



OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

FRANK A. SEDITA, III
DISTRICT ATTORNEY

May 20, 2014

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: District Attorney's Office
Gun Involved Violence Elimination (GIVE) Initiative
Immediate Consideration Requested

Honorable Members:

Enclosed please find a proposed resolution and an accompanying memorandum pertaining to the creation of the Gun Involved Violence Elimination (GIVE) Grant in the District Attorney's Office. This resolution requests authorization to set up and appropriate the grant budget for the GIVE Grant with the New York State Division of Criminal Justice Services.

GIVE funds will be used to support coordinated reduction and prevention initiatives with the express goal of reducing violent firearm-related offenses. This initiative will build upon the success of the efforts achieved through the former Operation IMPACT grant program, which it is replacing.

Thank you for your immediate consideration of this matter. If your Honorable Body requires any further information, kindly contact the Office of the District Attorney and we will be happy to accommodate your request.

Very truly yours,

FRANK A. SEDITA, III
DISTRICT ATTORNEY

FAS/lh

ACCOMPANYING MEMORANDUM

To: Erie County Legislature
From: Frank A. Sedita, III, District Attorney
Date: May 20, 2014
Re: District Attorney's Office – Gun Involved Violence Elimination (GIVE) Initiative
Immediate Consideration Requested

I. Summary of Recommended Action

The proposed resolution requests authorization to appropriate funds for the District Attorney's Office Operation Impact Grant, in accordance with the grantor approved appropriation levels.

II. Fiscal Implications of Proposal

The District Attorney's Office has received a grant award in the amount of \$653,298 from DCJS under the GIVE initiative, which covers the fiscal year July 1, 2014 to June 30, 2015. This program actually replaces the District Attorney's Operation IMPACT Grant. The Operation IMPACT's Budget as submitted in the 2014 Erie County Budget Book B will be eliminated. The new grant award will fund six positions, three of which will be retained from Operation IMPACT along with creating three additional positions. We are also requesting authorization to transfer two positions from the Operation IMPACT grant to the general fund. The requested changes will result in an overall county share savings.

III. Reason for Recommendation and Background of Proposal

The New York State Division of Criminal Justice Services has awarded the Erie County District Attorney's Office award monies under the GIVE Initiative. GIVE has been created to combat gun violence by enhancing the street crime enforcement program that provides the multi-agency response to the problem. The New York State Division of Criminal Justice Services has awarded Erie County, including Buffalo Police, a total of \$1,671,217, of which \$653,298 is awarded to the District Attorney's Office.

The Erie County District Attorney's Office will seek to decrease the incidence of shootings and homicides through enhanced investigations and vertical prosecutions. Gun related offenses require prosecution by veteran prosecutors who are highly experienced at handling these types of crimes. Prosecutors work closely with the Erie Crime Analysis Center and BPD Detectives to prosecute top gun offenders and other significant cases. Assaults from deadly weapons, homicides or attempted homicides have always been – and continue to be some of the most difficult cases to investigate, charge, and prosecute. As such, DCJS has provided funding for four Assistant District Attorney V (JG16). They will also continue funding an Assistant Crime Analyst and a Confidential Criminal Investigator.

This grant is replacing the current Operation IMPACT Grant, which will expire on June 30, 2014. IMPACT currently funds eight positions. The ADA V, Assistant Crime Analyst and Investigator will be transferred to the GIVE grant. The three Assistant District Attorney III (JG 14) will be replaced by Assistant District Attorney V (JG16). We are requesting the transfer of the Legal Secretary and Confidential Aide to the general fund. The duties that these positions perform are an integral part of this office and losing them would be detrimental to our prosecutions. The savings created through the reduction of county share associated with the IMPACT grant will more than

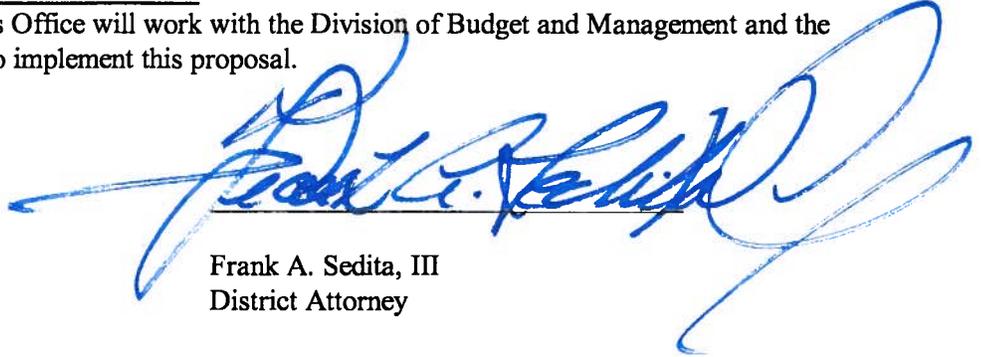
fund the requested additions to the general fund. The IMPACT grant program was comprised of approximately 30% county share (\$234,370) whereas the GIVE award will require only about 9% county share (\$68,558).

IV. Consequences of Negative Action

The District Attorney's Office will be unable to participate in this vital program that will substantially enhance our capacity to successfully bring to justice violent and dangerous felony offenders.

V. Steps Following Approval of Measure

The District Attorney's Office will work with the Division of Budget and Management and the Comptroller's Office to implement this proposal.



Frank A. Sedita, III
District Attorney

PROPOSED RESOLUTION

Re: District Attorney's Office
Gun Involved Violence Elimination (GIVE) Initiative

WHEREAS, the District Attorney's Office's Operation IMPACT Grant will cease as of June 30, 2014, and whose 2014 Erie County Grant Budget for the period July 1, 2014 to June 30, 2015, was previously appropriated; and

WHEREAS, in order to replace and improve the effectiveness of Operation IMPACT, New York State has created the Gun Involved Violence Elimination (GIVE) initiative, a comprehensive strategy to reduce violent firearms crime through coordination among federal, state and local law enforcement; and

WHEREAS, funds for GIVE are available to the District Attorney's Office from the New York State Division of Criminal Justice Services in the amount of \$653,298 for the grant period July 1, 2014 through June 30, 2015; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Division of Criminal Justice Services for the purpose of supporting coordinated reduction and prevention initiatives with the express goal of reducing violent firearm-related offenses within Erie County; and be it further

RESOLVED, that effective July 1, 2014, the 114IMPACT1415 grant previously authorized in Book B of the 2014 Erie County Adopted Budget be deleted in its entirety; and

RESOLVED, that effective, July 1, 2014, three positions currently budgeted under the 114IMPACT1415 grant budget hereby be transferred to the GIVE Grant 114GIVE1415 (B100 # 7783):

#51010733	Assistant District Attorney V (JG16)
#51000341	Assistant Crime Analyst (JG11)
#1859	Confidential Criminal Investigator (JG10)

and be it further

RESOLVED, that effective, July 1, 2014, authorization is hereby provided to delete three IMPACT positions of Assistant District Attorney III, Job Group 14 (#51006343, #51006344, #51000345) and to create three positions of Assistant District Attorney V, Job Group 16, in the District Attorney's GIVE Grant (B100 #7784); and be it further

RESOLVED, that effective July 1, 2014, the positions of Confidential Aide - DA (#51008238) and Legal Secretary (#5854) be transferred from fund 281, cost center 1140050, grant 114IMPACT1415, to fund 110, fund center 11400, (B100 #7781, #7782); and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's GIVE Grant as follows:

Gun Involved Violence Elimination (GIVE) Grant
July 1, 2014 to June 30, 2015
Fund: 281, Cost Center: 1140050, Grant: 114GIVE1415

Revenue

409000 State Revenue	\$ 653,298
479000 County Share Contribution	<u>68,558</u>
Total Revenue	<u>\$ 721,856</u>

Appropriation

500000 Full Time Salaries	\$ 457,356
501000 Overtime	10,500
502000 Fringe Benefits	251,500
510100 Out of Area Travel	<u>2,500</u>
Total Appropriations	<u>\$ 721,856</u>

and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the District Attorney's budget, to be adjusted as follows:

Fund 110, Fund Center 11400

	Increase / <u>(Decrease)</u>
500000 Full Time Salaries	\$ 37,044
501000 Overtime	(1,453)
502000 Fringe Benefits	27,053
559000 County Share Contribution	(64,097)
911400 ID District Attorney Services	<u>1,453</u>
	<u>\$ - 0 -</u>

and be it further

RESOLVED, that the Director of Budget & Management is hereby authorized to establish and adjust budgets as required to comply with State-approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Erie County Comptroller and the Director of Budget and Management.

Summary of changes:

7/1/14 to 6/30/15

Fund 281	Delete 114IMPACT1415 <u>7/2014-6/2015</u>	Appropriate 114GIVE1415 <u>7/2014-6/2015</u>
Appropriations		
500000 Salaries	486,235	457,356
501000 Overtime	-	10,500
502000 Fringe Benefits	299,035	251,500
510100 Out of Area Travel	1,000	2,500
911400 ID District Attorney Services	<u>6,500</u>	<u>-</u>
	792,770	721,856
Revenues		
409000 State Aid Revenue	558,400	653,298
479000 County Share Contribution	<u>234,370</u>	<u>68,558</u>
	792,770	721,856

Fund 110	2014 <u>Change</u>
500000 Salaries	37,044
501000 Overtime	(1,453)
502000 Fringe Benefits	27,053
559000 County Share - Grants	(64,097)
911400 ID District Attorney Services	<u>1,453</u>
	<u>-</u>
Annualized 2014 county share budgeted for IMPACT	224,927
Projected county share for IMPACT1314 in 2014	(91,800)
Projected county share for GIVE1415 in 2014	<u>(34,300)</u>
	98,827
Funds needed for 2014 for 2 positions moved to 110	<u>64,097</u>
Projected savings for 2014 net county share	34,730