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**OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF TIOGA**

March 1, 2021

Martha Sauerbrey, Chair  
Tioga County Legislature  
56 Main Street  
Owego, NY 13827

RE: 2020 Annual Report

Dear Chairwoman Sauerbrey:

Pursuant to your memo, please accept the following as the 2020 Annual Report for the District Attorney's Office. It is brief, as the Governor and Court of Appeals have had the courts and grand juries closed for almost a year now. At times we have appeared in court virtually. Attached is our office's report as to the number and type of felony prosecutions, which resulted in only 47. As always, because of the large number of cases handled in the 16 various town and village justice courts throughout the county, we are unable to keep gross statistics regarding the number of misdemeanor and vehicle and traffic cases that are handled by my office. However, it is estimated that we also handled several hundred misdemeanor charges and several thousand vehicle and traffic charges.

Apart from the felony statistics that I have attached, I would like to provide you with some other information relating to this Office's activities in 2020.

NOTABLE CASE

A Tioga County Grand Jury returned a five count indictment against James Haines as a result of him attempting to shoot and kill two uniform Troopers on September 3, 2020, in Richford when they were investigating a domestic situation. It is expected that this will go to trial sometime this year or next.

Additionally, since courts have been closed there is now an enormous backlog of cases ready for trial. We expect multiple felony trials this year, including the Apalachin homicide case from last year.

## VIRTUAL COURT

When courts first closed most in-person operations last spring, I moved quickly to establish a virtual courtroom capacity in our conference room, and its acoustics and abilities have been a resounding success. It is now serving as a model for other court offices and operations around the county.

## TRAFFIC DIVERSION

In December 2020 we were able to launch online Traffic Diversion, making it much easier and accessible to motorists.

For calendar year 2020, realizing that COVID has materially impacted the operations of the police and the courts, we received \$169,460 in application fees were received. Of that total, \$74,200 was shared with the local municipalities in which the tickets originated and the balance was left to Tioga County to offset the expenses of operating the Program and my office. Importantly, all graduates have completed a defensive driving class, making our roads and communities safer, and all of the fees have stayed in Tioga County.

## CHALLENGES

The challenges now facing this office, and law enforcement in general, are immense. The Governor's radical, leftward bail and discovery reform laws, even as amended, continue to see credibly charged criminal defendants as victims, victims as irrelevant and the police and prosecutors as a problem. Too many burglars, thieves and drug dealers are walking the streets after arrest and we have to provide too much information, including the names of witnesses, in the discovery process. It is a mess. New York has officially returned to its days of being soft on crime.

Additionally, we have had to navigate the Governor's multitude of Executive Orders, many of which were obviously unconstitutional and infringed upon the civil liberties and constitutional rights of American citizens.

## GOALS FOR 2021

The District Attorney's Office goal for 2021 is simply to return to normal and to dispose of the enormous felony trial backlog awaiting us.

On behalf of myself and the members of my office, I want to extend my thanks for the continued support that you and the rest of the Tioga County Legislature have given to this office.

Sincerely yours,



Kirk O. Martin

