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NEW YORK COUNTY

June 13, 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: S4160-A, A5210-A Assault Against a Prosecutor

Dear Speaker Silver, Majority Leader Skelos, and Majority 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, I write in support of S4160-A, A5210-A (Lanza, Titone), which provides enhanced penalties for assault against a prosecutor.

Prosecutors across the country work every day to seek justice for victims and keep our communities safe. In doing so, these dedicated public servants know that they may be putting their own lives in danger, but continue to do their jobs without reservation. Yet, unlike other groups such as police officers, emergency responders, and judges, there are no enhanced penalties for the assault or murder of a prosecutor.

S4160-A, A5210-A addresses this disparity by adding prosecutors to the list of professionals against whom an assault is elevated to a class D felony under Penal Law §§ 120.05(3) and (11). DAASNY supports the fundamental purpose of this legislation. It is worth noting, however, that not all prosecutors fall under the definition in CPL § 1.20(31). Attorneys who work in Family Court, for example, are not included in this definition. They do, however, work on cases that can, and do, result in retaliatory violence. Therefore, DAASNY suggests the addition of Family Court attorneys to this legislative proposal as follows:

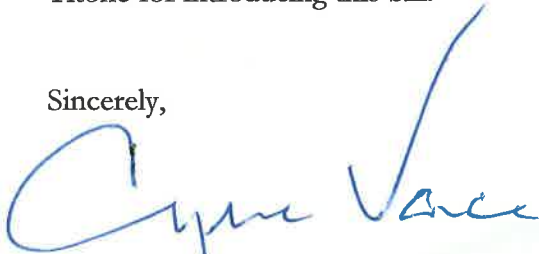
“...prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law or presentment agency attorney as defined in subdivision 12 of section 301.2 of the Family Court Act...”

**DISTRICT ATTORNEYS ASSOCIATION OF THE STATE OF NEW YORK**

A strong and clear message must be sent that prosecutors, like judges and police officers are an integral part of our justice system and any attempt to cause harm or otherwise thwart the administration of justice will be met with enhanced penalties.

DAASNY supports S4160-A, A5210-A and thanks Senator Lanza and Assembly Member Titone for introducing this bill.

Sincerely,

A handwritten signature in blue ink that reads "Cyrus Vance". The signature is fluid and cursive, with a long vertical line extending downwards from the end of the name.

Cyrus R. Vance, Jr.  
President, DAASNY