

Department Name	District Attorney
Account(s)	1165

Department Function
The Office of the Albany County District Attorney has the legal obligation to provide prosecutorial services to every municipality in the County of Albany as well as New York State and Federal agencies who refer cases for which jurisdiction lies in Albany County. The District Attorney represents the interest of the people in local, county, appellate and state courts. Once an action is commenced, the prosecutors must obey timelines imposed by the courts in accordance with the Criminal Procedure Law of New York State. The nature of the offense, the proof in a case, the volume of pending cases, and the resources to prosecute each case are factors considered by a prosecutor when conveying an appropriate plea bargain offer. Decisions made by the District Attorney's Office impact Corrections and Community Supervision, i.e., jail, probation, and state prison. The burden of proof rests with the People in all prosecutions.

Current Year Highlights
In 2017 New York recorded its lowest crime rate since the 1950s (New York Times, December 27, 2017). New York achieved public safety prominence when it was ranked the 4th safest state in the country and the safest large state. New York managed to simultaneously achieve the two most important goals in public safety: low crime rates and reduced prison populations. Unlike most large populated cities with violence and gun crimes, New York City was the model statistical outlier. The criminal justice reforms passed by the New York State Legislature and signed by the Governor beginning in 2017 have brought about a tectonic shift in practice for Albany County prosecutors.

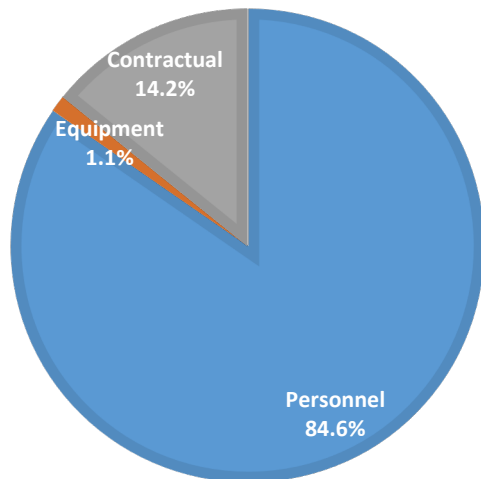
Next Year Projects
<u>Raise the Age</u> - In Albany County over half of the crimes committed by 16 and 17 year old offenders are violent crimes. Half of the violent crimes committed by 16 and 17 year old offenders involve firearms and 1 out of every three cases involving a firearm also involves a shooting. Passed in 2017 and expanded in 2018, Raise the Age has increased the legal footprint of the District Attorney's Office to include Youth Part of Supreme Court, held in Albany County Family Court. The District Attorney's Office now routinely manages a calendar in Youth Part given the increased volume of violence committed by 16 and 17 year old defendants. These cases require more man power and have very quick deadlines. <u>Red Flag Laws</u> - The mass shooting in Buffalo, NY evoked a legislative response at the end of the most recent session. New York is among the states with revamped Red Flag Laws. Codified in Article 63-A of the Civil Practice Law and Rules, the law now affirmatively requires District Attorney offices to file Temporary Extreme Risk Protective Orders and Extreme Risk Protective Orders when there is reason to believe a person may harm themselves or others. Since 2017, New York's criminal justice reforms have expanded the judicial forums in which prosecutors must appear and has increased the work in which we must engage. Given the extremely broad language of NY's Red Flag Laws, many of the cases entering into the system qualify for such orders. As a result, New York's greatly expanded Red Flag Law requires the District Attorney to now establish a practice in Civil Part of the Unified Court System. <u>Discovery</u> - Article 245 of the Criminal Procedure Law presents the greatest challenge facing Prosecutor's Offices throughout the state. Article 245 not only increased the volume of materials to be turned over to the defense, it also greatly compressed the period of time in which the materials must be turned over. An assistant district attorney must disclose all records, correspondence, reports, videos etc., within 20 days after arraignment, if the defendant is in custody, or 35 days if the defendant is out of custody. Albany County is home to over a dozen different police departments. The departments utilize a wide variety of software, case tracking, and records management systems. The District Attorney's office must receive and maintain all records. The intake process has proven to be very challenging not only due to the incredible volume, but also because these records are not labeled and properly sorted. <u>Technology</u> - Law enforcement agencies are required to record most engagements. Recordings of these engagements are made by body worn cameras, dashboard cameras, and cameras located within police departments. These videos consume enormous storage space on servers. Additionally, city cameras, business cameras, and doorbell cameras have become more commonplace in investigations and further compound the challenge of retrieving, storing, and transmitting videos in rapid fashion. <u>Police Personnel Records Compliance Officer</u> - New York's criminal justice reforms now require district attorneys to maintain police personnel records for the hundreds of sworn officers in each of their respective counties. District Attorney's offices are also required to update records and provide information contained in them to opposing counsel. <u>Bail Modification and Extradition Lawyer</u> - The Office of the Albany County District Attorney has had to increase its extradition and motion practice. Bail modification applications are routinely filed where no such procedure previously existed. In addition, there have been a number of defendants who have fled the jurisdiction both prior to and during trials.

Link to Website	www.albanycountyda.com
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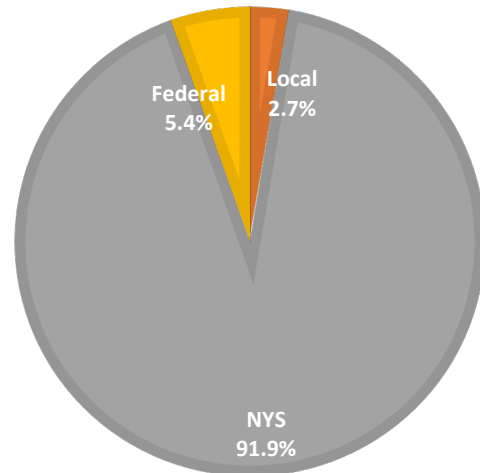
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Financial Charts

FORECASTED COSTS, BY TYPE



FORECASTED REVENUES, BY TYPE



The bulk of the District Attorney's expenditures are for the staffing needed to maintain their prosecutorial case load. The Office is comprised of attorneys, investigators, legal secretaries, paralegals, and other administrative staff. Notable contractual expenses are those related to data and discovery storage, and transcription.

The DA is the recipient of a few grants that help bring down the County Share.

The 2023 Budget has a forecasted County Share of \$9.08 million for the DA.

Programmatic Highlights

Albany County District Attorney Filings by Type

