>\$2,622.22</b>	<b>\$5,272.00</b>
Department 4220 - Narcotics Control-DA Totals		<b>\$65,949.87</b>	<b>\$75,177.00</b>	<b>\$75,177.00</b>	<b>\$38,414.98</b>	<b>\$80,500.00</b>
EXPENSE TOTALS		<b>\$65,949.87</b>	<b>\$75,177.00</b>	<b>\$75,177.00</b>	<b>\$38,414.98</b>	<b>\$80,500.00</b>
Fund A - General Totals		<b>\$65,949.87</b>	<b>\$75,177.00</b>	<b>\$75,177.00</b>	<b>\$38,414.98</b>	<b>\$80,500.00</b>
EXPENSE TOTALS		<b>\$65,949.87</b>	<b>\$75,177.00</b>	<b>\$75,177.00</b>	<b>\$38,414.98</b>	<b>\$80,500.00</b>
Fund A - General Totals		<b>(\$65,949.87)</b>	<b>(\$75,177.00)</b>	<b>(\$75,177.00)</b>	<b>(\$38,414.98)</b>	<b>(\$80,500.00)</b>
Net Grand Totals						
REVENUE GRAND TOTALS		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EXPENSE GRAND TOTALS		<b>\$65,949.87</b>	<b>\$75,177.00</b>	<b>\$75,177.00</b>	<b>\$38,414.98</b>	<b>\$80,500.00</b>
Net Grand Totals		<b>(\$65,949.87)</b>	<b>(\$75,177.00)</b>	<b>(\$75,177.00)</b>	<b>(\$38,414.98)</b>	<b>(\$80,500.00)</b>

2024 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				
10493	Huskie, Michael	Investigator #2	\$13,782.00	Part Time	Less than P/T	10/1/2002
	N/A / \$33.13	N/A / \$33.13				
12825	Lail, Russell	Investigator #3 - PT	\$27,563.00	Less than Half	Less P/T12/21/12	9/1/2015
	N/A / \$33.13	N/A / \$33.13				
		PT Investigator #4	\$27,563.00			
	N/A / \$33.13	N/A / \$33.13				
		<b>3</b>	<b>\$68,908.00</b>			



## Division of Criminal Justice Services

**KATHY HOCHUL**  
Governor

**ROSSANA ROSADO**  
Commissioner

**JOHANNA SULLIVAN**  
Director

**TO:** Law Enforcement Executives

**FROM:** Johanna Sullivan, Director – Office of Public Safety

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During the Municipal Police Training Council's (MPTC) 257<sup>th</sup> meeting on March 9, 2022, the Council adopted updates to existing police and peace officer training curricula as well as established new minimum training standards for correction officers, probation officers, and district attorney police investigators. The recent actions of the Council are outlined below.

### **Defensive Tactics Recruit and Instructor Curriculum Update**

In 2018, the MPTC adopted a redesigned defensive tactics training program which focused on a principle-based methodology for basic and instructor level training. As this training continues to evolve to meet the needs of the law enforcement community, a new section of instruction was developed and adopted by the Council called Post Apprehension Responsibilities and Awareness Measures (PARAM). It includes additional techniques for officers to utilize when further restraint is necessary to control an individual that is handcuffed but continues to be non-compliant or combative towards officers. The new techniques can be utilized as a one or two officer control tactic and will provide officers with options to safely restrain non-compliant or combative subjects who are handcuffed on their side, stomach up or seated depending on the circumstances of each individual situation.

The inclusion of PARAM learning objectives and instructional content have been added to Part 4, Section J of the Basic Course for Police Officers or equivalent, Basic Course for Peace Officers, Campus Public Safety Officer Course, Specialized Police Investigator Course, and Basic Course for Correction Officers or equivalent. The instructional hours remain the same for this section. The updated materials may be accessed by clicking the above links and is required for all courses beginning on or after **September 1, 2022**.

Additionally, the MPTC Defensive Tactics Instructor Course has been updated to include this new block of instruction. The new techniques have been filmed utilizing subject matter experts demonstrating and discussing key teaching points of the new techniques to aid instructors. These videos will be distributed and made available to instructors statewide. To further assist instructors, DCJS will provide additional training on these new techniques during future Defensive Tactics Instructor courses and in-service defensive tactics booster trainings offered statewide.

For questions or to request updated Defensive Tactics Instructor training materials please contact Senior Training Technician Dan Nedwell at [daniel.nedwell@dcjs.ny.gov](mailto:daniel.nedwell@dcjs.ny.gov).

## **Fundamentals of Probation Practice**

Pursuant to Criminal Procedure Law section 2.30 subdivision one, all peace officers must complete a basic training program comprised of minimum training standards set forth by the MPTC. Any segment of employer prescribed training, per statute, must be done in addition to the MPTC Basic Course for Peace Officers program. In 2011 the MPTC determined that the Fundamentals of Probation Practice course exceeded the topics and time requirements of the Basic Course for Peace Officers. To avoid a reduction in training standards for probation officers, at the request of the Office of Probation and Correctional Alternatives (OPCA), the Council granted an exemption from the Basic Course for Peace Officers.

However, since 2011, the Council has significantly enhanced the Basic Course for Peace Officers minimum training standards from 99 hours to 162 hours to include instruction on contemporary law enforcement issues. As a result of the strengthened training standards, OPCA has told the Council they are no longer requesting an exemption from the Basic Course for Peace Officers. Therefore, **effective January 1, 2023**, all probation officers will be required to complete the Basic Course for Peace Officers as the required minimum standard of training in addition to the employer specific training of the Fundamentals of Probation Practice course.

OPCA is collaboratively working with the Office of Public Safety and other state agencies to assist probation academies in preparing for this new requirement, including assisting agencies in meeting specialized instructor requirements. The Basic Course for Peace Officers training materials can be found at the following link <https://bit.ly/BasicPeace2021>. This link will remain the same as new course materials are added and updated, including the recently updated defensive tactics materials. Specific questions regarding these changes or other probation training matters can be directed to OPCA Director of Training Patricia Clements at 518-485-0509 or [patricia.clements@dcjs.ny.gov](mailto:patricia.clements@dcjs.ny.gov).

## **Use of Force for Corrections Officers Online Training Program**

The Municipal Police Training Council (MPTC) has released a new in-service one-hour Use of Force for Correction Officers online training designed to complement use of force training that new correction officers receive during basic training. The online training reinforces the concepts now taught at the basic corrections level and serves to further train new and current officers on the legal and decision-making aspects of encounters where force is applied.

Additionally, this training package includes a link to the MPTC "What is De-escalation Online Training." Although this training is not required by law, it provides an overview of considerations that can assist in achieving the outcome of de-escalation recognizing that de-escalation is the product of a well-trained officer utilizing a variety of skill sets including knowledge of the law. This video is designed to complement use of force training.

This training is open to all correction officers. **Effective January 1, 2023**, the online training will serve as the required annual Use of Force training for all armed custodial peace officers pursuant to Criminal Procedure Law § 2.30.

Further information regarding accessing and reporting completion of this training for custodial peace officers armed with a weapon is available by clicking the following link - <https://bit.ly/mptccorrectionsuofonline>.

## **Specialized Investigator Police Training Course**

The Professional Policing Act of 2021 has amended General Municipal Law §209-q (2) by redefining a police officer according to Criminal Procedural Law §1.20 (34). As a result, all police investigators employed in the office of a district attorney are required to complete an approved municipal police basic training program prescribed by the Municipal Police Training Council (MPTC).

Pursuant to GML's requirements, the Council adopted a course of training entitled Specialized Investigator Police Training Course as the minimum standard of training for district attorney investigators. This 393-hour course is derived from components of the Basic Course for Police Officers that are applicable to district attorney investigators. The course materials may be accessed at the following link <https://bit.ly/MPTCSpeclnv>.

Any district attorney police investigator hired on or after **March 9, 2022** must complete this training within one year of appointment. An administrator's guide to conducting the Specialized Investigator Police Training Course, including course topics and hours, permissible exemptions, refresher training and equivalency options are addressed in the guide and can be accessed at <https://bit.ly/SPladminguide> .

Please contact Molly Snyder at [molly.snyder@dcjs.ny.gov](mailto:molly.snyder@dcjs.ny.gov) for administration of training questions and Molly Bates at [molly.bates@dcjs.ny.gov](mailto:molly.bates@dcjs.ny.gov) for curricula related questions.