



WAYNE COUNTY DISTRICT ATTORNEY'S
OFFICE

30 CHURCH ST.

LYONS, NEW YORK 14489

MICHAEL D. CALARCO
District Attorney

2021

ANNUAL REPORT

DISTRICT ATTORNEY'S 2020 ANNUAL REPORT

MESSAGE

2021 has remained a challenge for the Wayne County District Attorney's Office. My office continues to be understaffed with no decrease in work or expectations. Prosecution and our law enforcement partners are still adjusting to the "reforms" to the bail system and to the rules by which prosecutors are required to disclose information to the defense. Additionally, procedures mandated by the New York State Office of Court Administration for arraigning defendants outside of normal court hours has increased demands on staff. Arraignments are now regularly occurring early in the morning and mid evening. A slight change in time would help my office in being able to personally cover these appearances but that has led to opposition from the Court system and defense bar. I am proud to say my office secured a Grant in the amount of \$ 280,000.00 to defray costs associated with Discovery and Bail reform. This has helped a number of agencies throughout the County. Our overall statistics have increased when compared to the previous 2 years.

In 2022, I look forward to building on our successes and aggressively litigating cases. I and my office remain dedicated and committed to protecting the citizens of Wayne County.

Thank you for allowing me the privilege of being Wayne County's District Attorney.

Mike Calarco

STAFF

The District Attorney and Three full-time Assistant District Attorneys handling felony prosecution in the Grand Jury and County Court. One full time ADA has resigned. That position remains vacant. There are 2 full time ADA's who handle the majority of the Justice Court cases, Preliminary Hearings, Suppression Hearings and Motions.

Currently Three part-time Assistant District Attorneys and my full time staff including myself are handling misdemeanor, vehicle and traffic and petty offenses in the County's 28 Town and Village justice courts. Through January 31st of this year, there are over 1100 cases pending in Justice Courts. This number is based on a partial number of Courts providing reports.

Two confidential secretaries, 2 Sr. clerk typists, a victim-witness coordinator and a part-time criminal investigator.

My 2 confidential secretaries continue to handle approximately 90% of the Discovery requirements. This is in addition to their normal work functions. Due to the time involved they often come in early and or bring work home resulting in additional uncompensated time. This work is above their job descriptions.

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ASSISTANT DISTRICT ATTORNEYS FULL TIME

- Christine Callanan, 1st Asst.
County Court
- Scott Kadien 2nd Asst.
County Court
- John Ferlicca
County Court
- Tracey Fox

Justice Courts.

ARCADIA
ARCADIA
NEWARK VILLAGE
WOLCOTT TOWN
WOLCOTT VILLAGE
HURON
ONTARIO
ONTARIO
ROSE
ROSE

- Rocco Polimeni

Justice Courts

ONTARIO
ONTARIO
WILLIAMSON
SAVANNAH
GALEN
LYONS

LYONS
PART TIME ADA'S

ELIZA HEATON

GALEN
WILLIAMSON
BUTLER
MARION

MARK WILLIAMS
MARION
SODUS
WALWORTH
MACEDON

JEANNIE MICHALSKI
PALMYRA
PALMYRA
SODUS
WALWORTH

ADMINISTRATIVE STAFF

DARCEY KOLLER: CONFIDENTIAL SECRETARY

LORI TYLER: CONFIDENTIAL SECRETARY

DEB BURGESS: SR. CLERK/TYPIST

CINDY RODEN: SR. CLERK TYPYST; SPLIT POSITION TWO THIRDS MY OFFICE ONE THIRD VICTIMS
COORDINATOR'S OFFICE

INVESTIGATOR: THOMAS CROWLEY.

PROSECUTIONS

The number of DMV cases as of December 21, 2021 was 13,987. There were 224 DWI tickets issued for 2021.

The full-time Assistant District Attorneys currently have 333 Felony cases pending. There were 209 Felony arrest in 2021 compared to 192 in 2020. Of those 209 arrests 184 were Indicted or waived indictment. There were 405 Misdemeanor arrests in 2021 compared to 361 in 2020. Felony indictments were up 54% in 2021 compared to the 2 previous years. Total dispositions of Felonies were up by 67% compared to the 2 previous years.

I am happy to report that the Child Advocacy Center is operational. This will be a very important tool in prosecuting child sex crimes.

Police Reform as part of the Governor's plan continues to move forward both on the local and county level.

BUDGET

The tentative annual budget for 2022 is \$1,326,446.00. This figure is projected as I will have unanticipated costs due to the Discovery/Bail Reform costs and some increase in staffing. This includes \$130,686.00 of revenues including \$ 40,147.00 State Aid to Prosecution grant and \$72,189 District Attorney Salary reimbursement for 2021.

APPEALS

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Appellate work continues to be out sourced due to the vacant full time ADA position. I again will be actively seeking to fill this position with an Attorney with Appellate experience. That Attorney would also oversee and handle some Discovery.

2020 Victim/Witness Services Statistics:

See attached report.

Respectfully Submitted,

Michael D. Calarco

Michael D. Calarco, DA

**Victim/Witness Services
Wayne County District Attorney's Office
2021 Annual Report**

A. Staffing: One full-time employee
One part-time employee, approximately 10 hours a week
One volunteer, from January to March 2021, approximately 12 hours per month

B. Outcomes of current program:

- Prepare and process reimbursement claims for crime-related expenses through OVS
- Coordinate victim access to prosecutors and the courts
- Prepare victims for grand jury and court appearances
- Accompany victims/witnesses to court
- Promote enhanced and informed decision-making for victims
- Support awareness of the criminal justice system and processes, victims' rights and options
- Connect victims with community supports and services
- Provide emotional support in order to decrease anxiety of victims/witnesses
- Promote crisis awareness and prevention strategies to victims
- Direct program feedback from victims to appropriate agencies and individuals
- Set up and maintain electronic and paper files
- Prepare and submit quarterly program reports and quarterly financial reports, along with annual reports, to funding agents and local administration
- Prepare and submit grant application every three years and annual grant renewal applications

C. Total Victims Served:

- Yearly total: 550 victims with more than 3950 contacts. This represents an increase of 140 victims and 654 contacts over 2020.
- Monthly average: Approximately 126 Victims and witnesses

D. Victim Demographics:

Gender:		Age 0-12	24
Male	134	Age 13-17	38
Female	409	Age 18-24	76
Not Reported	7	Age 25-59	321
		Age 60+	38
		Not Reported	53

Age at time of Crime:

E. Individuals who received Services by Victimization Type:

Adult physical assault	158	False imprisonment	10
Adult sexual assault	16	Fam/Domes violence	215
Adult sexually abused as child	2	Identity theft/fraud	4
Arson	13	Kidnapping-Non-custodial/adult	1
Bullying	3	Other vehicular	12
Burglary	60	Reckless Endangerment	15
Child endangerment	59	Robbery	17
Child physical abuse	23	Stalking/harassment	72
Child pornography	9	Survivors of homicide	28
Child sexual abuse	72	Teen Dating Violence	3
Criminal mischief	67	Violation of court order	
Criminal trespass	7	134	
DUI/DWI incidents	19	Other	51
Elder abuse/neglect	6		

F. Service Objectives:

- Assistance with OVS Applications – *target of 4 victims served per month*
Defined as submitting Victims Compensation Applications to the State Office of Victim Services
- Information and Referral/Follow-up – *target of 100 times per month*
Includes; information provided about the Criminal Justice process and victims’ rights, referrals to other resources, sending information by email or voicemail.
- Personal Advocacy – *target of 16 times per month*
Includes advocating with other agencies, employers, schools etc., on behalf of victims and witnesses
- Hotline/Crisis Counseling – *target of 71 times per month*
Includes providing emotional support and information on the phone
- Individual Counseling – *target of 44 times per month*
Includes providing emotional support and information in person
- Criminal Justice Advocacy – *target of 177 times per month*
Includes; Notifying victims of Criminal Justice events, Assisting victims with Victim Impact statements and requests for restitution, Arranging and accompanying victims to appointments with law enforcement including the DA and ADAs.

G. Services Provided – see chart on page 3

2021	Goal for Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Monthly Average
Number of Clients Served	--	134	125	76	47	45	78	77	100	89	109	88	92	88
Assistance with OVS Applications and Compensation Claim Information (# of Clients)	43	2	1	5	2	5	10	2	3	4	2	4	5	4
Information and Referral /Follow-up (Times provided)	1200	142	121	128	142	112	85	103	127	126	93	92	89	113
Personal Advocacy (Times provided)	188	60	44	48	67	42	54	33	41	43	21	17	13	40
Hotline/Crisis Counseling (Times provided)	850	103	88	116	129	107	81	111	115	114	103	72	66	100
Individual Counseling (Times provided)	525	35	35	42	53	34	32	18	32	51	16	39	29	35
Criminal Justice Advocacy (Times provided)	2125	236	236	295	265	300	225	256	278	287	185	146	143	238

H. SWOT Analysis:

Internal Factors

Strengths:

- Meeting and exceeding program goals and objectives with the exception of one.
- Addition of part time Senior Clerk/Typist has helped to increase and enhance services provided, including the following;
 - Increase the number of victims served
 - Increase number of services provided to victims of crime
 - Submitting OVS applications in a more timely manner
 - Allowing for more efficient implementation of reporting, administrative duties and fiscal responsibilities
- Office is now located within the same building as the DA's Office

Weaknesses:

- Limited staffing – one full-time employee working in all functions including administrative, fiscal and direct service. (Addition of part-time employee has helped but isn't enough.)
- There is no one cross-trained to meet the demands of the position
- Multiple administrative duties take away time from direct service to victims
- Database being used needs to be updated to more easily analysis information.
- Staff training is needed to effectively use the current database.
- IT is encouraging switching to a database that comes with support but the cost is prohibitive.
- There is limited private space available to meet with victims and witnesses.
- Time and workload doesn't allow for staff to engage in necessary training opportunities

External Factors

Strengths:

- Office of Victim Services Funding stream is long standing
- OVS recently posted the 3 year grant application that funds this program.
- Strong linkage with area agencies

Threats:

- Increasing administrative demands and directives from NYS Office of Victim Services regarding grant preparation and renewals, new fiscal and programmatic reporting requirements, newly required strategic planning, evaluation reports.
- Bail reform act creates increased workload as victims try to understand the new laws and seek out support for dealing with their emotional challenges related to bail reform.
- COVID 19 negatively impacted our ability to serve victims face-to-face

I. Desirable Program Expansion:

- Addition of a Part-time Case Worker
- Anticipated achievements with addition of Part-time Case Worker:
 - Increase the number of victims served
 - Increase number of services provided to victims of crime
 - Assist in serving victims and witnesses in a more timely manner
 - Allow for more efficient implementation of reporting, administrative duties and fiscal responsibilities
 - Improve effectiveness of victim/witness preparation for prosecution purposes
 - Enable staff to engage in necessary training opportunities
 - Offer assistance to victims of misdemeanors who are injured and might be eligible for OVS benefits
 - Assist in developing domestic violence training of law enforcement officers
 - Provide for cross-training and coverage when Coordinator is out

- Provide for consistent representation to the Multi-disciplinary Team of the Child Advocacy Center
- Provide timelier outreach to victims of felonies regarding the case status.
- Provide opportunity to organize events to promote Crime Victims Rights Week, Domestic Violence Awareness Week and other victim related issues.

Respectfully Submitted,

Deborah Coons

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