



P. DAVID SOARES
DISTRICT ATTORNEY

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DISTRICT ATTORNEY

COUNTY OF ALBANY
OFFICE OF THE DISTRICT ATTORNEY
ALBANY COUNTY JUDICIAL CENTER
6 LODGE STREET
ALBANY, NEW YORK 12207
(518) 487-5460 - FAX: (518) 487-5093

September 15, 2023

Andrew Joyce
Albany County Legislature
112 State St, Room 700
Albany, NY 12207

Dear Mr. Joyce,

I am requesting legislative action to further the mission on the Office of the Albany County District Attorney. The attached resolution seeks permission to:

- Requesting authorization to receive funds from the NYS Division of Criminal Justice Services to continue the Aid to Prosecution Program. The new ATP grant from 4/1/2023 to 3/31/2024 is now a block grant with no application or contract required by DCJS. Includes a budget amendment to allocate the increased funding of this grant.

Attached is the request for legislative action and supporting documents. If you have any questions, please feel free to contact me at 518-275-4701

Thank you for your assistance.

Sincerely,

P. David Soares
Albany County District Attorney

Cc: Rebekah Kennedy, Majority Counsel
Cc: Arnis Zilgme, Minority Counsel

REQUEST FOR LEGISLATIVE ACTION

Authorization to receive funds from the NYS Division of Criminal Justice Services to continue the Aid to Prosecution Program and a budget amendment allocating those funds.

Date: 9/15/2023
Submitted By: P. David Soares
Department: District Attorney
Title: District Attorney
Phone: 5184875460
Department Rep.
Attending Meeting: David Soares, DA; Christopher Horn, Deputy Chief Assistant

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☒ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☒ Other: (state if not listed) Authorization to receive funds from the NYS Division of Criminal Justice Services to continue the Aid to Prosecution Program.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☒ Personnel Non-Individual
- ☒ Revenue

Increase Account/Line No.: A91165-19954X
Source of Funds: State

Title Change:

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☐ Professional Services
- ☐ Education/Training
- ☒ Grant

Renewal

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability

☒ Other: (state if not listed) The new ATP grant from 4/1/2023 to 3/31/2024 is now a block grant. There is no longer an application or contract required by DCJS.

Contract Terms/Conditions:

Party (Name/address):

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$943,253

Scope of Services: Funds will be used to retain and attract experienced prosecutors and personnel to assist in our prosecution efforts. This is now a block grant and does not require either an application or a contract.

Bond Res. No.:

Date of Adoption:

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority:

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☒

County Budget Accounts:

Revenue Account and Line: A91165-03325

Revenue Amount: \$943,253

Appropriation Account and Line: A91165 19954X; 130002; 130121; 89010; 89030; 89060
Appropriation Amount:

Source of Funding – (Percentages)

Federal:
State: 100%
County:
Local:

Term

Term: (Start and end date) 4/1/23 – 3/31/2023
Length of Contract: 1 year

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain:

Previous requests for Identical or Similar Action:

Resolution/Law Number: 22-439
Date of Adoption: 11/14/22

Justification: (state briefly why legislative action is requested)

In response to requests made by the District Attorney and the District Attorneys Association of the State of New York (DAASNY), the state has increased the Albany County District Attorney's annual Aid to Prosecution award from \$176,540 to \$943,253. These additional funds will be used to attract and retain experienced prosecutors and personnel to assist in our prosecution efforts. We will not receive a DCJS grant contract for this funding; rather, money will be automatically disbursed to the county in one payment. This funding assistance is being provided to help offset the dramatic increase in the costs associated with prosecutorial services as a result of criminal justice reforms for the period of April 1, 2023 to March 31, 2024. According to the terms of the award, the county shall promptly make this funding available to the respective district attorney's office. Award letter is attached.

This grant was increased by \$766,713 to \$943,253 in order to fund our office closer to levels we had requested last year. The first \$176,540 of the ATP grant continues to be used to partially fund the salaries of the Chief Assistant and Major Offense Bureau Chiefs, spread over two years, as in years past. We are asking that 75% of the additional \$766,713 (\$575,035) be used to fund a new enhanced pay line (19954X). This money will be used to attract retain qualified personnel for the office. The remaining 25% of the additional funds would be used to fund the same line in next year's budget from 1/1/2024 through 3/31/2023.

APPROPRIATIONS

ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
A 1165 1 9554X	Enhanced Pay ATP	\$575,035.00			District Attorney

TOTAL APPROPRIATIONS	\$575,035.00	\$0.00
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ESTIMATED REVENUES

ACCOUNT NO.	RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
A 1165 0 3325	Aid to Prosecution Grant		(575,035.00)		

TOTAL ESTIMATED REVENUES	\$0.00	(\$575,035.00)
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GRAND TOTALS	\$575,035.00	(\$575,035.00)
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Division of Criminal Justice Services

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.

Project Name:	Albany County District Attorney Aid to Prosecution Program	Award Amount:	\$943,253
Budget:	SFY 2023-24	Term Dates:	April 1, 2023 to March 31, 2024

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

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