

**RESOLUTION SUPPORTING STATE AID TO DEFENSE FUNDING IN ALL  
COUNTIES OF NEW YORK**

**WHEREAS** the State Felony Program was established by statute in 1973 in response to the “Rockefeller Drug Laws” and both the prosecution and defense function were thereby funded in Erie, Monroe, Nassau, Suffolk, Westchester, Onondaga and Albany counties and the City of New York; and

**WHEREAS** the Major Violent Offense Trial Program was established by statute in 1978 and both the prosecution and defense function were thereby funded in Erie, Monroe, Suffolk, Westchester and Onondaga counties and the City of New York; and

**WHEREAS** in 1978 a \$2 million Department of Justice discretionary grant known as the Career Criminal Prosecution Program was awarded exclusively to 13 New York district attorneys to give priority emphasis to the investigation, apprehension, prosecution and conviction of alleged career criminals; and

**WHEREAS** no federal or state monitoring of the impact on defense services took place despite the fact that 52 fulltime prosecutorial employees (26 ADA’s, 10 investigators, 5 administrative staff and 11 secretaries) were provided to district attorneys in the impacted jurisdictions with the average dollar amount available for prosecution being \$2,260 per offender; and

**WHEREAS** protests were thereafter lodged with both the federal and state government; and

**WHEREAS** when the Career Criminal Prosecution Program became the Major Offense Prosecution Program in 1981, both prosecution and defense components were funded in Erie, Monroe, Nassau, Suffolk, Westchester, Onondaga, Albany, Broome, Chemung, Orange, Rockland, Steuben and Ulster counties and the City of New York; and

**WHEREAS** on April 1, 1983, the Target Crime Initiative Program was created pursuant to the State Budget to merge the three predecessor programs and to allow localities to set their own priorities for the types of serious crimes which they wished to target; and

**WHEREAS** the Target Crime Initiative Program was expanded by fiscal year 1987-88 to include 12 new counties, resulting in prosecution and defense components being funded in Erie, Monroe, Nassau, Suffolk, Westchester, Onondaga, Albany, Broome, Chemung, Orange, Rockland, Steuben, Ulster, Oneida, Dutchess, Niagara, Saratoga, Rensselaer, Schenectady, Chautauqua, St. Lawrence, Oswego, Jefferson, Ontario and Sullivan counties and the City of New York; and

**WHEREAS** these same prosecution and defense components in 30 counties were thereafter funded from 1988 to the present; and

**WHEREAS** despite disparity between prosecution and defense, funding has continued uninterrupted, providing a defense component in each county where a prosecution component has been funded; and

**WHEREAS** for the first time since 1981 the State of New York in the FY 2000-01 State Budget has allowed funding for prosecution by providing Aid to Prosecution to the remaining 32 counties not previously funded, yet has failed to fund a defense component in each of these 32 counties;

**THEREFORE BE IT HEREBY RESOLVED** that the New York State Defenders Association respectfully requests the Governor of the State of New York to introduce legislation in the 2001 Legislative Session and the Legislature to pass legislation requiring state funding of defense components in each of the remaining 32 counties of the state.

**ADOPTED BY THE BOARD OF DIRECTORS OF THE NEW YORK STATE DEFENDERS ASSOCIATION.**

**July 27, 2000**  
**Kerhonkson, New York**