



District Attorneys Association of the State of New York

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Message from the President

Hon. Kathleen B. Hogan, Warren County District Attorney



The annual Winter Conference was a great success. Our members all benefited from the new ideas, the energy, and the mutual encouragement that was part of every meeting and event. On behalf of DAASNY, I would like to thank the many law enforcement partners who joined us as we discussed how to improve public safety and reduce crime across New York State. Our speakers included Peter Kiernan, Counsel to Governor David A. Paterson; Denise O'Donnell, then-Deputy Secretary to the Governor for Public Safety; Sean Byrne, Deputy Commissioner of DCJS; William Comiskey, Deputy Commissioner of Tax and Finance; and John Bilich, Deputy Commissioner of DCJS. We are especially grateful to Raymond Kelly, Commissioner of New York City Police Department, who was the keynote speaker at our luncheon. His commitment to police integrity, pilot projects on videotaping interrogations and best practices for identification procedures sets a standard for all of law enforcement.

On behalf of DAASNY, I would like to applaud the seven outstanding prosecutors honored at the annual Winter Conference. Please join me in congratulating retired Sullivan County District Attorney Stephen F. Lungen, Frank S. Hogan Award winner; retired Yates County District Attorney Susan Lindenmuth, Lifetime Service Award winner; the four recipients of the first annual Robert M. Morgenthau Award: Manhattan Senior Trial Counsel David O'Keefe; Queens Counsel to the District Attorney Lois Raff; Schenectady Chief Assistant District Attorney Philip Mueller; and Onondaga First Chief Assistant District Attorney Rick Trunfio; and Fight Crime Invest in Kids' 2010 Champion for Children Award winner Brooklyn District Attorney Charles J. Hynes.

This edition is dedicated to these seven prosecutors who have devoted their careers to the pursuit of justice and have been leaders in ensuring the fair resolution of cases. They have worked tirelessly to improve New York's criminal justice system through diligent prosecutions, creative initiatives, and a dedication to service. All prosecutors strive to exemplify the honesty, integrity, and extraordinary ethical standards embodied by these honorees.

**Retired Sullivan County District Attorney
Stephen F. Lungen, Frank S. Hogan Award**

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Recently retired Sullivan County District Attorney Stephen Lungen received the Frank S. Hogan Award for his 28 years of dedicated public service as DA. Lungen is a decorated Vietnam War veteran who was an officer with a helicopter assault unit. Lungen applied lessons from his experience in Vietnam to his position as DA. "As a combat commander, you're the first one in and the last one out, you always take care of the people in your command, you never ask anyone to do anything you wouldn't do yourself, and you lead by example," said Lungen.

Upon graduating from Brooklyn Law School, Lungen became an Assistant District Attorney in Sullivan County. He briefly worked at a private firm, during which time he was a Special District Attorney in Sullivan County for two murder cases and the subsequent appeals. In 1982 he became Sullivan County District Attorney, a post he held with integrity and dedication until his retirement in 2009. Lungen was a dedicated member of DAASNY, serving as Vice President as well as on the Board of Directors.

During his 28 years as DA, Lungen brought numerous reforms to Sullivan County; he created a Stop DWI program, formed a family violence response team, and initiated rehabilitation rather than incarceration for alcohol and drug abuse cases. Lungen personified the honest, compassionate, and ethical prosecutor. He inspired his colleagues and created public confidence in the fair administration of justice.

Retired Yates County District Attorney Susan Lindenmuth, Lifetime Service Award



Retired Yates County District Attorney Susan Lindenmuth received the Lifetime Service Award for her years of dedicated service to DAASNY, to New York State, and to the citizens of Yates County. Lindenmuth began her legal career in private practice in Penn Yan, NY, where she spent much of her time as a law guardian. She then became the Assistant Yates County Attorney for Juvenile Delinquency and People in Need of Supervision (PINS) proceedings.

In 1994, she became the First Assistant District Attorney in Yates County, and then was elected District Attorney in 1996. Lindenmuth is a founding member of the Yates County Sexual Abuse Task Group, the Yates PINS Diversion Committee, and the DA's Victim Impact Panel Committee. She has served as a member of numerous boards and committees, including the Domestic Violence Task Group and the Stop DWI Committee. Lindenmuth has lectured on the topic of prosecution of sexual assault and domestic violence cases. She plans to continue to work on domestic violence issues in her retirement.

Robert M. Morgenthau Award Honorees

The Robert M. Morgenthau Award was created in honor of Manhattan's legendary District Attorney Robert Morgenthau, who retired in 2009 after 35 years as New York County's chief law enforcement officer. Each year the award will be presented to four assistant district attorneys, one from each of

Dutchess County

Frank A. Sedita

Erie County

Kristy Sprague

Essex County

Louise K. Sira

Fulton County

Lawrence Friedman

Genesee County

Terry J. Wilhelm

Greene County

James T. Curry

Hamilton County

John H. Crandall

Herkimer County

Cindy F. Intschert

Jefferson County

Charles J. Hynes

Kings County

Leanne K. Moser

Lewis County

Thomas E. Moran

Livingston County

William Gabor

Madison County

James E. Conboy

Montgomery County

Cyrus Vance, Jr.

New York County

Michael J. Violante

Niagara County

Scott D. McNamara

Oneida County

William J. Fitzpatrick

Onondaga County

R. Michael Tantillo

Ontario County

Francis D. Phillips, II

Orange County

Joseph V. Cardone

Orleans County

Donald H. Dodd

Oswego County

John M. Muehl

Otsego County

Adam B. Levy

Putnam County

four designated regions of the state, each of whom exemplify Mr. Morgenthau's high standard of honesty, integrity, and commitment to justice. This was the inaugural award ceremony.



David O'Keefe, Senior Trial Counsel, New York County District Attorney's Office

David O'Keefe, Senior Trial Counsel at the Manhattan District Attorney's Office, has been a prosecutor for 14 years. He is a leader and an innovator in strategies designed to prevent crime. ADA O'Keefe understands that fairness does not happen simply because the American legal system is an adversarial system or because an individual prosecutor is a good person. A fair system requires a just result in every case - one that emphasizes safety to the community balanced with the possibility for a defendant's rehabilitation. And a fair and just result requires all prosecutors to put effort into learning about the individuals they prosecute and understanding the defendant's role, if any, in the violence affecting our communities.



Lois Raff, Counsel to the District Attorney, Queens County District Attorney's Office

Lois Raff, Counsel to the District Attorney at the Queens County District Attorney's Office, has been a prosecutor for 31 years; she has been DAASNY's Legislative Secretary for 18 years. ADA Raff has fought tirelessly to successfully pass groundbreaking legislation such as the Sexual Assault Reform Act, Course of Sexual Conduct Against a Child, and DNA expansion. In fact, on behalf of DAASNY she has worked on virtually every piece of criminal justice legislation that has passed in the last two decades. ADA Raff's commitment and contributions to DAASNY, as well as the criminal justice system of the State of New York, cannot be measured. She has - and continues to - selflessly fight for the pursuit of justice through reaching out to victims and the community, diligently monitoring legislation, and leading the charge to make New York State a safer place to live.



Philip Mueller, Chief Assistant District Attorney, Schenectady County District Attorney's Office

Philip Mueller, Chief Assistant District Attorney at the Schenectady County District Attorney's Office, has been a prosecutor for 20 years. He was editor-in-chief of the Cornell Law Review, clerked for a US District Court Judge in Oregon, and worked for a large Boston law firm before joining the Schenectady DA's Office. ADA Mueller is both an expert trial attorney and an appellate advocate who has served as a Legislative Secretary of DAASNY since 2000. As a recognized leader in prosecutorial ethics, he

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Rensselaer County

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Rockland County

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St. Lawrence County

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Robert M. Carney
Schenectady County

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Schoharie County

Joseph G. Fazzary
Schuyler County

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Prosecutor

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Thomas J. Spota
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Washington County

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Wayne County

Gerald L. Stout
Wyoming County

Jason L. Cook
Yates County

recently became the chair of DAASNY's Ethics Subcommittee. ADA Mueller has authored numerous opinions that have been adopted by DAASNY. He has shared his expertise through frequent lectures for the New York Prosecutors Training Institute on topics such as uncharged misconduct evidence and hearsay after Crawford.



Rick Trunfio, First Chief Assistant District Attorney, Onondaga County District Attorney's Office

(Dominic) Rick Trunfio, First Chief Assistant District Attorney at the Onondaga County District Attorney's Office has been a prosecutor for 19 years. ADA Trunfio joined the Onondaga DA's Office after a career in the US Navy. He has been a leader in the creation of Onondaga's Forensic Science Center, evidence collection practices, and Cold Case Task Force. A nationally recognized expert, ADA Trunfio has lectured across America on the topic of child physical and sexual abuse. He has provided extensive assistance to prosecutors statewide through teaching at NYPTI and actively participating in DAASNY, working to help all prosecutors maintain high standards.

Fight Crime Invest in Kids' 2010 Champion for Children, Brooklyn District Attorney Charles J. Hynes



Brooklyn District Attorney Charles J. Hynes was presented the 2010 Champion for Children Award from Fight Crime Invest in Kids by Saratoga County District Attorney James A. Murphy, III. DA Hynes has led a number of initiatives and programs to protect children and attempt to keep them out of the criminal justice system. Through alternatives to incarceration, re-entry initiatives, and rehabilitation programs, DA Hynes hopes to reduce recidivism and better protect the public.

As DA Hynes said, his Youth and Congregations in Partnership program (YCP), "gives [youth] the helping hand they need to get back on the right path." DA Hynes began YCP in 1997; it promotes rehabilitation and the reduction of recidivism among court-involved, at-risk youth, who get a second chance with the help of volunteer mentors and comprehensive services such as conflict resolution and career training. He has called for legislation to support funding for programs that decrease the risk of child abuse and neglect, and after school and pre-K tutoring and mentoring programs. Fight Crime Invest in Kids is an anti-crime organization that consists of more than 5,000 police chiefs, sheriffs, prosecutors, attorneys general, law enforcement leaders, and violence survivors who are

committed to putting dangerous criminals behind bars.

Reserve the Date! Summer Conference 2010

Check out the new and improved DAASNY web site at:

www.daasny.org



July 7-11, 2010

The Sagamore Resort
Bolton Landing, NY