

2000 ANNUAL REPORT OF THE DISTRICT ATTORNEY

The District Attorney of Allegany County, pursuant to law, respectfully submits the following report of his activities and his office during his term of office from January 1, 2000, to December 31, 2000, to the Allegany County Board of Legislators.

From January 1, 2000, through December 31, 2000, the following Superior Court Informations were filed:

(*each disposition listed was part of the sentence)

DEFENDANT	CHARGE	PLEAD TO	DISPOSITION
1) Harry Cash	DWI & AUO 1	AUO 1	90 dy jail 5 yr probation 6 mo EHM, VIP \$500 fine
2) Gerrard Blacknell	Cr Po Weap 3	Cr Po Weap 3	2-4 yr prison
3) Chris Jackson	Cr Sale Firearm 3	Att Crim Sale Firearm 3	1 yr jail
4) Kris Kailbourne	Cr Sale MJ 2	Att Crim Sale MJ 2	5 yr probation 100 hr Com Service
5) *YO*	Burg 3 Grand Lar 4	Grand Lar 4	5 yr probation & \$787.50 restitution
6) Nathan Joy	Crim Misch 3 Burg 3	Crim Misch 3	5 yr probation 1 yr EHM \$2476 restitution
7) John Bradfield	Reck Endgr1(3ct) Assault 1 (3ct) Cr Po Weapon 3 Crim Misch 2 Menacing 2	Reck Endgrment 1	50 dys jail 5 yr probation \$6700 restitution
8) Chris Bremner	Burg 2 Conspiracy 4 Intimidate Witness 3	Att Burg 2	1 yr jail
9) William Fish	Grand Lar 4 Burg 3 Intim Witness 3 Unauth Use MV	Grand Lar 4	5 yr jail \$5093 restitution
10) *YO*	Burg 3 Crim Misch 4	As Charged	5 yr probation 100 hrs Com Service \$3000 restitution
11) Javan Smith	Crim Cont 2 Tamper w/Evidence Tamper w/Witness	Crim Cont 2	3 yr probation 200 hrs Com Service VA Counseling
12) Jeremy Young	DWI Felony	As Charged	5 yr probation \$1,000 Fine
13) Albert Fera	Burg 2	Att Burg 2	49 dys jail

		Meancing 2		5 yr probation
		Crim Poss Weapon 4		\$857 restitution
14) Gerrid Clark		Gang Assault 1	Assault 2	5 yr probation \$2625 restitution
15) Steven Simmons		Assault 2	Att Assault 2	6 mo EHM 5 yr probation \$2600 restitution
16) Jesse Skiver		Rape 3 (8ct)	Sodomy 3	4 mo jail
		Sodomy 3	Endgr Wel Child	5 yr probation
		Endgr Wel Child		Sex Registration
		Sex Abuse 3 (8ct)		
17) Aaron Jeffords		Cr Sale Con Sub 5	Cr Sale Con Sub 5	1 1/3-4 yr prison
		Cr Poss Con Sub 5		
18) Chris Jackson		Burg 3 (5ct)	Att Burg 3	5 yr porbation \$80 restitution
19) *YO*		Sex Abuse 1	Sex Abuse 1	5 yr probation
		Endg Wel Child		
20) David VanDyke		Cr Poss Weapon3	Att Cr Poss MJ 2	5 yr probation
		Cr Poss MJ 2		
		Unlaw Grow MJ		
21) John Jackson		Unlaw Imprison 1	Unlaw Imprison 2	3 yr probation
		Assault 3	Assuault 3	6 mo EHM
		Menacing 2		50 hr Com Service
		Cr Poss Weapon 3		
22) *YO*		Assault 2	Att Assault 2	30 dy jail 5 yr probation 200 hr Com Service \$4330 restitution
23) Richard Foster, Jr		Rape 3	Sodomy 3 (2ct)	5 yr probation 6 mo intermit jail Sex Offender
		Sodomy 3 (2ct)		
		Sex Abuse 2		
		Endgr Wel Child		
24) Jason Elmer	Sex Abuse 1 (5ct)	Sex Abuse 1(3ct)		5 yr probation Sex Off Treatment
		Endgr Wel Child		
25) Timothy Numeracki		Cr Sale Con Sub 3	Return to Justice Ct	
		Cr Poss Con Sub 5		
26) Bruce Bowen		DWI Felony	DWI Felony	Con Discharge, 6mo EHM, 200 hr Com Ser \$1,000 fine, alcohol treatment
		AUO 1		
27) Dale Tyler		Cr Poss MJ 2	Att Cr Poss MJ 2	5 yr probation 100 hr Com Service
28) Bret Lounsberry		Gang Assault 1	Assault 2	5 yr probation \$2750 restitution
29) Michael White		Burg 1, Rob 1	Burg 1, Rob 1	7 yrs prison 5 yr post release supervision
		Cr Poss Weap 3		
		Cr Poss Firearm 1		
30) Alfred Hess		Burg 1, Rob 1	As Charged	6 yr prison

			5 yr post release supervision
31) James Sherbert	Burg 1, Rob 1 Cr Poss Weap 3 Cr Poss Firearm 1	Burg 1, Rob 1	18 yr prison 5 yr post release supervision
32) Anthony Busse	Burg 3, Cr Mis 3 Petit Lar	Cr Misch 3	1 ½-3 prison
33) Elvis McCauley	Burg 2	Burg 3	1 yr jail \$2032 restitution
34) Joshua Davis	Assalt 2 (2ct)	Att Assault 2 (2ct)	Pending
35) Richard Budinger	Rape 3	Rape 3	5 yr probation Sex Offender Terms
36) *YO*	Forgery 2 (2ct) Gr Larceny 4	Forgery 2	6 mo EHM 5 yr probation
37) Tim Skrypnik	Cr Pos Cont Sub 3	Cr Poss Cont Sub 5	6 mo jail 5 yr probation drug treatment
38) Chad Mack	Rape 3 Endgr Wel Child	Rape 3	5 yr probation Sex Offender Terms
39) *YO*	Burg 3 (3ct)	Att Burg 3	5 yr probation restitution
40) *YO*	Burg 3 (3ct)	Att Burg 3	5 yr probation restitution
41) Gary Burns	Fail to Register	As Charged	6 mo jail 5 yr probation Sex Offender Terms
42) Terry Burt	Sex Abuse 1 Endgr Wel Child	Sex Abuse 1	5 yr probation Sex Offender Terms
43) Leonard Cartwright	Burg 2	Burg 3	6 mo jail 5 yr probation
44) Joanne Jewell	Cr Pos Cont Sub 3	As Charged	5 yr probation \$945 restitution
45) David Speta	Burg 2	Att Burg 2	12 mo EHM 5 yr probation
46) Scott Speta	Burg 2	Att Burg 2	5 yr probation restitution
47) Ricky Kish	Burg 2	Att Burg 2	6 mo EHM 5 yr probation restitution
48) Curtis Richardson	Burg 3		
49) Darrin Ricketts	DWI Felony	As Charged	5 yr probation \$5,000 fine
50) Eric Roberts	DWI Felony AUO 1	DWI Felony	1 yr EHM 5 yr probation \$1000 fine
51) *YO*	Crim Misch 2 Assault 2 (3ct) Resist Arrest	Crim Misch 2	Pending

	Endgr Wel Child 2 Excape 3, Cr Misch 4		
52) Timothy Metcalf	DWI Felony AUO 1	DWI -D Felony	Pending
53) Kevin Farrow	Assault 2 & 3 DWI - Felony Intim Victim/ Witness 3	DWI- Felony Reck Endgerment Intim Victim/ Witness 3	Pending
54) Michael Lanterman	DWI Felony	DWI Felony	Pending
55) Richard Jakubowski	DWI Felony Crim Misch 3 Reckless Driving	DWI Felony Crim Misch 4	Pending
56) Joseph Jimerson	DWI Felony	DWI Felony	Pending
57) *YO*	Burg 3 (2ct)	As Charged	5 yr probation \$1688 restitution
58) Chris Jackson	Prison Contra 1 Att Assault 2 Crim Misch 4 (2ct)	Prison Contra 1	1-3 yr state prison \$1000 fine
59) Vincent Golish	DWI Felony AUO 1	DWI Felony	Pending
60) *YO*	Cr Po Forge Inst 2 Cr Po Stolen Ppty 5	Att Cr Po Forged Inst 2	Pending
61) Michael Scharmberg	Burg 3 (8ct)	Att Burg 3	Pending
62) James Quant, Jr.	Sex Abuse 1 Endgr Wel Child	Sex Abuse 1	Pending
63) Robert Webster	DWI Felony	DWI Felony	Pending
64) Charles Turner, Jr.	Cr Po Forge Inst2	Pending	
65) Gerald Swift	DWI Felony AUO 1	DWI Felony	5yr Int Sup Probation w/alcohol terms \$1000 fine
66) Mitchel Hinckley	Sex Abuse 1 Gr Larceny 4 Assault 2	Pending	
67) Jeremy Davidson	Reckless Endgr 1	Pending	
68) Micah Smith	DWI Felony	DWI - D Felony	93 dy time served and return to Prison on Parole Violation for 24 mo on 2-6 yr term \$2000 fine

From January 1, 2000, through December 31, 2000, the following Indictments were filed:

1) Tom Dombrowski	Att Rape 1 Sex Aubse 1 Endgr Welf Child	Guilty As Charged by Trial	Pending
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2) *YO*	Assault 2 (2ct) Att Sodomy 1 Att Assault 2 Coercion 2, Petit Lar	Assault 2	1 1/3-4 yr prison
3) Donald Thomas, Jr.	Cr Poss Forged Inst 2 (4ct)	As Charged	2-4 yrs prison
4) Ernest Cowell, Sr.	Wkrs Comp Fraud	Dismissed per plea agreement with Ernest Cowell, Jr.	
5) Ernest Cowell, Jr.	Wkrs Comp Fraud	AttWkrs Comp Fraud	1 yr Con Discharge
6) Eugene McCarthy	Gr Larceny 4	ACD	ACD
7) Levi Thompson	Gr Larceny 4	As Charged	5 yr probation
8) Dennis & Agaile Gaddy	File False Instru 1 (3ct)	As Charged	5 yr probation \$2116 restitution
9) Anita Magee	File False Instru 1 (12ct)	As Charged	5 yr probation \$26,856 restitution
10) James Bonhoff	Assault 2 & 3 Att Cr Po Weap2 Cr Po Weapon 4 Resist Arrest	Assault 2 Att Cr Po Weapon 3 Cr Po Weapon 4	7 yrs prison
11) Wesley Histed	Cr Po Weapon 3	Att Cr Poss Weapon 3	5 yr probation \$1000 fine drug & alco terms
12) Wade Newsome	Incest	As Charged	6 mo jail 5 yr probation
13) Tammy Newsome	Incest	As Charged	5 yr probation
14) Adam Satterlee	Sex Abuse 1(2ct)	Sex Abuse 1	6 mo jail 5 yr probation
15) Francis Burdick, Jr.	Crim Cont 1 Endgr Welf Child	Crim Cont 2	3 yr probation Alco & DV counsel
16) Thomas Gay	Sex Abuse 1 Endgr Wel Child	Att Sex Abuse 1	5 yr probation Sex Offender terms
17) Paul Ensell	Sex Abuse 1 Rape 1 Course of Sex Conduct Endgr Wel Child	Sex Abuse 1	7 yrs prison 3 yr post release sup
18) Randy Brown	Sex Abuse 1 Endgr Wel Child	No Billed	No Billed
19) Lester Baker, Jr.	Sex Abuse 1 Unlaw Impri 2	Sex Abuse 1	60 dys intermit jail 5 yr probation
20) Cheyene Stuck	Sex Abuse 1 Unlaw Impri 2	Sex Abuse 1	60 dys intermit jail 5 yr probation
21) Thomas Bailey	Gang Assault 1 Assault 2 Conspiracy 4	Dismissed	
22) Adam Olmstead	Gang Assault 1 Assault 2	Dismissed	
23) Bradley Morrison	Gang Assault 1	Dismissed	

24) Brian Pilliod	Assault 2 Gang Assault 1 Assault 2	Assault 3	Pending
25) Michael Pilliod	Conspiracy 4 Gang Assault 1 Assault 2	Assault 3	Pending
26) Chris Chamberlain	Conspiracy 4 Gr Larceny 4	Att. Gr. Larceny 4	10 mo jail (time serv) \$1187 restitution Con Discharge 1 yr
27) Scott Volkmar	Cr Po Cont Sub 3 Cr Sale Con Sub 3	Trial Pending	
28) Deborah Jones	File False Inst 1	Att File False Inst 1	3 yr probation \$3240 restitution
29) Charles Tronetti	Crim Cont 1	Pending	
30) Paul Gabriel	Sex Abuse 1	Trial Pending	
31) Amber Tallman	Forgery 2 (4ct)	Cr Poss Forged Inst 3	3 yr probation \$3330 restitution
32) Paul Carpenter	Crim Misch 4 Pro Prison Contra 1	Pro Prison Contra 2	1 yr jail concurrent w/parole violation
33) John Cyran	Assault 2 Intim Victim/ Witness 3	Trial Pending	
34) Irene Cassidy	File False Instru 1 (7 ct)	File False Instru 1	5 yr probation \$3249 restitution
35) Robin Pastore	File False Instru 1 (6 ct)	File False Instru 2	Pending
36) Duane Buchinger	Cr Po Con Sub 3 Cr Sale Con Sub 3	Pending	
37) Robert Murray	Sodomy 3 Endgr Wel Child	Pending	
38) Charles Hojczyk	Cr Poss Weapon 3	Att Cr Poss Weapon 3	Pending
39) Mark Veno	DWI Felony	DWI Misdemeanor	3 yr probation \$1000 fine Alcohol terms & ACT
40) William Otto	Rape 1 & 2 Sex Abuse 1 & 2 (3ct) Endgr Wel Child	Trial Pending	
41) Joseph Dengel	Murder 2	Trial Pending	
42) Agnes Burk	Murder 2	Pending	
43) Douglas Moore	Sex Abuse 1 (3ct)	Pending	
44) Charles Hestdalen	Rape 1, Sodomy 1 Sex Abuse 1 Agg Sex Abuse 3 (Acc) Unlaw Imprisonment	Pending	
45) Mellissa Hestdalen	Rape 1 (Acc) Sodomy 1 Sex Abuse 1	Pending	

	Agg Sex Abuse 3		
	Unlaw Imprisonment		
46) James Beaton	Sodomy 1	Pending	
	Sex Abuse 1		
	Endgr Wel Child (2ct)		
47) Eugene McCarthy	Gr Larceny 4	Pending	
	Auto Stripping		
	Ill Poss VIN		
48) Susan Cobin	Off False Instru 1	Off False Instru 2	Pending
	(4 ct)		
49) Kevin Tyler	Crim Contempt 1	Pending	
	Cr Po Weapon 3		
	Menacing 1		
50) Frank Barnhart	Rape 1 (4ct)	Pending	
	Sodomy 1 (4ct)		
51) Troy Lawton	DWI Felony	Pending	
	AUO 1		
52) Donald Grabowski	Rape 1, Assault 3	Pending	
	Agg Sex Abuse 1		
	Unlaw Imprison 2		
53) Matthew McRae	Burg 3	Pending	
54) Gregory Anthony	Sodomy 1 (3ct)	Pending	
55) Kevin Pastore	Rape 1, Burg 2	No Billed	No Billed
	Crim Cont 1		
56) Patricia Williams	Off False Instru 1	Pending	
	(9 ct)		
57) William Frisbie	Rape 3	Pending	
	Endgr Wel Child		
	Endg Wel Child		
	Unlaw Deal w/child		

The following Superior Court Informations and Indictments were begun in 1999 and finished in 2000.

1) Philip J. Gabriel	Sex Abuse 1	Sex Ab 2, Coercion 1	86 dys jail wkends
	Coercion 1		5 yrs probation
	Endgr Welf Child		Reg Sex Offender
2) Philip J. Comllo	Rape 1	Sex Misconduct	3 yrs probation
			Alcohol Counsel & Sex Offend Treatment
3) Dale Kane	DWI	As Charged	4 mo jail wkends
			5 yrs probation
			\$2,000 fine
4) Michael Deming	DWI, Crim Mis 3	DWAI, Crim Cont 1	120 dys jail wkends
	Crim Cont 2,	Endgr Wel Child	5 yrs probation
	Reck Endgr2		Restitution \$6,429
	Endgr Wel Child		

5) Frank VanSickle	Burg 1	Burg 3	5 yrs probation
6) Charles Hojczyk	DWI	As Charged	5 yrs probation \$1,000 fine
7) Ellsworth Feaster, Jr	Sex Ab 1(2ct)	Sex Abuse 1	3 mo jail 5 yr probation \$1200 restitution
8) Howard Martin	Sex Abuse 1	Attempt Sex Ab 1	9 mo jail
9) Jaymar Griffin	Rape 1 Rape 3 (4ct) Endgr Wel Child	Rape 3 (3cts)	6 mo jail 5 yrs probation
10) Kent Frair	DWI (2cts)	DWI-Felony	6 mo EHM 5 yrs probation \$1500 fine
11) Brian Cavanaugh	Rape 1 (2ct) Sex Abuse 1 Endgr Wel Child	Rape 3	6 mo jail 6 mo EHM 5 yr probation \$300 restitution
12) Elmer Ellis, Jr.	Grand Lar 3 File False Statement	Grand Lar 4	6 mo jail 6 mo EHM 5 yr probation \$5030 restitution
13) Gary McDivitt	Arson 3	Reck Endgrment	3 yrs probation \$787.50 restitution
14) Lynette Brundage & Ken Taggart, Sr.	File False Instru 1	File False Instru 2	3 yr probation \$4113.85 restitution
15) Barney May	CSCS 5, Assault 2 CP Weapon 4	CSCS 5 Assault 3	5 yr probation 100 hr ComService
16) *YO*	CSCS 5, Assault 2 CP Weapon 4	Att. CSCS 5 Assault 3	5 yr probation
17) *YO*	Gang Assault 2	Att. Assault 2	5 yr probation
18) Anthony Morris	Gang Assault 2	Dismissed	
19) Joseph Pierce	Crim Contempt 1	As Charged	1 yr jail
20) Audean Haskins	File False Inst 1	As Charged	3 yr Cond Discharge \$16,371 Judgement
21) Christopher Levee	Crim Sale MJ 2 (3 cts)	Att Crim Sale MJ 2 Endg Wel Child	6 mo EHM 5 yr probation
22) Christopher Pilon	Crim Contempt 1 Assault 3	As Charged	120 dy jail wkends 5 yr probation
23) Michael Howell	DWI & AUO	DWI-Felony	5 yr Probation \$1000 fine
24) Joseph Brueser	Rape 3 Endg Wel Child	Rape 3	5 yr probation Sex Offend Treat.
25) Anthony Logue	Crim Sale MJ 2	Att Crim Sale 2	5 yr probation \$1000 fine
25) Daniel Summers	Arson 3	Att Arson 3 Cruelty to Animals	6 mo jail, 6 mo EHM 5 yr probation \$1000 Restitution
26) Mary Coletta	Forgery 2 (7cts)	Forgery 2	5 yr probation

27) Anthony Kidd	DWI	As Charged	\$5000 fine 5 yr probation \$1000 fine & License revoked
28) Wayne Irvin	Cr Pos Forg Inst 2 Grand Lar 4	Att CP Forg Inst 2 Grand Lar 4	1 1/3-4 yr prison \$1030 restitution
29) Wayne Irvin	Crim Misch 3	Crim Misch 3	1 1/3-4 yr prison Concurrent w/#28
30) William Dobish	DWI	DWI-Misdemeanor	\$500 fine
31) Nina Nixon	Assault 2 Cr Po Weapon 4 Unlaw Deal w/Child	Assault 3	1 yr Cond Discharge
32) Dean Ott	Assault 2 Unlaw Deal w/Child Endgr Wel Child	Dis Con (2cts)	\$500 fine
33) David Pryor	Manslaughter 2 Cr Pos Weapon 3	Manslaughter 2	3 mo jail 5 yr probation
34) Paula Brizzee	File False Inst 1 (4 cts)	As Charged	5 yr probation
35) Thomas Barnes	Burg 2 Sex Abuse 2 Endgr Wel Child	Att Brug 2 Sex Abuse 2	6 mo jail 5 yr probation Sex Offender Treat.
36) James Hoffman	Grand Lar 4	As Charged	6 mo jail 5 yr probation \$127 restitution

The calendar year 2000 saw the positive aspects of past years maintained, with the addition of key new services and additional resources as well. Terrence M. Parker continued to serve as District Attorney, completing his third full year. Norleen Enders and Ronnelle Peavey of Belfast, NY, served as the Confidential Secretaries to the District Attorney for the year. Thomas P. Brown of Cuba, Keith A. Slep of Wellsville, Kathleen McDonald of Andover and John Cappellini of Cuba all continued their service as Assistant District Attorneys.

The new services added to this office were in the areas of Investigative Services and Crime Victim and Witness Services. The Board of legislators allowed me to hire retired Sr. Investigator Dennis Vespucci of Clarksville, formerly of the Division of State Police, as a Part-Time Investigator in this office. His contributions have been invaluable, both in direct investigations undertaken by this office, and in coordinating our efforts in the investigations of outside police agencies. Paul Wright of Wellsville was also added to our staff, as an unpaid K-9 Investigator, in order to allow his services greater use throughout the County.

Victim Services is an area which has been prioritized throughout the State, and which heretofore was provided by outside agencies. Through a Grant from the New York State Crime Victim's Program, we were able to add our own, in house, Victim Services Coordinator at no cost to the County. Mrs. Shannon Ozzella accepted this position beginning October 1st, bringing with her many years of direct service experience in Allegany County. She has, in the past 3 months, made a very positive impact on the treatment of victims and witnesses who become

entangled in the criminal justice system.

Additional resources from outside sources were also obtained for the County by our office. Early in the calendar year 2000, DA Parker, in a coordinated effort with District Attorneys from 26 other Counties, successfully obtained Aid to Prosecution funding for Allegany County. This award of \$50,000.00 is for additional criminal prosecution services, and efforts continued in the year 2000 to ensure that this funding stream continues in future years. All together, this award brings the total of outside funding for our office to nearly \$168,000.00 for the year, or 68% of the total budget.

During the 2000 calendar year, 2,217 new files were opened in our office to be added to those carried over from 1999. Each of these files required the attention of one or more prosecutors, as well as support staff. In many cases there are various or multiple crimes charged against one individual. For statistical purposes we have counted only the highest crime charged in each incident. The only Felonies itemized above are those reaching the Indictment or Superior Court Information stage.

Of the 2,127 new files opened, 1,018 were misdemeanors, 361 were investigations or miscellaneous or initially regarded as a felony level arrest, 652 were violations and 96 were violations of probation. Of the new files, 1st Assistant DA Thomas P. Brown of Cuba, NY was assigned 549, 2nd Assistant DA Keith A. Slep of Wellsville, NY, was assigned 286, 3rd Assistant DA Kathleen McDonald of Wellsville, NY, was assigned 470, and 4th Assistant DA John A. Cappellini of Cuba, NY, was assigned 441. Terrence M. Parker, as District Attorney, assumed direct responsibility for 348 new files, including the pending homicide cases, as well as exercising supervisory authority over all other files. A Special Prosecutor was needed and appointed to handle only 32 files in 2000.

In planning for 2001 are the seeking of even more outside funding for service enhancements. Grant applications and State funding sources are being actively pursued, and hopefully will provide additional funding for services in future years.

Respectfully submitted,

Terrence M. Parker, Esq.
District Attorney