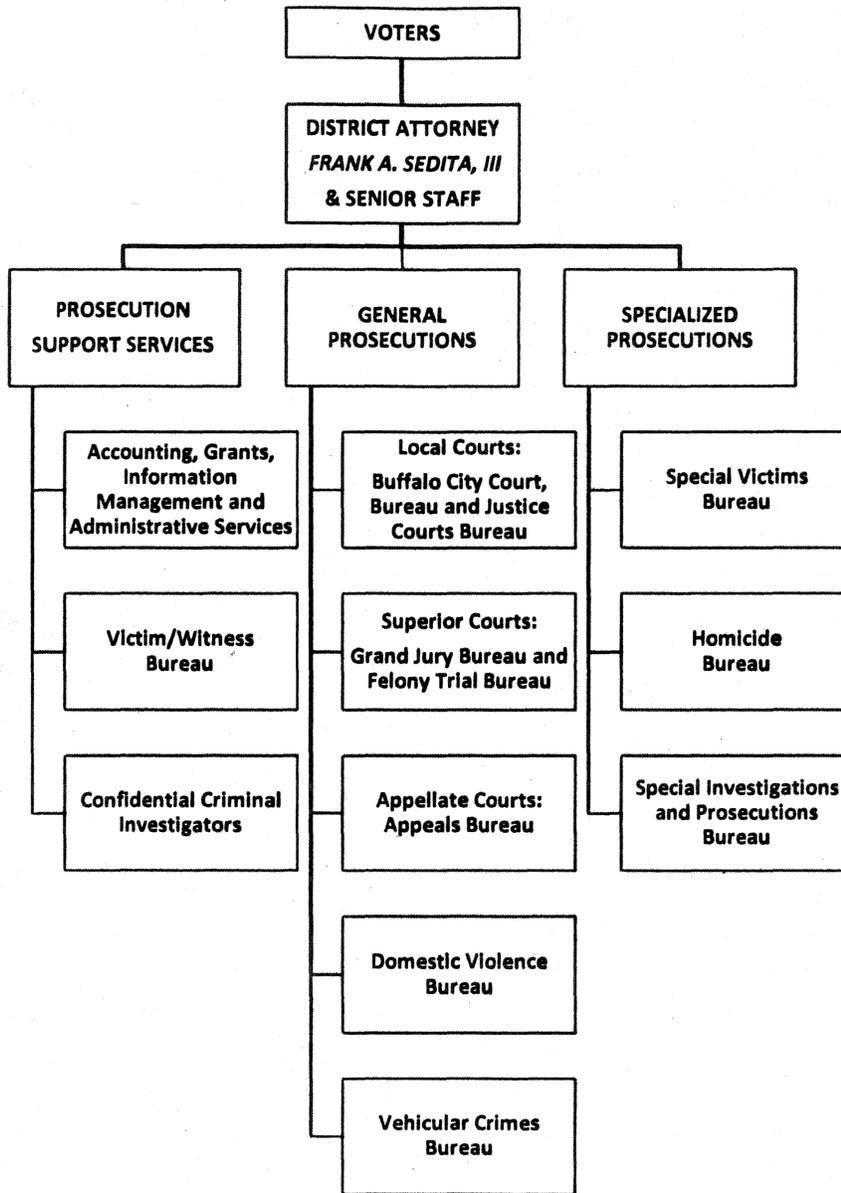


DISTRICT ATTORNEY



DISTRICT ATTORNEY	2013 Actual	2014 Adopted	2014 Adjusted	2015 Proposed
Personal Services	12,102,726	12,756,002	12,818,646	13,307,175
Other	<u>1,572,870</u>	<u>1,589,017</u>	<u>1,664,169</u>	<u>2,445,032</u>
Total Appropriation	13,675,596	14,345,019	14,482,815	15,752,207
Revenue	<u>324,364</u>	<u>121,782</u>	<u>259,578</u>	<u>121,157</u>
County Share	13,351,232	14,223,237	14,223,237	15,631,050

DESCRIPTION AND MISSION STATEMENT

The District Attorney represents the citizens of Erie County in criminal cases and is their chief law enforcement official. Since a prosecutor must be equally concerned with the conviction of the guilty and the exoneration of the innocent, the principal mission of the District Attorney's Office is to justly prosecute those accused of crimes in Erie County.

The District Attorney's Office is primarily a prosecution agency, not an investigation agency. Most investigations are pursued by police departments and other designated investigation agencies. Consistent with the discretion provided to District Attorneys under the law, a prosecution is appropriate when an investigation produces credible evidence, likely admissible in court, which demonstrates a crime was committed and the accused committed it.

The District Attorney's Office, regardless of the police agency conducting the investigation, is responsible for the prosecution of nearly every crime committed in Erie County; i.e. the prosecution of misdemeanor cases in the city, town and village courts; the prosecution of felony cases in State Supreme Court and Erie County Court; and, the prosecution of misdemeanor and felony cases in several specialty courts. We are also responsible for all post-conviction litigation in the state and federal appellate courts.

The Erie County District Attorney's Office has the highest caseload and is the busiest prosecutors' office in the state outside of the New York City metropolitan area. In addition to annually litigating approximately 35,000 criminal cases in over 60 different courts, the District Attorney presents cases to the Erie County Grand Jury and serves as its legal advisor. We also provide legal advice and investigation support to all federal, state and county agencies charged with investigating criminal activity in Erie County. Our Special Investigations and Prosecutions Bureau will also undertake selected investigations, usually involving sophisticated financial crime such as embezzlement.

MANDATED SERVICES AND FUNDING SOURCES

The work performed by the District Attorney's Office is mandated by the Constitution and laws of the State of New York.

We provide prosecutors to all local, county, state and specialty courts that maintain a criminal docket and we respond to all post-conviction litigation brought by defendants in the county, state and federal appellate courts. The bureaus within the General Prosecutions Division provide these mandated services.

The Bureaus within the Specialized Prosecutions Division handle the most challenging cases and prosecute the most dangerous criminals. The attorneys assigned to the Financial Crimes Bureau principally prosecute so-called "white collar" crimes. The attorneys assigned to the Special Victims Bureau prosecute rapists, child abusers, and other sex offenders. The attorneys assigned to the Homicide Bureau prosecute killers. Our annual budget is determined by the Erie County Legislature after submission to that body by the Erie County Executive. Most of our funding comes from the taxpayers of Erie County, although a significant percentage of our funding comes from non-county sources.

REFORMS AND COST EFFICIENCY

Frank A. Sedita III was sworn in as Erie County's 29th District Attorney on January 1, 2009. He was immediately confronted with the fact that the number of prosecutors in Erie County falls far short of the number of prosecutors in similarly sized counties throughout the state. Sweeping reforms, designed to make the District Attorney's Office more professional, more cost-efficient, and more responsive to the needs of the community, were immediately implemented under the new administration.

Prior to District Attorney Sedita's reforms, Assistant District Attorneys were supervised by seven Deputy District Attorneys and thirteen Bureau Chiefs. Many of the Deputy District Attorneys and Bureau Chiefs were administrators who rarely saw the inside of a courtroom. The weight of prosecuting unmanageably high caseloads fell to underpaid Assistant District Attorneys. The lack of pay raises and cost of living adjustments since 2002, when coupled with an unfair distribution of workload, contributed to an unprecedented exodus of experienced prosecutors between 2006 and 2008. The prosecutors who succeeded them, some barely out

of law school, were thrust into the felony and specialized courts well before they were ready and, once assigned, they were not properly trained.

Attorney administration has been streamlined and decentralized. All Assistant District Attorneys, including the Bureau Chiefs, now maintain active caseloads.

Policies and the strategic deployment of our resources have been implemented to more aggressively prosecute violent crimes. For example, we have adopted and have rigorously enforced a no plea policy with respect to a provable case of Criminal Possession of a Weapon in the Second Degree. In Erie County, the possession of an unlicensed and loaded handgun, regardless of whether it is used in the commission of another crime, usually results in a lengthy term of imprisonment.

In 2010 we applied for and received funding to hire three additional investigators. We used this funding to establish an Investigative Task Force to work in conjunction with the Erie Crime Analysis Center and the numerous police agencies throughout Erie County. The task force has concentrated its efforts on investigating and solving so-called "Part One" crimes, such as robbery, burglary, sexual assault, and homicide. Their efforts have resulted in the removal of scores of dangerous and violent criminals from our community.

In 2013 we created a Tactical Prosecution Unit (TPU) within the Felony Trial Bureau. Working in conjunction with the Erie Crime Analysis Center, prosecutors assigned to this elite unit are on call 24 hours a day, seven days a week and prosecute especially violent offenders, including gang members and career criminals.

Important initiatives have also been implemented in the area of domestic violence prosecution. In the past, few prosecutors were trained in this field. Currently, we maintain a specialized bureau dedicated to the prosecution of domestic violence felonies in the specialized Domestic Violence Part of Superior Court. Despite its redundancy, ineffectiveness, and exorbitant cost, we must also supply a prosecutor to the Integrated Domestic Violence (IDV) Part of Superior Court. Two additional prosecutors staff the Domestic Violence Part of Buffalo City Court on a four-month rotating basis. Thereafter, prosecutors must learn how to prosecute felony-level domestic violence cases in the superior courts. In other words, prosecutors transitioning from the local court bureaus (where misdemeanor offenses are principally prosecuted) to superior court bureaus (where felony level offenses are supposed to be prosecuted), must perform an additional rotation in the Domestic Violence Bureau. The Erie County District Attorney's Office is thus the only prosecutors' office in New York State to require every one of its prosecutors to obtain specialized training and hands-on experience in domestic violence prosecution, and we do so not once, but twice.

Important reforms have also been implemented with respect to the prosecution of white collar crimes. Because most local police agencies are hesitant to investigate or not well-suited to investigate financial crimes, we have established and strengthened relationships with several state investigative agencies, including the Special Investigations Unit of the New York State Police, the New York State Department of Labor and the New York Department of Taxation and Finance. Our performance under the Crimes against Revenue Program (CARP) is particularly noteworthy. Under CARP, the New York Department of Criminal Justice Services (DCJS) subsidizes the salaries of two prosecutors and several support staff members who specialize in the aggressive prosecution of tax evaders and those who steal from the state government. In conjunction with the Erie County Department of Social Services, we similarly prosecute welfare cheats and those who steal from the county government. We have thus far returned approximately \$4.2 million in tax evasion and welfare fraud collections to Erie County taxpayers. Because of our efforts, scores of welfare cheats have been stricken from public assistance rolls, creating an additional savings to county taxpayers.

Driving While Intoxicated (DWI) is the most prevalent criminal offense committed in Erie County. There are a combined twenty-seven prosecutors assigned to the Buffalo City Court and Justice Courts Bureaus. They must appear in fourteen parts of Buffalo City Court as well as thirty-seven other city, town, and village courts. Misdemeanor level DWI is, by far, the most common offense prosecuted in the local courts. Not surprisingly, felony level DWI (i.e. repeat drunk driving) is the most common offense prosecuted in the superior courts. Indeed, approximately 22% of the felonies committed in Erie County are for DWI and other vehicular offenses involving drunk drivers. Accordingly, there are seven prosecutors assigned to the Vehicular Crimes Bureau, which prosecutes DWI and vehicular offenses at the Superior Court level. The sheer number of DWI offenses is only part of the reason why this office devotes such a substantial number of prosecutors to the Vehicular Crimes Bureau. Another reason rests in our tough plea guidelines: with rare exception, there is no plea offer in a felony-level DWI case. In other words, the defendant in a felony-level DWI case can either plead guilty as charged or go to trial. Not surprisingly, the absence of an available plea bargain increases the number of felony-level DWI trials. The absence of a plea bargain also has an important financial impact. The non-availability of a plea bargain to a lower charge (with its lower fines) means that the convicted defendant must

pay higher fines. These fines are shared between police agencies and STOP DWI, a county agency. This administration has collected approximately \$6.4 million in DWI fines on behalf of the taxpayer over the past four years. The county taxpayer's burden in financing necessary police services is considerably lightened as a consequence of our aggressive DWI prosecution policies.

Administrative streamlining and cost-cutting measures have also been implemented with respect to non-attorney positions in the District Attorney's Office. For example, the Deputy for Administration, a non-attorney, is the office manager. She supervises all non-attorney staff and performs the work once assigned to three separate staff members under prior administrations. Asset forfeiture funds (i.e. money seized from drug dealers) are used to purchase necessary office equipment and to modernize our prosecutor case management system (PCMS).

All of the foregoing measures--administrative streamlining, tax evasion collections, welfare fraud collections, and DWI fines--coupled with turnover savings, have enabled us to gain and/or return nearly \$17 million on behalf of county taxpayers over the last five years.

Comparison with Other Prosecution Agencies

As is demonstrated by the following comparison between similarly situated counties, whether downstate or in western New York, The Erie County District Attorney's Office is the most cost-efficient prosecutor's office in the state.

Westchester County

Population: 950,000.

DA's Office: 119 prosecutors, 34 investigators, 85 support staff.

Monroe & Niagara Counties (combined)

Population: 960,000

DA's Offices: 102 prosecutors, 17 investigators, 57 support staff.

Erie County

Population: 940,000.

DA's Office: 89 prosecutors, 16 investigators, 56 support staff.

Assistant District Attorneys received a 4% cost-of-living increase in 2012 and a 2% cost-of-living adjustment in 2014. Another 2% cost-of-living adjustment will occur in 2015. Although we are grateful for the increased compensation, it is undisputed that county prosecutors remain paid well below market rates. The average hourly rate of compensation for a prosecuting attorney in this office is approximately \$36 per hour and pales in comparison to that in the private sector, where an attorney will charge between \$100 and \$300 per hour. The following comparison of average annual median salaries also demonstrates Erie County prosecutors are paid significantly less than our colleagues in the State Attorney General's Office and the United States Attorney's Office:

Assistant United States Attorney (WNY): \$98,000

Assistant NYS Attorney General (WNY): \$95,000

Assistant Erie County District Attorney: \$74,000

Despite the comparatively small size of our office and lesser salaries, we have been extraordinarily successful, especially with respect to cases (usually felonies) filed in superior court. As has been publicly stated by the District Attorney, our chief duty is to do justice; i.e. to convict the guilty and to exonerate the innocent. We maintain a 98% conviction rate in felony cases. We have also exonerated well over 200 citizens who were wrongfully accused of a crime by a police agency. What is more, nearly all of those citizens were exonerated by the District Attorney's Office before they were indicted or convicted. In other words, because of our professional standards and case review guidelines, as well as the diligent work of our prosecutors, over 200 innocent citizens were cleared of any criminal wrongdoing before they were made to endure a prosecution for a crime they did not commit.

One cannot put a price on protecting public safety and ensuring justice. Nevertheless, when compared to the number of prosecutors in similarly sized counties and when compared to the compensation of similarly situated attorneys, it is clear that the citizens of Erie County are receiving superior prosecutorial services at the lowest possible financial cost.

ANTICIPATED CHALLENGES AND THE 2015 BUDGET

State funding cuts coupled with unfunded state mandates, an increase in both the frequency and complexity of financial crime, an increase in crimes victimizing senior citizens, an increase in the level of violence associated with domestic violence disputes, and a more aggressive plea policy, present the District Attorney's Office with significant challenges in the years ahead.

In the past, state grants and aid (e.g. ATP and Operation Impact), as well as other sources of outside funding, have reduced the amount of county funding required to adequately support this office. Outside funding has, unfortunately, been cut, while at the same time, the State Office of Court Administration (OCA) and the State Legislature have invented new courts and enacted new laws that place additional burdens upon county prosecutors.

Any salary or staff cuts would have dire consequences for public safety. By the same token, we recognize that our community is not as wealthy as others. Consequently, we are merely requesting that the county fashion a budget which provides for modest salary increases for three positions and otherwise allows us to maintain our current staffing levels without any salary cuts.

DISTRICT ATTORNEY'S OFFICE ORGANIZATION AND DUTIES

The District Attorney is the chief law enforcement official in Erie County, responsible for the just prosecution of crimes, regardless of the investigating agency. The senior staff includes the First Assistant District Attorney, the Counsel to the District Attorney and the Deputy for Administration. A confidential secretary is assigned to the District Attorney. The three senior staff members share another confidential secretary.

The District Attorney, First Assistant District Attorney and Counsel to the District Attorney oversee and advise prosecutors on all investigations and prosecutions; review all felony cases and selected misdemeanor cases; assure that prosecutors are properly trained; implement office policies; and, have the authority to sign indictments. The Deputy for Administration, a non-attorney, is the office manager, supervises all non-attorney staff, and oversees other general office operations.

GENERAL PROSECUTIONS DIVISION

Most cases, whether misdemeanors or felonies, are investigated and prosecuted by the bureaus comprising the General Prosecutions Division. The just prosecution of misdemeanors and felonies is the chief program and service objective of the General Prosecutions Division. Important 2015 priorities include: (1) the aggressive prosecution of violent criminals; (2) the aggressive prosecution of career criminals; (3) the aggressive prosecution of those who illegally possess firearms or use a firearm during the commission of a felony; (4) the exoneration of those wrongfully accused of crimes; and (5) improving the knowledge, skills and performance of prosecutors through an intensive program of continuing legal education.

A more detailed description of the bureaus comprising the General Prosecutions Divisions, as well as a more detailed description of goals, objectives and performance indicators is detailed in the following narrative.

Local Courts: Buffalo City Court Bureau and Justice Courts Bureau

The prosecutors and support staff assigned to the Buffalo City Court Bureau and Justice Courts Bureau regularly appear in the 38 local (city, town and village) courts in Erie County.

The Buffalo City Court Bureau has the highest volume of cases in the District Attorney's Office. The court is in session 365 days per year. Assistant District Attorneys must therefore be present for proceedings every day, including all weekends and holidays. Buffalo City Court is comprised of nine regular criminal parts and five specialty parts (Domestic Violence, Juvenile, Drug, Mental Health and Veteran's Court).

Buffalo City Court prosecutors have many in-court and out-of-court duties. All cases, whether felonies or misdemeanors, must be reviewed for legal and factual sufficiency. City Court prosecutors must also direct follow-up investigation, conduct legal research, respond to motions, obtain statements from witnesses, locate and secure evidence, conduct pre-trial hearings, and take cases to trial if they cannot be resolved by a plea bargain.

Prosecutors and staff assigned to the Justice Courts Bureau perform the same duties as their colleagues in the Buffalo City Court Bureau. Prosecutors assigned to the Justice Courts Bureau appear in the 37 suburban courts for approximately 100 daytime sessions and 47 evening court sessions per month.

Superior Courts: Felony Trial Bureau and Grand Jury Bureau

All felony cases (e.g. assault, burglary, narcotics trafficking, robbery, weapon possession, etc.) are ultimately prosecuted in the Superior Courts; i.e. Erie County Court, State Supreme Court and several specialty courts, otherwise referred to as "problem solving courts" by their creator, the State Office of Court Administration (OCA). Over 2000 cases are reviewed annually for felony level prosecution (some result in the grand jury issuing a No True Bill, while many others are returned to the local court for prosecution as a misdemeanor level offense). Approximately 1700 felony cases are prosecuted annually in the Superior Courts of Erie County, the vast majority of which result in a conviction.

Under prior administrations, a prosecutor assigned to a fully staffed and independent Grand Jury Bureau was responsible for the pre-indictment investigation of a felony case and its presentment to a grand jury. Once indicted, the case was transferred to another prosecutor assigned to the Felony Trial Bureau. The second prosecutor would then be responsible for all post-indictment litigation, including trials. The absence of OCA specialty courts, coupled with funding for 97 prosecutors (and corresponding numbers of support staff), made this division of responsibility possible.

This division of responsibility is now impossible because of the dramatic decrease in the number of prosecutors and support staff occasioned by past budget cuts, as well as an increase in the number of OCA specialty courts. Prosecutors now assigned to the Felony Trial Bureau perform the tasks of their predecessors and the tasks required of former Grand Jury Bureau prosecutors. In other words, each prosecutor's caseload is effectively doubled because the same Assistant District Attorney is responsible for both the pre-indictment investigation and post-indictment litigation of a felony case.

The Felony Trial Bureau also has two specialized units. The Training Unit is headed by the Counsel to the District Attorney and the Chief Legal Counsel and is tasked with rigorously training Assistant District Attorneys transitioning from the local courts (where misdemeanors are chiefly prosecuted) to the superior courts (where felonies are chiefly prosecuted). As previously mentioned, prosecutors assigned to the Tactical Prosecution Unit prosecute especially dangerous and violent felony offenders.

The now truncated Grand Jury Bureau is a necessary administrative adjunct to all the other bureaus, including the Felony Trial Bureau. It consists of one prosecutor who supervises two sitting grand juries (who hear evidence), four stenographers (who record and transcribe grand jury proceedings), three paralegals (who obtain and organize all necessary forensic and documentary evidence) and two secretaries (who process all indictments and other required legal paperwork associated with grand jury proceedings). All grand jury reports, indictments, no-bills and returns, regardless of the division or bureau to which a case is assigned, are processed through the Grand Jury Bureau.

Appellate Courts: Appeals Bureau

All defendants convicted of a felony, regardless of whether that conviction was the result of a plea or conviction after trial, are entitled to appeal their conviction as a matter of right. Defendants convicted of misdemeanors, although not entitled to an appeal as a matter of right, often appeal their convictions. Attorneys and support staff assigned to the Appeals Bureau are responsible for such post-conviction litigation. The Appeals Bureau handles approximately 1000 state court appellate filings and approximately 20 federal habeas corpus proceedings annually.

A typical appeal requires a prosecutor to read a 500-2000 page transcript, research all legal issues raised by a defendant, write a legal brief and argue the issues before the appellate court. A defendant will typically file a minimum of four appeals: a motion to set aside the verdict (made in County or Supreme Court), followed by an appeal to the Appellate Division of State Supreme Court, followed by an appeal to the Court of Appeals, followed by a writ of habeas corpus filed in Federal Court. This process often lasts over ten years. Prosecutors assigned to the Appeals Bureau must also respond to petitions for writs of error coram nobis, CPLR Article 78 petitions, motions to unseal records, and Freedom of Information (FOIL) requests.

Domestic Violence Bureau

The Domestic Violence Bureau is responsible for the prosecution of cases arising between domestic and intimate partners; i.e. crimes occurring between spouses, ex-spouses, and those involved in intimate relationships. In contrast to most other cases, domestic violence cases require much more attention and time

because domestic violence victims are often frightened, reluctant and/or uncooperative. Some domestic violence cases also require heightened scrutiny because of the frequency of false allegations made by those manipulating the criminal court system to serve their personal agendas.

Our Domestic Violence prosecutors are assisted by specially trained advocates and social workers that work with victims to address their special needs and to ensure their safety. These advocates and social workers are integral to the successful resolution and/or prosecution of domestic violence cases.

Prosecutors assigned to the Domestic Violence Bureau must frequently appear in several OCA specialty courts, including the Buffalo City Court Domestic Violence Part, the City of Tonawanda Domestic Violent Court, the Erie County Court Felony Domestic Violence Part, and the Integrated Domestic Violence (IDV) Part of State Supreme Court.

Vehicular Crimes Bureau

Misdemeanor level impaired driving offenses are generally prosecuted in the local courts by prosecutors assigned to the City Court and Justice Courts Bureaus. Prosecutors and support staff assigned to the Vehicular Crimes Bureau investigate and prosecute felony charges of Driving While Intoxicated, Driving While Ability Impaired by Drugs, and Aggravated Unlicensed Operation of a Motor Vehicle. The Vehicular Crimes Bureau handles most Vehicular Assaults, Vehicular Manslaughters and Leaving the Scene of Accident(s) Involving Death or Serious Physical Injury. Vehicular offenses constitute the largest percentage of felony offense in Erie County, with approximately 600 vehicular felonies are prosecuted annually.

Most of the offenses prosecuted by the Vehicular Crimes Bureau occur during the late night or early morning hours. It is critical that the initial investigation is conducted both quickly and correctly, lest critical evidence be lost (e.g. vehicles being moved to permit the flow of traffic, the passage of time which permits the suspect's blood alcohol content to diminish, etc.) Accordingly, the Bureau Chief, in addition to her caseload and supervisory duties, is also on call 24 hours per day, seven days per week. She typically advises investigators shortly after an incident occurs. She will assist them with obtaining warrants for evidence (e.g. the suspect's blood, text messages, etc.) as well as assuring that accident reconstruction is completed before vehicles are moved.

SPECIALIZED PROSECUTIONS DIVISION

Cases not assigned to the prosecutors in the General Prosecution Division are assigned to the prosecutors in the three Bureaus comprising the Special Prosecution Division. Prosecutors and support staff assigned to the Financial Crimes Bureau investigate and prosecute crimes that require significant investments in time and/or specialized knowledge in financial transactions. Prosecutors and support staff assigned to the Special Victims Bureau specialize in the investigation and prosecution of sex crimes and child abuse. Prosecutors and support staff assigned to the Homicide Bureau specialize in the investigation and prosecution of homicides.

Intense pre-indictment case investigation and the just prosecution of resulting indictments are the chief program objectives for the Specialized Prosecutions Division. Important 2015 priorities include: (1) the aggressive prosecution of murderers; (2) the aggressive prosecution of sexual predators; (3) the aggressive prosecution of those who victimize the most vulnerable members of our community, including children and senior citizens; (4) the aggressive prosecution of embezzlers, tax cheats and other thieves engaging in schemes to defraud; (5) the exoneration of those wrongfully accused of crimes and, (6) improving the knowledge, skills and performance of prosecutors through an intensive program of continuing legal education.

A more detailed description of the bureaus comprising the Specialized Prosecutions Division, as well as a more detailed description of goals, objectives and performance indicators is detailed in the following narrative.

Financial Crimes Bureau

Prosecutors assigned to the Financial Crimes Bureau, with the assistance of seasoned investigators and retained forensic accountants; principally devote their time to the investigation and prosecution of complicated and/or large scale financial crimes, such as embezzlements, investment frauds, business frauds, insurance frauds, employment/compensation frauds, welfare fraud, identity theft, tax evasion, and financial elder abuse. In comparison to so-called "street crime," white collar cases are usually more time intensive and require a variety of technical skills and training not possessed by most prosecutors. Financial crimes prosecutors also assist agencies in the investigation of corruption and misconduct.

Special Victims Bureau

The Special Victims Bureau is responsible for the prosecution of all cases involving sexual assault, child abuse, Internet crimes against children, and sex offender registration violations. Its mission is to aggressively pursue justice on behalf of our most vulnerable victims while also being sensitive to the unique issues and dynamics associated sexual assaults and child abuse. All those assigned to the Special Victims Bureau receive specialized training and prosecute cases by means of a multi-disciplinary team approach designed, in part, to minimize the trauma suffered by the victim.

Homicide Bureau

The Homicide Bureau is the elite bureau of the District Attorney's Office. The Homicide Bureau Chief is on call 24 hours a day, seven days a week. In addition to maintaining a full caseload, prosecutors assigned to the Homicide Bureau frequently confer with the police and direct homicide investigations. These duties typically are exercised during the late evening or early morning hours. The Homicide Bureau also maintains a second chair program; i.e., prosecutors from other bureaus are mentored in investigation, preparation and trial technique by assisting a veteran homicide prosecutor.

PROSECUTION SUPPORT SERVICES DIVISION

As suggested by its name, those assigned to the Prosecution Support Services Division provide the necessary non-legal and quasi-legal services that support our chief mission: the just prosecution of criminals.

Crime victims, the families of crime victims and many witnesses are often traumatized, frightened, reluctant and/or ignorant of the mechanics of the criminal justice system. Prosecutors assigned to the various bureaus are chiefly responsible for the prosecution of offenders. Advocates assigned to the Victim/Witness Bureau are responsible for helping victims and witnesses and arranging for their protection and relocation when necessary. Victim/Witness advocates are on call to respond to the Erie County Medical Center (ECMC) to assist victims of violent crimes and their families. It is anticipated that our advocates will encounter approximately 300 shooting and stabbing victims at ECMC this year. Advocates also work closely with domestic violence victims, sexual assault victims and the family members of homicide victims.

Many cases, regardless of Bureau assignment, require additional investigation. Confidential Criminal Investigators and paralegals provide these services. Most investigators are retired detectives with at least 20 years of investigation experience. Their duties include surveillance, interviewing witnesses, securing additional evidence, serving subpoenas and transporting witnesses to court.

As previously mentioned, investigators assigned to the our Investigative Task Force, work in conjunction with the Erie Crime Analysis Center, which provides our local law enforcement agencies with state-of-the-art intelligence regarding crime hotspots and crime patterns. Despite the fact that criminals rarely pay attention to geographical boundaries, coordination between the local police departments in Erie County is less than ideal and there are not enough seasoned police department detectives available to thoroughly investigated gun-related crimes and violent crimes. Our investigators, including those assigned to the Investigative Task Force, are seasoned investigators with county-wide jurisdiction. Our investigators have assisted many local police agencies in solving crimes and have been especially effective in solving multi-jurisdictional crimes committed by serial offenders.

The Erie County District Attorney's Office is the busiest law "firm" in Western New York. Additional support staff provides the necessary secretarial, information management and accounting services necessary to operate a law firm. Our secretary to attorney ratio is competitive with, and in most cases significantly less, than that found in similarly sized law firms. Members of support staff aggressively search for, secure, and monitor grants from other state and federal sources, thus lessening the burden to the county taxpayer.

Top Priorities for 2015

Important 2015 priorities include: (1) the aggressive prosecution of violent criminals; (2) the aggressive prosecution of career criminals; (3) the aggressive prosecution of those who illegally possess firearms or use a firearm during the commission of a felony; (4) the exoneration of those wrongfully accused of crimes; and (5) improving the knowledge, skills and performance of prosecutors through an intensive program of continuing legal education.

- Continue to vigorously prosecute those who have committed crimes.
- Continue to exonerate those wrongfully accused of crimes.

- Advise local police agencies, including the Violent Crimes Task Force, on legal issues affecting their investigations.
- Utilize the Tactical Prosecution Unit to identify and target the most dangerous and violent criminals.
- Continue to train all assistant district attorneys in cases that arise out of domestic violence.
- Continue to provide the necessary services to the citizens of Erie County while effectively utilize our current resources.
- Research efforts to reduce the amount of paper generated by our office and institute new measures of electronic file retention.
- Continue to train and educate our attorneys with regard to trial and research skills.
- Work together with Erie County Central Police Services in continuing to develop the capability for the District Attorney's Office to immediately receive all Erie County daily arrest data for integration into our case-tracking system.
- Continue to assist new felony trial prosecutors regarding presentations, scheduling and more efficient use of Grand Jury time and preparation.
- Seek out the fine collection at the time of sentencing instead of allowing defendants prolonged time to pay such fine. This will allow for the fine to act more as a deterrent than a payment plan.
- Utilize new strategies to increase the collection of outstanding DNA by defendants to the New York State DNA Databank.
- Assist in the training of police recruits and veteran police officers.

Outcome Measures

There is a 98% conviction rate in felony cases prosecuted.

Key Performance Indicators

	Actual 2013	Estimated 2014	Estimated 2015
Number of cases arraigned in Buffalo City Court	14,317	15,636	15,000
Number of cases arraigned in Justice Courts	13,799	12,456	13,500
Number of felony cases prosecuted in Superior Court	1,489	1,386	1,500
Number of felony cases handled by the Grand Jury	660	650	650
Number of appellate filings, actions/motions or stipulations in the Appellate Division, County Court and Court of Appeals	964	988	990
Number of federal Habeas Corpus proceedings processed	14	14	16
Number of Domestic Violence prosecutions (felony and IDV)	404	376	390
Number of total Domestic Violence victims including misdemeanors	6,813	6,500	6,500
Number of Felony DWI cases	549	622	620
Number of narcotic cases addressed	319	308	310
Number of asset forfeiture proceedings	103	136	120

	Actual 2013	Estimated 2014	Estimated 2015
Number of special investigations conducted concerning public corruption, white collar crime and/or number of inquiries from law enforcement agencies, attorneys and/or citizens regarding viability of criminal prosecution	750	750	750
Number of welfare, food stamp fraud and criminal non-support cases investigated and prosecuted	72	89	94
Number of cases addressed by the Special Victims Bureau and/or number of inquiries from law enforcement agencies, attorneys and/or citizens regarding viability of criminal prosecution	348	392	392
Units of service provided by Victim/Witness Program Advocates	18,023	19,000	19,000
Units of service provided to domestic violence victims	20,901	18,000	18,000

2015 Budget Estimate - Summary of Personal Services

Fund Center: 11400

District Attorney

Job Group Current Year 2014 ----- Ensuing Year 2015 -----
 No: Salary No: Dept-Req No: Exec-Rec No: Leg-Adopted Remarks

Cost Center 1140010 Administration - DA

Full-time Positions

1	DISTRICT ATTORNEY	70	1	\$172,946	1	\$174,000	1	\$174,000
2	FIRST DEPUTY DISTRICT ATTORNEY	20	1	\$141,767	1	\$144,602	1	\$144,602
3	DEPUTY FOR ADMINISTRATION (DIST ATTY)	18	1	\$114,247	1	\$117,916	1	\$117,916
4	EXECUTIVE ASSISTANT-SECOND DEPUTY DA	18	1	\$116,888	1	\$119,225	1	\$119,225
5	CHIEF OF PROMIS BUREAU	15	1	\$86,106	1	\$88,861	1	\$88,861
6	CHIEF CONFIDENTIAL CRIMINAL INV ACCOUNT	14	1	\$77,985	1	\$79,544	1	\$79,544
7	CONFIDENTIAL SECRETARY-DISTRICT ATTORNEY	12	1	\$62,489	1	\$64,459	1	\$64,459
8	ASSISTANT CONFIDENTIAL SECRETARY DA	09	0	\$0	1	\$51,473	0	\$0
9	CONFIDENTIAL CLERK (D.A.)	09	1	\$49,372	1	\$50,360	1	\$50,360
10	ASSISTANT CONFIDENTIAL SECRETARY DA	08	1	\$46,576	0	\$0	1	\$47,508
11	CONFIDENTIAL AIDE (DISTRICT ATTORNEY)	08	1	\$41,837	1	\$44,723	1	\$44,723
12	CONFIDENTIAL AIDE- DISTRICT ATTORNEY	08	1	\$35,774	1	\$36,490	1	\$36,490
13	LEGAL DATA SYSTEMS COORDINATOR	07	1	\$43,051	1	\$44,401	1	\$44,401
14	SENIOR ACCOUNT CLERK	06	1	\$38,357	1	\$39,125	1	\$39,125
15	ASSISTANT CONFIDENTIAL AIDE DISTRICT ATT	04	1	\$27,325	1	\$27,871	1	\$27,871
16	DATA ENTRY OPERATOR	04	2	\$66,038	2	\$61,832	2	\$61,832
17	SENIOR CLERK-TYPIST	04	4	\$118,535	4	\$121,742	4	\$121,742
18	RECEPTIONIST	03	1	\$32,839	1	\$33,496	1	\$33,496
Total:		21		\$1,272,132	21	\$1,300,120	21	\$1,296,155

Cost Center 1140015 Grand Jury

Full-time Positions

1	ASSISTANT DISTRICT ATTORNEY VI	17	1	\$109,433	1	\$111,622	1	\$111,622
2	GRAND JURY STENOGRAPHER	13	4	\$257,709	4	\$256,016	4	\$256,016
3	LEGAL SECRETARY	06	1	\$39,162	1	\$39,946	1	\$39,946
Total:		6		\$406,304	6	\$407,584	6	\$407,584

Cost Center 1140020 Lower Courts

Full-time Positions

1	ASSISTANT DISTRICT ATTORNEY V	16	2	\$199,406	2	\$203,392	2	\$203,392
2	ASSISTANT DISTRICT ATTORNEY III	14	4	\$246,381	4	\$265,697	4	\$265,697
3	ASSISTANT DISTRICT ATTORNEY II	13	13	\$708,141	13	\$767,224	13	\$767,224
4	LEGAL SECRETARY	06	3	\$110,330	3	\$113,989	3	\$113,989
5	DATA ENTRY OPERATOR	04	1	\$31,670	1	\$32,303	1	\$32,303
6	SENIOR CLERK-TYPIST	04	1	\$34,374	1	\$35,062	1	\$35,062
7	CLERK TYPIST	01	1	\$28,967	1	\$30,025	1	\$30,025
Total:		25		\$1,359,269	25	\$1,447,692	25	\$1,447,692

Part-time Positions

1	DATA ENTRY OPERATOR (PT)	04	1	\$12,153	1	\$12,395	1	\$12,395
Total:		1		\$12,153	1	\$12,395	1	\$12,395

2015 Budget Estimate - Summary of Personal Services

Fund Center: 11400

District Attorney

	Job	Current Year 2014		----- Ensuing Year 2015 -----					
	Group	No:	Salary	No:	Dept-Req	No:	Exec-Rec	No: Leg-Adopted	Remarks

Cost Center 1140030 Superior Courts

Full-time	Positions								
1	DEPUTY DISTRICT ATTORNEY-SOLICITOR	19	0	\$0	1	\$130,183	0	\$0	
2	ASSISTANT DISTRICT ATTORNEY VII	18	2	\$239,058	2	\$243,836	2	\$243,836	
3	DEPUTY DISTRICT ATTORNEY-PROSECUTION	18	1	\$111,602	1	\$115,220	1	\$115,220	
4	DEPUTY DISTRICT ATTORNEY-SOLICITOR	18	1	\$116,888	0	\$0	1	\$119,225	
5	ASSISTANT DISTRICT ATTORNEY VI	17	5	\$521,920	6	\$636,628	5	\$533,564	
6	ASSISTANT DISTRICT ATTORNEY V	16	8	\$717,823	7	\$647,202	8	\$741,112	
7	ASSISTANT DISTRICT ATTORNEY IV	15	14	\$1,049,974	14	\$1,109,088	14	\$1,109,088	
8	ASSISTANT DISTRICT ATTORNEY III	14	5	\$341,393	5	\$359,012	5	\$359,012	
9	SENIOR CHIEF, CONF CRIMINAL INVESTIGATOR	14	1	\$59,804	1	\$75,832	1	\$75,832	
10	CHIEF CONFIDENTIAL CRIMINAL INVESTIGATOR	13	1	\$66,436	1	\$67,764	1	\$67,764	
11	CONFIDENTIAL CRIMINAL INVESTIGATOR	12	3	\$179,124	3	\$183,474	3	\$183,474	
12	CONFIDENTIAL CRIMINAL INVEST-TASK FORCE	12	2	\$119,924	2	\$123,798	2	\$123,798	
13	SENIOR PARALEGAL	07	1	\$44,929	1	\$45,827	1	\$45,827	
14	LEGAL SECRETARY	06	5	\$185,274	5	\$188,983	5	\$188,983	
15	PARALEGAL	05	1	\$34,971	1	\$35,669	1	\$35,669	
	Total:		50	\$3,789,120	50	\$3,962,516	50	\$3,942,404	

Part-time	Positions								
1	CONFIDENTIAL CRIMINAL INVESTIGATOR (PT)	12	1	\$23,130	1	\$23,592	1	\$23,592	
	Total:		1	\$23,130	1	\$23,592	1	\$23,592	

Cost Center 1140040 Appeals

Full-time	Positions								
1	ASSISTANT DISTRICT ATTORNEY VII	18	1	\$119,529	1	\$121,918	1	\$121,918	
2	ASSISTANT DISTRICT ATTORNEY V	16	3	\$267,404	3	\$273,844	3	\$273,844	
3	ASSISTANT DISTRICT ATTORNEY IV	15	2	\$152,504	2	\$159,573	2	\$159,573	
4	ASSISTANT DISTRICT ATTORNEY III	14	1	\$63,373	1	\$68,242	1	\$68,242	
5	LEGAL SECRETARY	06	2	\$69,878	2	\$72,715	2	\$72,715	
6	RECEPTIONIST	03	1	\$30,283	1	\$30,888	1	\$30,888	
	Total:		10	\$702,971	10	\$727,180	10	\$727,180	

Cost Center 1140050 Special Programs

Full-time	Positions								
1	ASSISTANT DISTRICT ATTORNEY V	16	2	\$188,467	2	\$192,236	2	\$192,236	
2	ASSISTANT DISTRICT ATTORNEY IV	15	3	\$241,581	3	\$249,411	3	\$249,411	
3	CONFIDENTIAL CRIMINAL INVESTIGATOR	12	1	\$68,076	1	\$69,436	1	\$69,436	
4	CONFIDENTIAL CRIMINAL INVESTIGATOR	10	2	\$84,977	2	\$94,231	2	\$94,231	
5	SOCIAL WORKER - DOMESTIC VIOLENCE	10	1	\$53,585	1	\$55,921	1	\$55,921	
6	SENIOR PARALEGAL	07	1	\$44,929	1	\$45,827	1	\$45,827	
7	LEGAL SECRETARY	06	2	\$78,339	2	\$80,338	2	\$80,338	
	Total:		12	\$759,954	12	\$787,400	12	\$787,400	

Fund Center Summary Totals

Full-time:	124	\$8,289,750	124	\$8,632,492	124	\$8,608,415
Part-time:	2	\$35,283	2	\$35,987	2	\$35,987
Fund Center Totals:	126	\$8,325,033	126	\$8,668,479	126	\$8,644,402

Fund: 110
 Department: District Attorney
 Fund Center: 11400

Account Appropriations	2013 Actuals	2014 Legislative Adopted	2014 Adjusted Budget	2015 Department Request	2015 Executive Recommendation	2015 Legislative Adopted
500000 Full Time - Salaries	8,015,740	8,235,155	8,272,199	8,632,492	8,608,415	-
500010 Part Time - Wages	26,674	34,591	34,591	35,987	35,987	-
500300 Shift Differential	387	100	100	100	100	-
500350 Other Employee Payments	6,870	3,000	3,000	50,000	50,000	-
501000 Overtime	19,371	8,000	6,547	9,000	9,000	-
502000 Fringe Benefits	4,033,684	4,475,156	4,502,209	5,352,145	4,603,673	-
505000 Office Supplies	26,065	24,865	26,865	29,500	29,500	-
505200 Clothing Supplies	90	250	750	250	250	-
505800 Medical & Health Supplies	995	900	900	900	900	-
506200 Maintenance & Repair	4,193	2,500	6,747	2,500	2,500	-
510000 Local Mileage Reimbursement	30,818	29,000	27,500	29,000	29,000	-
510100 Out Of Area Travel	29,626	26,000	31,260	35,000	32,000	-
510200 Training And Education	26,294	28,000	28,000	29,000	29,000	-
516020 Professional Svcs Contracts & Fees	438,777	354,000	367,000	354,000	354,000	-
516030 Maintenance Contracts	5,003	5,131	4,131	5,131	5,131	-
530000 Other Expenses	27,676	28,500	28,500	28,500	28,500	-
545000 Rental Charges	768	770	770	770	770	-
559000 County Share - Grants	1,582,161	1,826,069	1,761,972	1,861,855	1,861,855	-
561410 Lab & Technical Equipment	97,357	-	41,046	-	-	-
561420 Office Eqmt, Furniture & Fixtures	3,689	-	23,105	-	-	-
561440 Motor Vehicles	-	-	51,138	-	-	-
910600 ID Purchasing Services	3,700	3,945	3,945	3,945	3,596	-
910700 ID Fleet Services	53,694	65,454	65,454	65,454	68,244	-
911400 ID District Attorney Services	(1,290,241)	(1,301,956)	(1,300,503)	(909,167)	(909,167)	-
912000 ID Dept of Social Services Svcs	-	-	-	-	340,262	-
912215 ID DPW Mail Svcs	126	286	286	286	200	-
980000 ID DISS Services	532,078	495,303	495,303	495,303	568,491	-
Total Appropriations	13,675,595	14,345,019	14,482,815	16,111,951	15,752,207	-

Account Revenues	2013 Actuals	2014 Legislative Adopted	2014 Adjusted Budget	2015 Department Request	2015 Executive Recommendation	2015 Legislative Adopted
405000 State Aid For Dist Attorney Salary	70,682	77,682	77,682	77,682	77,682	-
410520 From City of Bflo Police Dept	38,366	33,500	33,500	31,875	31,875	-
414020 Miscellaneous Federal Aid	4,354	3,000	3,000	4,000	4,000	-
421550 Forfeiture Crime Proceeds	210,424	7,000	144,796	7,000	7,000	-
422000 Copies	395	600	600	600	600	-
423000 Refunds Of Prior Years Expenses	144	-	-	-	-	-
Total Revenues	324,365	121,782	259,578	121,157	121,157	-