



P. DAVID SOARES  
DISTRICT ATTORNEY

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DAVID M. ROSSI  
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CHERYL K. FOWLER  
DEPUTY CHIEF ASSISTANT DISTRICT  
ATTORNEY

June 8, 2021

Brandon Russell, Majority Counsel  
Albany County Legislature  
112 State Street, Rm. 700  
Albany, N.Y. 12207

Arnis Zilgme, Minority Counsel  
Albany County Legislature  
112 State Street, Rm. 1360  
Albany, N.Y. 12207

Dear Sirs:

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

- Apply and accept funding from DCJS for the Gun Involved Violence Elimination (GIVE) Program;
- Apply and accept funding from DCJS for extending the Aid to Prosecution Program for 2020-2021;
- Apply and accept funding from DCJS for the Aid to Prosecution Program for 2021-2022;
- Apply and accept funding from DCJS for the Crimes Against Revenue Program (CARP); and
- Apply and accept funding from DCJS for the Motor Vehicle Theft and Insurance Fraud Program.

Attached is the request for legislative action and supporting documents. If you have any questions, please feel free to contact me at 275-4706.

Thank you for your assistance.

Sincerely,

P. David Soares  
Albany County District Attorney

## FOR COUNSEL USE ONLY

Date Received: \_\_\_\_\_  
 Received By: \_\_\_\_\_  
 Method: Hand: \_\_\_\_\_  
 Courier: \_\_\_\_\_  
 Mail: \_\_\_\_\_

**REQUEST FOR LEGISLATIVE ACTION****DATE:** June 8, 2021**DEPARTMENT:**Contact Person: Heather OrthTelephone: 275 4704

Dept. Representative Attending

Committee Meeting: Heather Orth and/or David Soares, District Attorney**PURPOSE OF REQUEST:**

Adoption of Local Law \_\_\_\_\_

Amendment of Prior Legislation \_\_\_\_\_

Approval/Adoption of Plan/Procedure \_\_\_\_\_

Bond Approval \_\_\_\_\_

Budget Amendment (See below) \_\_\_\_\_

Contract Authorization (See below) X

Environmental Impact \_\_\_\_\_

Home Rule Request \_\_\_\_\_

Property Conveyance \_\_\_\_\_

Other: (State briefly if not listed above) X Authorization to submit an application and accepts funds from the NYS Division of Criminal Justice Services to continue the Aid to Prosecution Program.

**CONCERNING CONTRACT AUTHORIZATION (Cont'd)****STATE THE FOLLOWING:**Contract Terms/Conditions:

Party (Name/Address):

NYS DCJS80 South Swan StreetAlbany, NY 12210

Amount/Rate Schedule/Fee:

\$264.810Term: 10/1/2019 – 3/31/2021

Scope of Services: Funds will be used to enhance the prosecution of repeat violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel who will seek to minimize the plea-bargaining option and to impose the maximum sentence for such defendants.

Contract Funding:Anticipated in Current Budget: Yes X No \_\_\_\_\_Funding Source: State Funds

County Budget Accounts:

Revenue: A9116503325Appropriation: A91165 12010; 89010; 89030; 89060

Bond (Res. No. &amp; Date of Adoption) \_\_\_\_\_

**CONCERNING ALL REQUESTS:**

Mandated Program/Service: Yes \_\_\_ No X

If Mandated Cite: Authority \_\_\_\_\_

Anticipated in Current Adopted Budget: Yes X No \_\_\_

If yes, indicate Revenue/Appropriation Accounts:

Revenue: A9116503325

Appropriation: A91165 12010; 89010; 89030; 89060

Fiscal Impact – Funding: (Dollars or Percentages)

Federal \_\_\_\_\_

State 100%

County \_\_\_\_\_

Term/Length of Funding 10/1/2019 – 3/31/2021

**Previous Requests for Identical or Similar Action:**

Resolution/Law Number: 20-94

Date of Adoption: 3/9/2020

**Justification:** (State briefly why legislative action is requested)

The Office of the District Attorney requests legislative authority to seek funds from NYS DCJS to continue the Aid to Prosecution program. This funding extends the previously approved 12 month term for this grant period to 18 months at the same rate of the previous 12 month contract.

**Back-up Material Submitted:** Aid to Prosecution Award Information, previous resolution.

Submitted By: Heather Orth

Title: Confidential Assistant to the District Attorney



**Division of Criminal  
Justice Services**

ANDREW M. CUOMO  
Governor

MICHAEL C. GREEN  
Executive Deputy Commissioner

JEFFREY P. BENDER  
Deputy Commissioner

December 4, 2020

The Honorable David Soares  
Albany County District Attorney  
6 Lodge St #401  
Albany, NY 12207

Dear District Attorney Soares:

Thank you for your continued partnership with the NYS Division of Criminal Justice Services (DCJS) in administering the Aid to Prosecution Program. Please be advised that the enacted state budget for State Fiscal Year (SFY) 2020-21 included an appropriation for the Aid to Prosecution program for \$12,549,000.

In order to allow you flexibility to accommodate changes in spending due to the COVID-19 pandemic and in planning for future contracts, we will be extending your existing Aid to Prosecution contract period by six months, meaning it will now have a contract end date of March 31, 2021, and increasing the award amount from the newly appropriated SFY 2020-21 funds. Therefore, your total award amount will be increased to \$264,810, to cover the new 18-month contract period of October 1, 2019 – March 31, 2021. Annual contracts are expected to resume for the period April 1, 2021 through March 31, 2022, with the contract period corresponding with the state fiscal year. We hope you agree that this will benefit the management of future contracts, as awards will no longer be split funded between two fiscal years, and the entire award amount will be known at the time of award.

Please be advised that your award amount of \$264,810 is contingent upon the availability of appropriations, which may be reduced during the contract period pursuant to language included in the SFY 2020-21 enacted state budget, as well as approval and execution of the grant contract by the Attorney General and the Office of the State Comptroller.

We recognize that the unprecedented events of this past year have been challenging. It is our hope that the contract term changes described above will assist with administering the contract going forward. Please contact Katelyn Mallick, Public Safety Grants Representative at (518) 457-3776 or by email at [Katelyn.Mallick@dcjs.ny.gov](mailto:Katelyn.Mallick@dcjs.ny.gov) if you have any questions. 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.

Sincerely,

Jeffrey P. Bender  
Deputy Commissioner

RESOLUTION NO. 94

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE AID TO PROSECUTION PROGRAM**

Introduced: 3/9/20

By Law Committee:

WHEREAS, The Albany County District Attorney has requested authorization to submit a grant application to and enter into an agreement with the New York State Division of Criminal Justice Services to accept Aid to Prosecution program funding in the amount of \$176,540 for the term commencing October 1, 2019 and ending September 30, 2020, and

WHEREAS, The District Attorney has indicated that the funding will be used to enhance the prosecution of repeat violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel who will seek to minimize the plea-bargaining option and impose the maximum sentence for such defendants, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit a grant application to and enter into an agreement with the New York State Division of Criminal Justice Services to accept Aid to Prosecution program funding in the amount of \$176,540 for the term commencing October 1, 2019 and ending September 30, 2020, and, be it further

RESOLVED, That the County Attorney is authorized to approve said grant application and agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote - 3/9/20*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 9<sup>th</sup> day of March, 2020, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 11<sup>th</sup> day of March, 2020.



Clerk, Albany County Legislature