



**CITIZENS UNION CANDIDATE QUESTIONNAIRE
DISTRICT ATTORNEY
ELECTION 2013**

Citizens Union would appreciate your response to the following questions related to policy issues facing the City of New York that are of concern to Citizens Union and residents of the City. We plan to make public your responses to this questionnaire in our Voters Directory, on our website, and in other appropriate venues. Responses to these questions will be one of several factors Citizens Union will use to evaluate candidates who are running for office in order to determine our "Preferred Candidates" for the primary election and "Endorsed Candidates" for the general election.

If you seek our support, we would also need to schedule an interview with you as part of the evaluation process. We will not automatically schedule an interview with you if you return this questionnaire, as we prioritize competitive races and resources constrain us from evaluating all races. Please contact us if you wish to be interviewed. We thank you very much for your response.

Candidate Name: **Charles J. Hynes** Age: **78**

Campaign Address: **Friends of Charles J. Hynes
321 Broadway
New York, NY 10007**

Campaign Telephone Number: **(212) 619-0845** Fax **(212) 406-1495**

Party Affiliation(s): **Democrat** Campaign Manager Name: **Dennis W. Quirk**

Website & Email: **www.friendsofhynes.com**

Education: **St. John's University B.A. 1957; St. John's University School of Law JD 1961.**

Occupation/Employer (or years in currently held elected office): **District Attorney 23 years**

Previous Offices and Campaigns: **See Attachment No. 1**

Are you willing to be interviewed by CU's Local Candidates Committee: YES **XX**
NO

Have you completed requisite campaign finance filings? YES **XX**
NO

(Please note: Citizens Union can grant its "Preferred Candidate" OR "Endorsed Candidate" rating only to candidates we have interviewed. We will make every effort to interview candidates in this race.)

Signature of Candidate:  Date: **7/23/2013**

1. What trends do you see in criminal activity that the district attorney's office should address?

When I assumed office in 1990, Kings County or Brooklyn, with over two million residents, had 158,000 serious felonies with 760 murders. One out of every 15 of us was the victim of a serious crime and we had become the fifth most violent municipality in the United States. Two of the causes of this violence were drug-fueled crime and the return of approximately 3,000 formerly incarcerated people from upstate prisons to neighborhoods without support or resources. Thirteen years later, in a cover story, Money Magazine hailed Brooklyn as one of the ten best places to live in America. Now, serious crime has been reduced by 80 % and as of this writing there are 12 fewer homicides as compared with last year—the lowest rate since 1960. The dedicated work of the members of the New York City Police Department deserves credit for this improvement in the public's safety. In my office, there are three principal reasons for this remarkable transformation: community relationships; focus on alternative sentencing and active engagement with Brooklynites returning to neighborhoods from our state prisons (re-entry). These three transformative approaches allow us to spot trends and address them in "real time."

We have developed a remarkable relationship with the distinctive and diverse Brooklyn communities through a great deal of community outreach through three major efforts: a Community Relations Bureau; Zone Prosecution; and District Attorney led "Hot Spots/Hot Issue" Community Meetings. Our Community Relations Bureau interacts with the various communities throughout Brooklyn by attending their monthly meetings of Community Boards, Police Precinct Community Councils and various Civic Associations. Our Community Relations Specialists are joined at these meeting by Senior Staff attorneys organized by areas of specialization or geographic zone (see below). In addition, members of our Community Relations Bureau staff our 35 neighborhood offices which are open one day a week for eight hours providing services and information on crime and related governmental issues. We call it our "live 311 system" . One of the goals of this extensive outreach policy is to garner community trust that yields information from residents, businesses and neighborhood institutions about crime patterns, e.g., elder abuse, drug sales, gangs, burglary and robbery and gun violence and to provide real-time feedback to concerned individuals. Also, I organized my office into geographical (mostly contiguous) zones, composed of heterogeneous populations and crime rates,

to make Brooklyn smaller to enhance communication among residents, businesses, institutions, NYPD and my staff. This community zone prosecution effort has been replicated nationwide because of the effective method of developing real time responses to emerging criminal behavior and trends and making the community a partner in ensuring its safety. The information obtained through community relations and zone prosecution prompted me, in 2002, to initiate my own community based meetings to address certain “hot spots” or “hot issues” brought to my attention through them. My senior staff and I meet with between six and eight community groups, individually, who have identified serious crime patterns in their neighborhood. I chair the meeting and direct my senior staff to take appropriate action to reduce criminal activity and address concerns. We continue to meet every two months with these loosely- formed community based groups until the conditions that led to the initial meeting have been resolved. Different communities face specific issues, but trends for the borough do emerge (see below).

The second initiative which began in September of 1990 was directed at reducing drug-related crime through demand reduction. We became the first DA's office in the Country to offer residential treatment as an alternative to prison. Today this program, known nationally by its acronym DTAP, or Drug Treatment (as an) Alternative to Prison, has been replicated by the four other DA's of New York City and by the Citywide Special Narcotics Prosecutor and has contributed to the reduction of drug-related crime which was affecting all of New York City. A five-year study by Columbia University's Center for Alcohol and Substance Abuse, or CASA, which was led at the time by former Carter Administration Secretary of Health and Human Services Joseph A. Califano, Jr., found that the cost of our DTAP program was less than half the cost of incarceration; that re-arrest rates were half that of individuals traditionally prosecuted; and that 91 percent of graduates were employed. Today many prosecutors in the United States offer some form of drug treatment. In Brooklyn, the success of DTAP has led to the institution of four of the 148 drug courts in New York State, including the largest one in the State. The success of DTAP, as validated by research, led us to institute a presumptive policy of a therapeutic approach to non-violent crime, prompted by addiction or mental illness and to develop the most sophisticated network of alternative sentencing options in the nation. Today we have over 40 alternative sentencing and educational programs that foster trust and communication among providers and participants that allow us to spot trends.

The third initiative I instituted in 1999 to reduce re-offending rates we call Community and Law Enforcement Together or ComALERT. It is a very successful, academically validated re-entry program for the formerly incarcerated. Since it is the subject of your Question #5, I will discuss it there. It too allows us to detect emerging trends.

Spotting trends has been simplified by my approach to community relations, alternative sentencing and re-entry. Gun violence and criminal activity by gangs have long been priorities for me. Thankfully gang and gun violence has been reduced, but still remains a significant issue for some neighborhoods. To address gun violence I became the State's trailblazer in gun buyback programs. In 2002 I launched "turn it in for a Benjamin." Anyone turning in a workable gun at my office located at 350 Jay Street received a one hundred dollar bill with Benjamin Franklin's image. The success was uneven and in 2008 at the suggestion of my Clergy liaison, Reverend Joseph Jones, I started a Church based gun buyback program. Operable guns are turned in to Churches in various parts of Brooklyn. It was Reverend Jones' correct assessment that the Church setting would increase the comfort level of people (as compared to a police precinct) and encourage them to turn in their operable guns for a cash card worth \$200. Since 2008, 32 Churches in Brooklyn have received 2778 guns. As a result of our success my four colleagues have replicated our program and more than 11,000 guns have been taken off the Streets of New York City. Gun buybacks have been offered elsewhere in the Country since we initiated the program and I was pleased to see a successful gun buyback program was offered in the wake of the Newtown Connecticut tragedy.

Sixteen years ago, out of my concern about growing gang activity, I formed the first Gang Bureau in New York State. We successfully convicted hundreds of gang members, but in 2008, at the recommendation of Reverend Jones and my Gang Bureau Chief, we established Project Re-Direct. It is an intensive alternative sentencing program which requires indicted Gang members, who are carefully screened by my office, to plead guilty to a felony with a significant prison sentence which is deferred pending participation in the program. The participants must remain in school, maintain a high attendance record, have at least a 75 grade point average, perform community service and regularly attend counseling services. They are required to wear an electronic monitor on their ankle and observe a nine p.m. curfew. Fifty-eight participants have been accepted; eighteen failed

and are serving state prison time. Forty have graduated and only two have been arrested, but not for gang-related or gun crimes. The number of participants has been limited by lack of resources. This is disheartening as the cost per participant is \$2,200 a year versus \$64,000 to incarcerate each person but we have not been able to make the case for an increase in funding.

We have spotted other trends. Our Major Narcotics Investigations Bureau is aggressively addressing the proliferation of illegal drug distribution and the resulting escalation of prescription drug dependency in Brooklyn. In response to specific community complaints, MNIB has encouraged the NYPD to initiate enforcement efforts and develop long-term investigations in neighborhoods that were not previously “hot spots” for sale of street drugs but are in fact new hot spots for sale of prescription drugs. These efforts include the use, where applicable, of the new Strategic Enforcement Team model in partnership with Brooklyn South Narcotics and Brooklyn North Narcotics.

Additionally, we have initiated several exclusively “in-house” investigations in these neighborhoods. These long-term investigations have included the expanded use of proactive investigative methods, including the use of wiretaps, trap and trace devices, introduction of undercover detective investigators, and both traditional and video surveillance with staff that has attended specialized training programs focusing exclusively on those techniques that are applicable to prescription drug cases, where technology is consistently utilized to facilitate delivery service.

Recognizing that the patterns of wide-scale prescription drug distribution were established in other jurisdictions, including Long Island, Staten Island, and some of the southern states, MNIB has successfully partnered with other agencies and organizations, including the US Attorney’s Office for the Eastern District, the New York Attorney General’s Office, the United States Drug Enforcement Agency, the New York/ New Jersey High Intensity Drug Trafficking Area Office, and the New York City Department of Health. These partnerships include development of prosecutions with joint objectives and development of a wide range of community education and prevention programs. Of note is our pending initiation of a prescription drug “drop box” for those who come into possession of prescription medications

that are not currently being used for any legitimate medical purpose and want to create a safe home environment for their families and loved ones.

MNIB has amended all Power Point presentations which relate to drug distribution and abuse to include explicit information about the impacts of prescription drug distribution and use, and has prepared a separate Power Point presentation that exclusively addresses prescription drug abuse and prevention issues. These programs can be easily tailored to the needs and interests of those specific groups to whom we make presentations such as schools, community boards, religious institutions and town halls.

We have seen an increase in the need for alternative sentencing programs for veterans who have committed crimes due to substance abuse or mental illness associated with military service. We have partnered with Harbor Health Care of the Veterans Administration to create a streamlined referral and service system for our adjacent counties of Queens and Nassau. We have secured the services of Dr. Joanne DiFede, of Weill Cornell who has been funded to study advance techniques for address Post Traumatic Stress Disorder in the military. Finally, we worked with our drug court to obtain funding for a veterans court to provide peer support and treatment for veterans in the criminal justice system. These relationships have allowed us to train all staff and programs including our victim services personnel to better understand the system of benefits and use cutting edge approaches to the specific issues faced by those who have served in the military.

We have seen an increase in sex trafficking. To combat this and gain intelligence we have done three things—established a sex trafficking unit; established two alternative sentencing programs for prostitutes and an alternative sentencing program for those who patronize prostitutes. These programs allow us to address the underlying issues of supply and demand and prosecute offenders with specialized staff. Because of our leadership in this area we were selected by Microsoft to assist them in developing research to allow them to use technology to prevent sex trafficking. We hope to embark on this study with them and funded academic institutions to learn of the myriad of ways technology is used by persons engaged in sex trafficking in an effort to find a technological solution to prevent it.

Finally, we are especially alert to the changing patterns of health care fraud. With the dramatic change in coverage and the removal of Human Resources Administration as a watchdog and point of entry, we are developing protocols with the major health care providers to address new patterns of health care fraud. I have received federal funding to develop a staff of dedicated personnel to address this potential emerging crime trend.

- 2. What role do you think the district attorney plays in anti-corruption efforts and building public trust? What changes would you make to the structure of the office to help bolster public confidence in the DA's office?**
- 3. To What extent would your office use the district attorney's existing authority to investigate and monitor elected officials' conduct in relation to issues like campaign finance compliance and proper use of government resources and influence?**

Since your questions #2 and #3 have a common nexus I'll address them both in my answer. Throughout my career I have established a strong record of investigating and prosecuting police corruption, as well as political, judicial and public corruption. Commencing in 1971, as Chief of the Kings County District Attorney's Rackets Bureau and later as New York State's anti-corruption Prosecutor and finally as the elected Kings County District Attorney, I have led the successful prosecution of over 100 corrupt police officers. (The most notable were the 13th Division Plainclothes and the 77 Police Precinct investigation and prosecutions in 1972 and 1986, respectively.)

After Governor Mario Cuomo dismantled the State's anti-corruption Office and returned jurisdiction for public corruption to the five City District Attorneys, I directed my Rackets Bureau to commence an active investigation of police and public corruption. From 2003 through 2007 I led the most extensive political and judicial corruption investigation and prosecution in the history of New York City. The results were the conviction and prison sentence of an Assemblyman – who was also the Chair of the Kings County Democratic Party – Clarence Norman Jr. Norman. He was convicted after trial of several felonies, including bribery and extortion and received a sentence of three to nine years in prison. In addition, I prosecuted Diane Gordon, another Assembly Member. She was sentenced to two to four years in prison.

I also successfully prosecuted three State Supreme Court Justices; Victor Barron, who was sentenced to three to nine years in prison and Gerald Garson, who received a prison sentence of three to eleven years. Both Barron and Garson were convicted of bribery. Michael Garson, Justice Garson's brother, was also convicted of Grand Larceny for stealing from his Aunt's estate. He pled guilty and repaid all the money he stole and was required to resign from the practice of law. He was spared a prison sentence because he cooperated with my office during our investigation.

In addition to these cases, before I was elected District Attorney, as an Assistant District Attorney in 1971, I convicted Assemblyman Cal Williams for perjury. He was given a one-year prison sentence. And when I was the Nursing Home Prosecutor in 1977, I convicted Assemblyman Alan Hockberg of Bribery. He was sentenced to one year in the Albany City Jail.

I am proud to say that with the convictions of four Assembly members and three State Supreme Court Justices, I have successfully prosecuted more corrupt legislators and corrupt Judges than any district attorney in the history of New York State.

In a related answer to question No. 3, using the current laws and our present authority, this Office continuously monitors the Campaign Disclosure Filings of elected officials from Kings County. These documents, which are publicly available from City and State websites, can indicate whether there is an issue with a candidate's/elected official's compliance with the Election Laws and the regulations of the New York City and State Boards of Election and the Campaign Finance and we have received a number of referrals.

For example, we receive referrals from the State Board of Elections concerning corporate contributors who exceed lawful contributions. The Board typically requests us to monitor, with them, the corporate contributor and to discuss ways the violator can come into compliance with the contribution limits, often times by requesting that they return a contribution from a candidate or an elected official. The contributors are warned that failure to comply can result in summary arrest for a misdemeanor Election Law violation. And, in our experience, they immediately comply.

We also receive referrals from the New York City Department of Investigation of wrongful activity by public officials and City workers. And

of course we pursue "tips" about wrongdoing about elected officials and public servants including any allegation of misuse of their Office or abuses of power or authority. Our Citizens Action Center, neighborhood offices and extensive community outreach are great portals through which this information can be gleaned.

4. Do you support Governor Cuomo's Program Bill No. 3, the Public Trust Act, which strengthens laws against bribery and adds new penalties for those convicted of fraud? Are there additional statewide legislative reforms that you would advocate for if elected to office?

Together with the 61 other District Attorneys of New York State, I fully supported Governor Cuomo's Public Trust Act. I am attaching a copy of a letter of support that we submitted in support of this legislation. (**See Attachment No. 2**) Also, I support broadly written legislation that prosecutes fraud, theft, and corruption in a variety of circumstances and industries as compared with our current, narrower laws, aimed at specific harms caused in specific industries. Although my office has prosecuted Residential Mortgage Fraud and Health Care Fraud with existing statutes, we are limited to specific and narrow fact patterns and behaviors. A more expansive and inclusive theft law would allow us to delve further into criminal behavior which impacts many Brooklynites.

I also support proportionality in the white collar crime area – i.e., punishment for more serious white collar crimes should be greater than that for less serious crimes. For example, under our current Penal Law, Identity Theft in the First Degree is a Class D felony and applies whether the defendant obtained \$3,001 or \$3 million, and whether the offender assumed the identities of three or three thousand victims. Also, Scheme to Defraud is a Class E felony, regardless of the nature of the fraud or the number of victims and harm caused. The same is true of Computer Tampering, a Class C felony.

I also support Governor Cuomo's legislative plan to address human trafficking submitted to the Legislature as part of the Women's Equality Act. I support the proposal to make trafficking a Class B violent felony offense with a mandatory minimum sentence of 5 years; the ability for a person charged with prostitution to cite trafficking as a defense to the charge of prostitution and the elimination of the requirement to prove juveniles were coerced or tricked into slavery.

Finally, I support marijuana law reform as reflected in the most recent bills S.3105A/ A.6716-A amending the Penal Law in relation to Criminal Possession of Marihuana in the Fifth Degree. It, in essence, decriminalized possession of marijuana in a public place in open view, reducing it from a Class B misdemeanor to a violation. Not only does this reduce the penalty for such conduct but allows the police to issue a summons returnable to court at a later date, which prevents a person from being detained for and receiving a criminal record for this conduct. This proposal retained the penalty for smoking or burning marijuana in public, thus preventing children from the open and flagrant smoking of marijuana and preventing all from the health consequences of exposure to second-hand smoke. I have attached my letter of support to the State Senate. **(See Attachment No. 3)** (The Assembly passed it.)

5. Do you believe more needs to be done to ease the re-entry of formerly incarcerated persons into society and if so, what would you propose?

In 1999, I became the first prosecutor in the Country to establish a re-entry program for the formerly incarcerated. The program, Community and Law Enforcement Resources Together or ComALERT, was created to address the fact that six out of 10 of the formerly incarcerated people who return from prison were rearrested within three years of release. Half were returned to prison during that same period. ComALERT was created to offer wrap-around services and support for parolees to prevent the commission of crime and a return to jail or prison. All participants, selected by the New York State Division of Parole, are mandated to attend the program for approximately nine months. Participants are required to submit to random tests for drugs and alcohol. They are offered support for housing and mental illness, if appropriate. We provide transitional employment, and thereafter attempt to secure permanent employment for them with resume writing and interview skills and computer training. We help them to obtain documents of personal identification and identify benefits, e.g., we secure for them Social Security identification and driver's licenses to obtain health care benefits. During transitional employment they receive a tax exempt stipend which is slightly higher than minimum wage. A portion of their stipend is regularly withheld so that when they are ready to leave the transitional employment phase they have saved one thousand dollars to continue to help them reintegrate into community life including securing funds and verification for the rental of an apartment. The Director of ComALERT has convinced 130 Brooklyn employers to offer jobs to our participants.

In 2007, Professor Bruce Western of Harvard released the results of a 22-month study of ComALERT. He found that we reduced re-offending rates by more than half and that the cost of our program (\$2200 per participant) was significantly less than the cost of re-incarceration. ComALERT positively impacts public safety, improves the lives of the formerly incarcerated and their families and communities and saves money. I hope to expand it from one thousand persons I am currently funded to serve to the three thousand parolees who return to Brooklyn each year. I hope to convince the new Mayor and the new City Council to recognize the program's cost effectiveness and increase our resources.

6. What should the role of the district attorney be in addressing issues relating to terrorism? How would you ensure citizens' privacy rights while fulfilling this role?

I think the District Attorney does have a role in addressing terrorism. The incoming head of Homeland Security, should call on first responders, all local law enforcement – the police and prosecutors – to be constantly vigilant in gathering and ease the sharing information. There are times when local investigations can point to possible ties to terrorism. In the years since September 11th we have tried to "follow the money" in fraud cases to see if the defendants have ties to terrorism. I have a money laundering unit that investigates suspicious currency transactions that may prove to be schemes in support of terrorist activities. We work closely with federal law enforcement and have assigned personnel to work with the Joint Terrorism Task Force. Investigating and prosecuting weapons cases can stem the possibility of homegrown terrorists and well as international terrorists. Combatting terrorism is a job for all members of the law enforcement community. In order to insure citizens privacy rights while fulfilling this role we have an obligation to be vigilant to see that the fourth amendment and its protection for citizens is strictly observed. Our investigatory work is done under the scrutiny of the judiciary, e.g., we seek judicial approval for all electronic surveillance of any kind, including cell phone location information.

7. Do you feel that the number of incidents of police misconduct is a problem? If so, what would you propose to facilitate more effective oversight of police misconduct?

The Civil Rights and Police Integrity/Force Bureau of my Rackets Division receives referrals about police misconduct from the NYPD Internal Affairs Bureau. We also review the NYPD IAB daily log to determine whether we should open up an investigation of police misconduct. We receive some referrals alleging police misconduct from the Civilian Complaint Review Board. Aspects of police integrity also come from internal mechanisms in my office. Community Prosecution (Zones), early intake and vigilant supervisory involvement in daily operations help to uncover police misconduct in routine cases as well. I am satisfied from my experience investigating police corruption and other forms of misconduct that we have the necessary mechanisms in place to continue to investigate and prosecute police corruption and unlawful use of force by police officers. The data collected from NYPD IAB daily logs and from CCRB suggest that there has not been a serious spike in the incidents of police misconduct. Finally, my office continues to regularly train NYPD officers assigned to the 23 Brooklyn precincts. Our curriculum addresses search and seizure, changes in criminal law, evidence collection and preservation, and interaction with the ethnically, culturally and racially diverse population of Brooklyn

I do think it is fairly obvious that the increase in the use of stop, question and frisk (first validated in the United States Supreme Court decision in Terry v. Ohio) in communities of color has led to an increase in complaints of police misconduct. Since the overwhelming number of police stops did not yield any contraband, or arrest, the five DA's of New York City have had no opportunity to review the lawfulness of the those stops. However, for the stops which did result in an arrest, they are subjected to rigorous early review of the police practices that led to the discovery of the contraband or arrest. In fact, in my Early Case Assessment Bureau, performs that review within 24 hours of arrest and my Assistant District Attorneys have declined to prosecute approximately forty percent for Fourth Amendment violations.

Whether the Police Commissioner was reacting to the level of anger in the various communities of color or to the pending Federal lawsuit challenging police stops he has revised the protocol in line with the decision in the Terry case and police stops have been cut in half. I am encouraged by the response. I remain vigilant to investigate and prosecute all police misconduct.

8. Do you support requiring that police interrogations be videotaped?

I fully support requiring police interrogations to be videotaped. Currently, interrogations are videotaped in only in the 67 police precinct in Brooklyn. Police Commissioner Kelly agreed to this as a model to assess its feasibility and determine whether it can and should be expanded to all police precincts. In the Brooklyn courts, we have initiated a limited videotaping project that records the interrogation of offenders charged with domestic. While it documents statements made to us after the police have interacted with the offender, it is not a substitute for the videotaping of police interrogations. Unfortunately, without Commissioner Kelly's cooperation and increased funding, neither I nor any district attorney can have the kind of extensive videotaped interrogations which we support.

CANDIDATE ACCOUNTABILITY QUESTIONNAIRE

As an elected official who is seeking re-election,

- a. What were the top five promises you made to your constituents when you ran for your current position? What progress have you made to keep those promises? Why have you kept or not kept your promises?
- b. What are your top five campaign promises you are making to the voters during this campaign for this position?

We thank you very much for your response. Please feel free to use additional paper if the space provided is not sufficient.

THE TOP FIVE PROMISES AND ACTION ON THEM

From the time I first took Office in 1990, I made several promises:

1. I promised to increase the hiring of minorities and women in all positions in my office.

I have continued to do so over the years. I have increased the percentage of women in my office by 3.5% (of the total staff) and now over 56% of my staff members are women. I have increased the percentage of minorities in my staff, too. I have increased the numbers of minorities by almost 8% overall – the support staff at the KCDA's Office has increased by over 5% and the lawyers by over 13% in minority representation.

2. I promised to address the scourge of Domestic Violence Bureau.

I established the most comprehensive Domestic Violence Bureau and network of services in the country. The Bureau has 82 lawyers and support staff supported by the 24 social workers and counselors of our Victims Service Unit.

My Office was selected as the first federally funded NY site for a Family Justice Center to provide integrated services of victims of DV regardless of whether he or she participated in a prosecution of an offender. The FJC It provides immigration, housing, counseling and support for victims of dv and their children and is co-located with my DV Bureau.

3. I promised to create a partnership with the KCDA Office and the faith based communities of Brooklyn.

I established Youth and Congregation in Partnership, a mentoring program for young people convicted of serious crimes. We train volunteer mentors from the faith based institutions to work with a young person for at least one year. YCP has served 633 youngsters to date. We have a network of faith based organizations that help us with outreach, gun buy backs and attend all community based meeting for input and dissemination of information gathered at the meetings.

4. I promised to change the role of the prosecutor and create a more holistic office to reduce crime that uses incarceration as a last resort for changing criminal behavior and punishment.

Serious Crime has been reduced by 80% in Brooklyn since I took office. Today, the number of homicides is at an all-time low – breaking even last year’s record. As of this writing there are 12 fewer homicides than there were at this time last year and last year was the lowest since 1960. To do so I have implemented numerous crime reduction strategies. Chief among them is to target known recidivists by intervening with a therapeutic treatment where indicated. I implemented the first drug treatment for repeat felony offenders in the country. That strategy led to the implementation of numerous alternative sentencing programs (with or without separate funding) to address substance abuse, mental illness and other chronic circumstances in which interventions are proven to be more effective at changing behavior (and frequently more cost effective). Most recently I implemented an alternative sentencing program to address the rising number of women charged with crimes and the rising numbers of veterans with untreated substance abuse or mental illness that precipitated the criminal behavior. I have also undertaken a serious review of fifty cases involving one Detective. It was prompted by our sua sponte review of a case brought to my attention after the creation of a conviction integrity unit.

5. I vowed to assist the 3,000 parolees who return to Brooklyn each year with reentry into their communities to avoid the return to jail or prison.

I have described my ComALERT Program above. To date it has served 5000 formerly incarcerated individuals who have returned to Brooklyn from prison. I also created a pilot project called GRASP (Girls Reentry Assistance and Support Project) to address the increasing number of girls and young

women who return to Brooklyn from detention. It is based on the YCP model that incorporates more mentoring. It has served 265 youngsters and demand was so great that family court and other judges prompted us to take young men too. Thus we were required to change the name of GRASP to Gender Responsive Reentry Assistance and Support Program.

TOP FIVE 2013 CAMPAIGN PROMISES

1. I will continue to increase the numbers of women and minorities in the staff of the Kings County District Attorney's Office.
2. I will continue to fight to reduce crime with innovative recidivism reduction strategies
3. I will institute a Health Care Fraud Division
4. I will fight for resources to expand existing alternative sentencing and educational programs: Drew House, Project ReDirect, ComALERT, Justice Home, etc.
5. I will open and permanently staff the Brownville Community Justice Center, as I have done in Red Hook and fight to establish more community justice centers around the borough

Attachment No. 1

District Attorney 23 years

Campaigned for Attorney General 1978 – didn't reach the ballot.

Elected Kings County District Attorney in 1989 – assumed office in 1990.

Re-elected District Attorney in 1993.

Campaigned for Attorney General 1994 – lost Democratic Primary.

Re-elected District Attorney in 1997.

Campaigned for Governor 1998 – lost Democratic Primary.

Re-elected District Attorney 2001

Re-elected District Attorney 2005

Re-elected District Attorney 2009.

Attachment No. 2

Letter of 62 District Attorneys of New York State Re: Governor Cuomo's Public Trust Act

Attachment No. 3

Letter of support to the State Senate Re: Marijuana law reform bills S.3105A/
A.6716-A

DISTRICT ATTORNEYS ASSOCIATION OF THE STATE OF NEW YORK



PRESIDENT
CYRUS R. VANCE, JR.
NEW YORK COUNTY

- PRESIDENT-ELECT
KATHLEEN RICE
NASSAU COUNTY
- 1st VICE PRESIDENT
FRANK A. SEDITA, III
ERIE COUNTY
- 2nd VICE PRESIDENT
GERALD F. MOLLEN
BROOME COUNTY
- 3rd VICE PRESIDENT
CINDY P. INTSCHERT
JEFFERSON COUNTY
- SECRETARY
ADA EDWARD D. SASLAW
QUEENS COUNTY
- TREASURER
ADA REBECCA WINER
NASSAU COUNTY
- BOARD OF DIRECTORS
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JANET DIFIORE*
WESTCHESTER COUNTY
- ROBERT T. JOHNSON*
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- JON E. HUDELMANN
CAYUGA COUNTY
- ANDREW J. WYLIE
CLINTON COUNTY
- DBREK P. CHAMPAGNE*
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- LAWRENCE FRIEDMAN
GENESEE COUNTY
- CHARLES J. HYNES*
KINGS COUNTY
- SCOTT D. MCNAMARA
ONEIDA COUNTY
- WILLIAM J. FITZPATRICK*
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- R. MICHAEL TANTILLO
ONTARIO COUNTY
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ORANGE COUNTY
- ADAM B. LEVY
PUTNAM COUNTY
- RICHARD A. BROWN*
QUEENS COUNTY
- RICHARD J. McNALLY, JR.
RENSSELAER COUNTY
- DANIEL M. DONOVAN, JR*
RICHMOND COUNTY
- THOMAS P. ZUGIBE
ROCKLAND COUNTY
- NICOLE M. DUVÉ
ST. LAWRENCE COUNTY
- JAMES A. MURPHY, III*
SARATOGA COUNTY
- ROBERT M. CARNEY*
SCHENECTADY COUNTY
- BRIDGET G. BRENNAN
SPECIAL NARCOTICS
- THOMAS J. SPOTA, III
SUFFOLK COUNTY
- KATHLEEN B. HOGAN*
WARREN COUNTY
- RICHARD M. HEALY
WAYNE COUNTY
- * PAST PRESIDENT OF DAASNY

June 11, 2013

The Honorable Sheldon Silver
Speaker, New York State Assembly
Legislative Office Building, Room 932
Albany, NY 12248

The Honorable Dean G. Skelos
Majority Coalition Leader, New York State Senate
Legislative Office Building, Room 909
Albany, NY 12247

The Honorable Jeffrey D. Klein
Majority Coalition Leader, New York State Senate
Legislative Office Building, Room 913
Albany, NY 12247

Re: Governor's Program Bill #3: Public Trust Act

Dear Speaker Silver, Majority Coalition Leader Skelos, and Majority Coalition Leader Klein:

On behalf of the District Attorneys Association of the State of New York (DAASNY), a voluntary organization comprised of the 62 elected District Attorneys in our State and the Special Narcotics Prosecutor of the City of New York, we write in support of Governor's Program Bill #3, which would enact provisions of the Public Trust Act (the "Act").

Public servants control funding streams, public works projects, health and safety, and myriad policies that impact the lives of every New Yorker. Taken together, the well-reasoned measures in the Act will hold individuals accountable for egregious violations of the public trust. If we cannot hold public servants accountable for their crimes or protect the integrity of the public, we lose the trust of the citizenry and the integrity of our democracy.

The Act addresses a number of areas where relatively weak state laws have allowed behavior that corrupts and defrauds our state and local governments to go unchecked. Strengthening our state laws in this area would send a clear message that this kind of criminality will not be tolerated at any level across the state. We highlight the most significant of the Act's several important improvements in existing law:

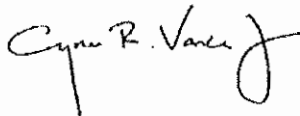
First, the Act improves the existing bribery and bribe receiving statutes in important ways. Although the current bribery laws purport to treat offers to bribe as seriously as completed bribes, the Court of Appeals has interpreted these statutes in a very stringent fashion, requir-

DISTRICT ATTORNEYS ASSOCIATION OF THE STATE OF NEW YORK

Finally, the Act changes the standard from automatic transactional to automatic use immunity in narrow instances in which a witness testifies before a grand jury investigating government fraud or misconduct in public office. This means that the witness, who may or may not also be part of the criminal transaction under investigation or any other criminal transaction, could still be prosecuted for his or her role if prosecutors develop evidence that is neither derived directly nor indirectly from the evidence given by the witness. This is consistent with the Constitutional standard used in federal court and the overwhelming majority of other states for all crimes, although the change proposed in the Act would be much narrower in scope.

For all these reasons, DAASNY strongly supports the Public Trust Act and looks forward to seeing this bill enacted into law.


Sincerely,



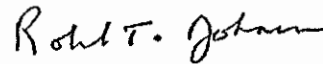
Cyrus R. Vance, Jr.
District Attorney, New York County
President, DAASNY



Kathleen M. Rice
District Attorney, Nassau County
President-Elect, DAASNY



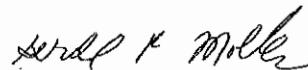
Hon. David Soares
Albany County District Attorney



Hon. Robert T. Johnson
Bronx County District Attorney



Hon. Keith A. Slep
Allegany County District Attorney

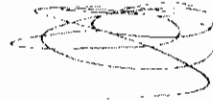


Hon. Gerald F. Mollen
Broome County District Attorney

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Hon. Marsha King Purdue
Hamilton County District Attorney



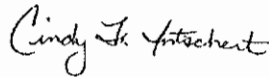
Hon. James E. Conboy
Montgomery County District Attorney



Hon. Jeffrey Carpenter
Herkimer County District Attorney



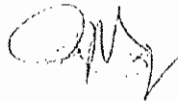
Hon. Michael J. Violante
Niagara County District Attorney



Hon. Cindy F. Intschert
Jefferson County District Attorney



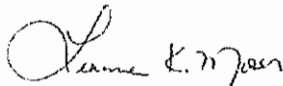
Hon. Scott D. McNamara
Oneida County District Attorney



Hon. Charles J. Hynes
Kings County District Attorney



Hon. William J. Fitzpatrick
Onondaga County District Attorney



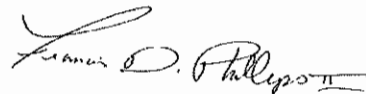
Hon. Leanne K. Moser
Lewis County District Attorney



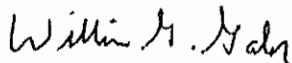
Hon. R. Michael Tantillo
Ontario County District Attorney



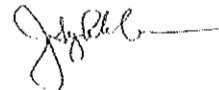
Hon. Gregory J. McCaffrey
Livingston County District Attorney



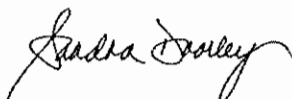
Hon. Francis D. Phillips, II
Orange County District Attorney



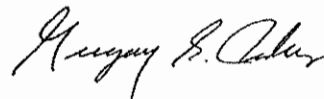
Hon. William G. Gabor
Madison County District Attorney



Hon. Joseph V. Cardone
Orleans County District Attorney

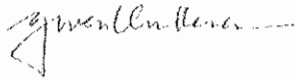


Hon. Sandra Doorley
Monroe County District Attorney



Hon. Gregory S. Oakes
Oswego County District Attorney

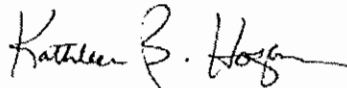
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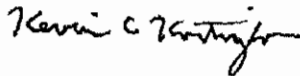
Hon. Gwen Wilkinson
Tompkins County District Attorney



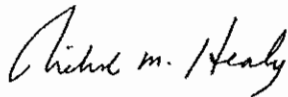
Hon. D. Holley Carnright
Ulster County District Attorney



Hon. Kathleen B. Hogan
Warren County District Attorney



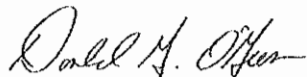
Hon. Kevin Kortright
Washington County District Attorney



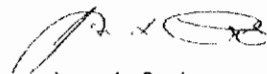
Hon. Richard M. Healy
Wayne County District Attorney



Hon. Janet DiFiore
Westchester County District Attorney



Hon. Donald O'Geen
Wyoming County District Attorney



Hon. Jason L. Cook
Yates County District Attorney

cc: Governor Andrew M. Cuomo



OFFICE OF THE DISTRICT ATTORNEY, KINGS COUNTY

**RENAISSANCE PLAZA at 350 JAY STREET
BROOKLYN, N.Y. 11201-2908
(718)-250-2000**

CHARLES J. HYNES
District Attorney

June 3, 2013

The Honorable Dean G. Skelos
Majority Leader, New York State Senate
Legislative Office Building, Room 909
Albany, New York 12247

The Honorable Jeffrey D. Klein
Leader, Independent Democratic Conference
Legislative Office Building, Room 304
Albany, New York 12247

Re: Support of S.3105A

Dear Senator  Skelos and Senator  Klein:

I write this letter to convey my full support for S.3105A (same as A.6716-A), a bill, sponsored by Senator Daniel Squadron, to amend the Penal Law in relation to Criminal Possession of Marihuana in the Fifth Degree. This legislation has already passed the Assembly, and I urge that it be similarly acted upon in the Senate.

Currently, the possession of a small amount of marihuana, in a public place in open view, is a crime -- a class B misdemeanor. An offender convicted of such a crime, even though it is minor, acquires a permanent criminal record that may have far reaching collateral consequences. In Brooklyn, my office seeks to mitigate these harsh consequences: not only are the vast majority of cases where the defendant is charged with this misdemeanor adjourned in contemplation of dismissal, but also, the People often consent to the immediate sealing of the case. However, these ameliorative practices are not followed throughout the State. In addition, the processing of these cases siphons off the scarce resources of a District Attorney's Office, resources that could be more fruitfully allocated to crime prevention strategies and the prosecution of serious and violent felonies.

The legislation would make the personal possession of a small amount of marihuana subject to the same sanction whether the possession occurred in private or in public in open view -- both would be violations, but not crimes. Significantly, smoking or burning marihuana in public would remain a class B misdemeanor. To my mind, retaining this distinction is important because families out for a walk should not have to shield their children from the open and flagrant smoking of marihuana, nor should any individual be subjected to unwanted second-hand smoke of marihuana when he or she is trying to enjoy

Support of S.3105A

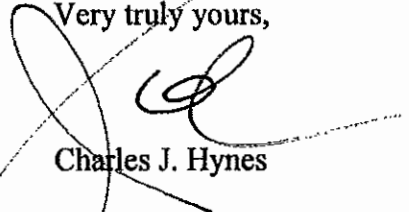
June 3, 2013

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a public space. The bill, S. 3105A, strikes the appropriate balance between the decriminalization of mere possession of marihuana for personal use and retention of criminal sanctions for harmful public conduct.

For the above reasons, I urge you to support the speedy enactment of S.3105A. If you have any questions, please contact my First Assistant District Attorney, Anne Swern.

Very truly yours,



Charles J. Hynes

cc: Hon. Daniel L. Squadron