UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

   Denise Ellen O'Donnell
   Denise Ellen Beiter (Maiden name)

2. **Position**: State the position for which you have been nominated.

   Director, Bureau of Justice Assistance

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

   Buffalo, New York 14202

4. **Birthplace**: State date and place of birth.

   1947 Buffalo, New York

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

   State University of New York at Buffalo Law School
   September 1978 - May, 1982
   Juris Doctorate, *Summa Cum Laude* awarded in May 1982

   State University of New York at Buffalo, School of Social Work
   September 1971 - May 1973
   Master of Social Work awarded in May 1973

   Canisius College, Buffalo, NY
   September 1965 – June 1968
   Bachelor of Science awarded in June 1968

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

Since leaving my position with the State of New York at the end of February 2010, I have been working on a number of pro bono projects in New York State, which are included below. I am not receiving compensation for these projects, and have not been otherwise employed, during this period.

Member, New York State Justice Task Force. The New York State Court of Appeals established the Justice Task Force in 2009 to identify the causes of wrongful convictions, and to recommend policies and practices that will prevent wrongful convictions in New York.
Chief Judge Jonathan Lipmann
Justice Task Force
Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, New York 10017
2009 - Present

Member, Conviction Integrity Advisory Panel, New York County District Attorney's Office. New York County District Attorney Cyrus Vance Jr. formed the Panel in 2010 to establish high ethical standards for prosecutors and to proactively address potential causes of wrongful convictions.
District Attorney Cyrus A. Vance, Jr.
New York County District Attorney's Office
One Hogan Place
New York, New York 10013
2010 - Present

Member, Sex Crimes Working Group. New York City Police Department (NYPD). I am the only civilian member of the Working Group which includes four high-ranking NYPD officials appointed by Police Commissioner Raymond Kelly to study the handling of sex crimes by the Department and to make recommendations for improvements to the Police Commissioner.
Police Commissioner Raymond Kelly
New York City Police Department
One Police Plaza
New York, New York 10038
2010 – Present

Instructor, New York State Bar Association Continuing Legal Education Seminar, "Rethinking Litigating Forensic Evidence in New York" held in New York City in November 2010.
Richard Rifkin
Legal Counsel, New York State Bar Association
One Elk Street, Albany, New York 12207

Member, Council on Criminal Justice, New York City Bar Association. I served on the Annual Criminal Justice Retreat Planning Committee and as Moderator of a Panel Discussion on Crime Prevention in April 2010.
Harlan Levy, Chair
Council on Criminal Justice
Boies, Schiller & Flexner LLP
575 Lexington Ave.
New York, New York 1002

Deputy Secretary for Public Safety for New York State
Governor David A. Paterson
Executive Chamber
The Capital
Albany, NY 12224
January 2009 - February 2010

Commissioner, New York State Division of Criminal Justice Services
4 Tower Place
Albany, NY 12203
February 2007 - February 2010

During the time I served as Deputy Secretary for Public Safety and Commissioner of the Division of Criminal Justice Services, I served on the following New York Sate Commissions and Boards:

Chair, NYS Commission on Sentencing Reform
2007-2009

Chair, NYS Forensic Science Commission
2007-2010

Chair, NYS Motor Vehicle Theft and Insurance Fraud Board
2007-2010

Chair, NYS Re-Entry Task Force
2007-2010

Chair, Service Provider Advisory Council (SPAC)
2009-2010

Co-Chair, NYS Human Trafficking Task Force
2007-2010

Co-Chair, NYS/NYC Criminal Justice-Mental Health Working Group
2008-2010

Chair, Violence Against Women Advisory Group
2007-2010

Homeland Security Advisor, New York State, U.S. Department of Homeland Security
2009-2010

State Administrator, New York State, Office of Justice Programs
2007-2010

Member, NYS Domestic Violence Advisory Council
2007-2010

Member, NYS Homeland Security Executive Council
2007-2010

Member, NYS Preparedness Steering Committee
2007-2010

Member, NY NJ Joint Terrorism Task Force
Executive Committee
2009-2010

Partner, Litigation Practice Group
Hodgson Russ LLP
The Guaranty Building
140 Pearl Street
Buffalo, NY 14202
June 2001 – January 2007

United States Attorney, Western District of New York 1997–2001
First Assistant United States Attorney 1993 –1997
Assistant United States Attorney 1985-1993
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202

Part time Instructor, Trial Advocacy Program
State University of New York at Buffalo, School of Law
John Lord O'Brian Hall, Amherst, NY 14260
1988 - 1997

Law Clerk to Honorable M. Dolores Denman (Deceased)
New York State Appellate Division, Fourth Department
50 Delaware Avenue
Buffalo, New York 14203
1982 - 1985

Part Time Legal Assistant to Plaintiffs, NAACP, and Citizens Council on Human Relations in the Buffalo School Desegregation Case
Moot & Sprague Law Firm (Since Dissolved)
298 Main Street
Buffalo, New York 14202
1978-1980

Part Time Student Teacher, Research & Writing
State University of New York at Buffalo Law School
John Lord O'Brian Hall
Amherst, NY 14260
1979-1980

Social Worker
West Side Counseling Center (since closed)
24 Grant Street
Buffalo, New York 14222
1977-1978

Part Time Social Worker
Child & Family Services
330 Delaware Avenue,
Buffalo, New York 14202
1976-1977

Social Worker
Catholic Charities of Buffalo
525 Washington Street
Buffalo, New York
1971; 1973-1974

Caseworker
New York City Department of Social Services
100 Lawrence Street
Brooklyn, New York
1968-1970

Caseworker
Erie County Department of Social Services
210 Pearl Street
Buffalo, New York 14203
6/68-9/68

<u>Other Not-For-Profit Uncompensated Positions</u>

Director, University at Buffalo Foundation
P.O. Box 900
Amherst, New York 14226
6/2007-6/2010

Director, National Association of Former US Attorneys
5300 Memorial, Suite 1000
Houston, Texas 77007
2003-2009

President and Director, SUNY Buffalo Law School Alumni Association
John Lord O'Brian Hall
Amherst, NY 14260
1995-2005

Director, National Women's Hall of Fame
76 Falls Street
Seneca Falls, New York 13148
2002-2007

Treasurer and Director, Bar Association of Erie County
438 Main Street,
Buffalo, New York 14202
1992-1994

Director, Women's Bar Association of State of New York, Western NY Chapter
P.O. Box 1012, Buffalo, New York .14201-1012
1991-1992

Director, Buffalo Seminary
205 Bidwell Parkway
Buffalo, New York 14222
1993-1995

Director, National Conference for Community and Justice (Current name: National Federation for Just Communities)
360 Delaware Avenue, Suite 106.
Buffalo, New York 14202
1997-2000

7. **<u>Military Service and Draft Status</u>**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I was not required to register for selective service and have not served in the U.S. Military.

8. **Honors and Awards**: List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Honorary Degree

Honorary Doctor of Humane Letters Degree Awarded by
The College of Saint Rose, Albany, New York 2007

Academic Awards

John N. Bennett Award For Excellence
State University of New York at Buffalo Law School, May 1982
Awarded to the member of the graduating class who exemplifies the highest standards of the profession by virtue of scholastic achievement, leadership and dedication to the ideals of the law.

Henry Box Award
State University of New York at Buffalo Law School, 1980
Awarded to second year law student for outstanding academic Achievement.

Robert J Connelly Award For Excellence in Trial Technique
State University of New York at Buffalo Law School, December 1981
Awarded by Western New York Trial Lawyers Association for excellence in trial practice.

Honors Convocation Awards
State University of New York at Buffalo Law School,
Award for highest grade in Criminal Procedure, 1981
Award for highest grade in Contracts, 1979

Honor Society Membership

Buffalo Law Review 1979-1981

Professional Honors and Awards

2009 Award for Excellence in Public Service
Awarded by the New York State Bar Association
New York, New York, January 2009

Lifetime Achievement Award
Awarded by National Center for Women and Policing
Saratoga Springs, New York, September 2009

Innovation in Law Enforcement Award
Awarded by New York State Comptroller
Syracuse, New York, August 2009

Woman of Achievement Award
Awarded by the Eleanor Roosevelt Legacy Committee
Albany, New York, February 2009

Women of Influence Award
Awarded by Business First
Buffalo, New York, September 2009

Distinguished Alumni Award
Awarded by Canisius College
Buffalo, New York, November 2008

Outstanding Service Award
Awarded by New York State District Attorney's Association
Saratoga Springs, New York, August 2008

Alumnus of the Year Award
Awarded by State University of New York at Buffalo Law School
Buffalo, New York, April 2008

2006 President's Award
Awarded by The Women's Bar Association of the State of New York,
Western New York Chapter
Buffalo, New York, September 2006

Distinguished Alumni Award
Awarded by the Buffalo Law Review
Buffalo, New York, April 2006

Ruth G. Shapiro Award
Awarded by the New York State Bar Association
New York, New York, January 2005

Inducted into the Western New York Women's Hall of Fame
Buffalo, New York, March 2003

Women in the Courts Award
Awarded by the Eighth Judicial District
Buffalo, New York, February 2000

Liberty Bell Award
Awarded by the Bar Association of Erie County
Buffalo, New York, April 1999

22nd Law Enforcement Community Award
Awarded by the Rochester Safety Council for Project Exile Program
Rochester, New York June 1999

Director's Award
Awarded by Executive Office for U.S. Attorneys
Washington, D.C., September 1997

Special Achievement Award
Awarded by Executive Office for U.S. Attorneys for outstanding contributions as a team leader in the Evaluation and Review Program.
Washington D.C., May, 1996

Criminal Justice Award
Awarded by the Bar Association of Erie County
Buffalo, New York, April 1995

9. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Memberships in Bar Associations:

New York City Bar Association,
Member, Criminal Justice Council
2009-Present

New York State Bar Association
Member, Criminal Justice Section
2000- Present

Women's Bar Association of State of New York,
Member 1985-Present; Director,
Western New York Chapter 1991-1992

Bar Association of Erie County
Member 1984-2009
Treasurer and Director 1992-1994

Greater Rochester Association of Women Attorneys
1997-2001

Western New York Trial Lawyers Association
1996-2001

Memberships in Legal or Judicial-Related Committees

New York State Justice Task Force
New York Court of Appeals
2009 - Present

Conviction Integrity Advisory Panel
New York County District Attorney's Office
2010 - Present

Sex Crimes Working Group
New York City Police Department
2010 – Present

Second Circuit Committee on Racial Ethnic and Gender Fairness in the Courts
1996-1997

Volunteer Lawyers Project
Buffalo, New York
1997-2001

Citizens Crime Commission
New York, New York
2010-Present

New York State Commission on Sentencing Reform
Chair, 2007-2009

New York State Forensic Science Commission
Chair, 2007-2010

New York State Motor Vehicle Theft and Insurance Fraud Board
Chair, 2007-2010

New York State Re-Entry Task Force
Chair, 2007-2010

New York State Service Provider Advisory Council (SPAC)
Chair, 2009-2010

New York State Human Trafficking Task Force
Co-Chair, 2007-2010

New York State/New York City Criminal Justice-Mental Health Working Group
Co-Chair, 2008-2010

New York State Violence Against Women Advisory Group
Chair, 2007-2010

Homeland Security Advisor, New York State, U. S. Department of Homeland Security
2009-2010

State Administrator, New York State, Office of Justice Programs
2007-2010

New York State Domestic Violence Advisory Council
2007-2010

New York State Homeland Security Executive Council
2007-2010

New York State Preparedness Steering Committee
2007-2010

New York/ New Jersey Joint Terrorism Task Force
Executive Committee, 2009-2010

Buffalo Weed & Seed Program
Chair, Executive Committee 1997-2001

Project Exile Advisory Board,
Rochester New York
1997-2001

Mayor's Council on Criminal Justice
Rochester, New York
1998-2001

Membership on Judicial Selection Panels

Rochester Magistrate Judge Selection Committee
U.S. District Court, Western District of New York, 1998

Buffalo Magistrate Judge Reappointment Committee
U.S. District Court, Western District of New York 1998

Judicial Selection Committee, Senator Charles Schumer
2002-2005

10. **Bar and Court Admission**:

a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

I was admitted to the bar of the State of New York in 1983.

I have had no lapses in membership since admission.

b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

I am admitted to practice in the following Courts:

State of New York, Fourth Judicial Department
February 15,1983- Present

United States District Court, Western District Of New York
November 12,1985- Present

United States Court of Appeals for the Second Circuit
June 4, 1986- Present

United States District Court, Eastern District of New York
September 7, 2001- Present

United States District Court, Southern District of New York
September 7, 2001- Present

United States District Court, Northern District of New York
August 24, 2001-Present

Supreme Court of the United States
September 6, 2002-Present

There have been no lapses in my membership to any of these courts.

11. **Memberships**:

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

In addition to those listed in response to Questions 9 and 10, I have been a member of the following organizations and groups since graduation from law school:

University at Buffalo Foundation
Director, 2007-2010

National Association of Former US Attorneys
Member 2001- Present; Director, 2003-2009

SUNY Buffalo Law School Alumni Association
Member 1995-Present; President and Director, 1995-2005

National Women's Hall of Fame
Member, 1985-Present; Director 2005-2007

Buffalo Seminary Board of Directors
Director, 1993-1995

National Conference for Community and Justice (Current name: National Federation for Just Communities)
Director, 1997-2001

Housing Opportunities Made Equal
Buffalo, New York (Membership Organization)
1990 (estimated)-Present

WBFO Public Radio (Membership Organization)
2000 (estimated)-Present

WNED Public Television (Membership Organization)
1983-1999 (estimated)

West Side Rowing Club
Buffalo, New York
1996-2001

Erie Community College
Criminal Justice Program Advisory Board,
1998-2001

New York State District Attorney's Association
1997-2010

New York State Association of Chiefs of Police
1997-2010

New York State Sheriffs Association
1997-2010

NAACP (Membership Organization)
1995-Present

National Organization for Women (Membership Organization)
2006-Present

Western New York Women's Group (Informal Social Networking Group)
1998-Present

Buffalo Canoe Club (Family membership)
2000-Present

Martin House Restoration Corporation (Membership Organization)
2007-Present

Eleanor Roosevelt Legacy Committee (Membership Organization)
2005-2009

Irish Cultural Society
Buffalo, New York
1989- 1998

b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

I do not believe any of the above organizations discriminate on the basis of race, sex, religion, or national origin.

12. **Published Writings and Public Statements**:

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have done my best to identify all books articles, reports, letters to the editor, editorials and other published material, including conducting a through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other items, I have been unable to identify, find or remember. I have located the publications listed below which are attached as Appendix 12a.

PUBLICATIONS/ARTICLES

"All Crimes DNA"
DCJS Website
June 2007

"DNA Expansion: Response to NYCLU"
The Times Union
June 2007

"DNA Expansion"
Buffalo News
June 2007

"The Division Of Criminal Justice Services"
The Docket
July 2007

"Re-Entry"
Rochester Democrat & Chronicle
July 2007

"New York's New Human Trafficking Law"
New York Law Journal
November 2007

"DNA Expansion"
Post Standard
January 2008

"Re-Entry"
No Known Publication
February 2008

"Anniversary Of Death Of Edward Byrne"
US State News
February 2008

"Operation Impact"
Rochester Democrat & Chronicle
December 2008

"Economic Recovery, Crime Prevention Go Hand In Hand"
Buffalo News
December 2008

"Drug Law Reform"
El Dario
January 2009

"Priorities of DCJS"
New York Prosecutors Training Institute Newsletter
April 2009

"Sentencing Loophole"
New York Law Journal
November 2009

"Combatting Domestic Violence In New York"
No known publication
January 2010

"Partial Match DNA"
Newsday
February 2010

"Ex-Commish: I Quit Over Lost Trust"
New York Post
March 2010

"Assault Weapons Ban"
Buffalo News
September 2004

LETTERS TO THE EDITOR

"Internet Crimes Against Children"
Utica Observer & Dispatch
March 2007

"DNA Expansion"
Rochester Democrat & Chronicle
April 2007

"DNA Expansion"
Buffalo News
June 2007

"Partial Match DNA"
Syracuse Gazette
June 2009

"Re-Entry"
Albany Times Union
June 2009

"Peace Officers"
Auburn Citizen
August 2009

"Human Trafficking"
No known publication
September 2009

b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify all reports, memoranda, and policy statements, I have prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization, including conducting a through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other items, I have been unable to identify, find or remember. I have located the items listed below which are attached as Appendix 12b.

DCJS Domestic Violence And Sexual Assault Reports 2006-2010

DCJS Drug Law Reform Reports 2006-2010

DCJS Hate Crimes Reports 2006-2010

Final Report: New York State Commission On Sentencing Reform
January 2009

Preliminary Report : New York State Commission On Sentencing Reform
October 2007

New York State/ New York City Mental Health Criminal Justice Panel Report and Recommendations July 2008

Report Of The Interagency Task Force On Human Trafficking August 2008

Three Year Comprehensive State Plan For Juvenile Justice And Delinquency Prevention Formula Grant Program 2009-2011

Annual Report: New York State Law Enforcement Accreditation Program 2009

Byrne Justice Assistance Grant Annual Report: 2007-2008

DCJS Operation Impact Annual Reports 2006-2009

DCJS Annual Performance Reports 2007-2009

Crime In New York State : Annual Reports 2006-2009

Sex Offender Management and Treatment Act: The First Year 2007

Transitional Employment Re-Entry Program February 2010

Report Of Commission On Sentencing Reform February 2009

Preliminary Report Of Commission On Sentencing Reform October 2007

Regulations On Partial Match DNA June 2009

Domestic Homicide Report September 2009

FBI Crime Statistics For 2007 September 2008

Impact Of Proposed Cuts In Byrne Grants (Undated)

Internet Safety November 2007

County Re-Entry Task Forces October 2007

Byrne Stimulus Funding (Undated)

New York Human Traffficking Law November, 2007

Domestic Incident Report Repository November 2009

Drug Market Intervention Program November, 2009

New Regulations For DNA December 2009

Drop in Crime in New York June 2007

Report Of The New York State Hate Crimes Task Force August 15, 2009

c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify all copies of testimony, official statements and other communications relating, in whole or in part, to matters of public policy or legal interpretation, that I have issued or provided or that others presented on my behalf to public bodies or public officials, including conducting a through review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other items, I have been unable to identify, find or remember. I have located the items attached as Appendix 12c.

2010 Budget Testimony-New York State Legislature

2009 Budget Testimony-New York State Legislature

2008 Budget Testimony-New York State Legislature

2007 Budget Testimony- New York State Legislature

Testimony Before The New York State Assembly : Drug Law Reform December 2008

Testimony Before The New York State Senate Regarding Parole Release of Offenders January 2008

Statement Before The Commission On The Advancement Of Federal Law Enforcement (Webster Commission) Undated

Statement Before The Congressional Crime Forum January 1994

Statement Before Governor's Eleventh Annual Law Enforcement Forum October 1994

d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify all transcripts and recordings of all speeches and talks delivered by me, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions, including conducting a through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other items, I have been unable to identify, find or remember. I have located the items attached as Appendix 12d.

Chautauqua County Sheriff's Office Re Accreditation Ceremony
September 28, 2007 Mayville, New York

Chief's Of Police Annual Conference
July 14, 2009 Saratoga Springs, New York

Cirus Live Meeting
September 4, 2008 Albany, New York

COMALERT Talking Points
Brooklyn, New York Undated

Commissioner's Remarks, Police Officer Of The Year
October 9, 2007 Albany, New York

Comptroller's Breakfast-New York State Fair
August 28,2009 Syracuse, New York

Crime, Justice And The Economic Crisis
December, 2009, New York, New York

Crime Against Revenue Program
Undated Albany, New York

Drug Market Intervention Program
December, 2009 New York, New York

DNA Training Conference- Opening Remarks
June 18, 2008 Albany, New York

DNA Collection Press Conference
December 10, 2009 Albany, New York

Drug Law Reform
October 7, 2009 Brooklyn, New York

Drunk Driving Bill Talking Points
August 25, 2009 Albany, New York

Domestic Violence Advisory Council
Albany, New York February 3,2010

Emergency Management Conference
Long Island, New York May 26, 2009

Hire Re-Entry Conference
New York, New York November 21, 2007

Homeland Security Priorities
Long Island, New York May 22, 2009

Human Trafficking Task Force
Albany, New York September 5, 2007

Human Trafficking Task Force
Albany, New York September 17, 2007

Human Trafficking Task Force
Albany, New York October 15, 2007

Human Trafficking Task Force-Service Provider Meeting
Albany, New York December 10, 2007

Human Trafficking Task Force
Albany, New York December 3, 2007

Human Trafficking Task Force
Albany, New York   May 26, 2009

Impact Conference
Albany, New York   January 2009

Justice Task Force –Oversight Of Forensic Labs
New York, New York   December 3, 2009

LGBT Pride Month Celebration
Albany, New York   June 27,2008

Law Enforcement/Mental Health Crisis Response Summit
Albany, New York   June 25, 2009

Leandra's Law Press Conference
Albany, New York   December 30 ,2009

National Hire Network Conference-Juvenile Justice
New York, New York   September 9, 2009

New York National Guard Domestic Preparations Conference
Grand Island, New York   September 3, 2009

NYPD Lab Accreditation Ceremony
New York, New York   June 16, 2008

Drug Law Reform: New York State Association Of Counties
Saratoga Springs, New York   September 16, 2009

Role of DCJS: New York State Bar Association Criminal Justice Section
New York, New York   November 30, 2007

New York State Coalition Against Sexual Assault Legislative Awareness Day
Albany, New York   April 18, 2007

Office Of Prevention Of Domestic Violence Conference
Albany, New York   November 19, 2009

Parole Officer Memorial
Albany, New York   July 20 , 2009

Parole Officer Graduation
Albany, New York   August 30, 2007

Police Officer Graduation
Buffalo, New York June 28, 2007

Police Officer Memorial
Albany, New York   May 21, 2008

Project Exile Breakfast
Rochester, New York   September 28, 2007

Re-Entry Press Conference-Fortune Society
New York, New York December 4, 2009

Re-Entry Cure New York Conference
Albany, New York September 18, 2007

Re-Entry Training Conference
Saratoga Springs, New York December 10, 2009

Re-Entry Address-John Jay College Of Criminal Justice
New York, New York   May 1, 2009

Homeland Security And Domestic Preparedness
Bronx, New York   February 9, 2010

College of St. Rose Commencement Speech
Albany, New York   December 15, 2007

UB Law School Alumni Award
Buffalo, New York   March 25, 2008

New York State Citizen Preparedness Conferenc
Albany, New York   November, 2009

Women And Policing Conference
Saratoga Springs, New York   September 21, 2009

Youth Violence Reduction Conference
Albany, New York   February 4, 2008

Sheriffs' Association Annual Conference
Lake Placid, New York   August, 2009

Ruth G. Shapiro Award- New York State Bar Association Remarks
New York, New York   January 20, 2004

Law Day Address   Niagara County Bar Association
Niagara Falls, New York   May 2008

Attorney General Campaign Kick-Off
Buffalo, New York   May 9, 2005

Lawyer's Committee Campaign Breakfast
New York, New York   November 30, 2005

Attorney General's Campaign
New York City Fundraising Event
ecember 8, 2006

Liberty Bell Award, Erie County Bar Association
Buffalo, New York April, 1999

Women's Equality Day Celebration- Federal Building
Buffalo, New York August 24, 2000

Housing Opportunities Made Equal
Buffalo, New York April 5, 2001

Twentieth Century Club Lecture Series
Buffalo, New York June, 1998

Amherst Central High School Commencement Address
Amherst, New York May 18, 1999

UB Law School Commencement Speech
Amherst, New York May 15, 1999

Settlement Of Civil Rico Case Against Laborers' Local 210
Buffalo, New York December 2, 1999

Telemarketing Fraud
Buffalo, New York Undated

Child Exploitation Conference
Buffalo, New York May 19, 1999

Asset Forfeiture Conference
Chautauqua County, New York May 26, 1999

Immigration & Naturalization Ceremony Western District Of New York
Buffalo, New York June 4, 1998

Installation As United States Attorney
Rochester, New York September 30, 1997

Computer Technology Conference
Buffalo, New York May 25, 2000

Genesee County Bar Association
Batavia, New York Undated

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all clips and transcripts of interviews I have given to newspapers, magazines or other publications, or radio or television stations, including conducting a thorough review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other items, I have been unable to identify, find or remember. I have located the items attached as Appendix 12e.

TV Interview YNN Capital News 9 "Violent Video Games "
Troy New York December 20, 2007

TV Interview Parent TV "Halloween Safety"
New York, New York November 8, 2008

TV Interview MSNBC Countdown with Keith Olbermann
"Abortion Violence" New York, New York June, 2009

Radio Interview: Ethics On The Air "Emerging Public Safety Issues in New York " New York, New York June, 26, 2009

Radio Interview: Nevada Public Radio " Abortion Clinic Safety"
Albany, New York June, 2009

Press Interview: Buffalo News " New US Attorney Comes Armed With Expertise" Buffalo, New York September, 1997

Press Interview: Rochester Democrat & Chronicle "City Hails ODonnell For Project Exile" Rochester, New York June, 2001

Press Interview: The Daily Record "O'Donnell Summons Up Experiences For New Role" Rochester, New York April 13, 2007

Press Interview: New York Law Journal: O'Donnell Stresses Experience to Sway Voters" New York, New York February 8, 2006

Press Interview: Buffalo News "Re-entry Program "
Buffalo, New York February 4, 2010

Press Interview: The Post Standard "Syracuse Crime Analysis Center"
Syracuse, New York February 2, 2010

Press Interview: The Targeted News Service " Haitian Earthquake Family Resource Center " New York, New York January 29, 2010

Press Interview: The New York Times "Partial match DNA Policy"
New York, New York January 25, 2010

Press Interview: Buffalo News "Leandra's Law"
Buffalo, New York December 31, 2009

Press Interview: The Times Union and other Media " Rape Kit Training Video"
New York, New York December 30, 2009

Press Interview: Utica Daily News " Partial Match DNA"
Albany, New York December 14, 2009

Press Interview: The Post Standard: Domestic Violence Database"
Saratoga Springs, New York November 18, 2009

Press Interview: The Associated Press "Closing the Parole Loophole"
Albany, New York November 6, 2009

Press Interview: Press & Sun Bulletin "DNA Expansion"
Albany, New York October 12, 2009

Press Interview: The Associated Press "Videotaping of Interrogations"
Albany, New York October 10, 2009

Press Interview: The Ithaca Journal " Domestic Violence Homicides"
Albany, New York October 8, 2009

Press Interview: New York Beacon " Drug Reform"
Brooklyn, New York October 8, 2009

Press Interview: Targeted News Service " Offender Re-entry"
Albany, New York September 17, 2009

Press Interview: The Times Union " Criminal Justice/Mental Health Crisis Intervention Teams" Albany, New York June 26, 2009

Press Interview: The New York Times " Security Funding for Synagogues"
New York, New York June 1, 2009

Press Interview: The Journal News "License Plate Reader Technology"
Albany, New York May 29, 2009

Press Interview: Star Gazette "Juvenile Justice"
Albany, New York May 11, 2009

Press Interview: New York Law Journal and other media " Sentencing Commission Report" New York, New York February 4, 2009

Press Interview: The Daily record " Public Service Award"
New York, New York January 27, 2009

Press Interview: Buffalo News "Buffalo Crime Analysis Center"
Buffalo, New York September 12, 2008

Press Interview: The Times Union " Review of New York's Sentencing Laws"
Albany, New York November 14, 2007

Press Interview: State News Albany "Missing and Exploited Children Clearinghouse" Albany, New York December 2, 2007

Press Interview: The Times Union " Capital Profile"
Albany, New York October 29, 2007

Press Interview: The Times Union " Preliminary Report of Sentencing Commission" Albany, New York November 2, 2007

Press Interview: Rochester Democrat & Chronicle "Project Exile"
Albany, New York September 29, 2007

Press Interview: The Associated Press "Operation Impact"
Albany, New York June 5, 2007

13. **Public Office, Political Activities and Affiliations**:

a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

2009-2010 I was appointed New York State Deputy Secretary for Public Safety by Governor David A. Paterson.

2007-2010 I was appointed New York State Commissioner of the Division of Criminal Justice Services by Governor Eliot Spitzer and confirmed by the New York State Senate.

2005-2006 I was a candidate for New York State Attorney General. I ended my candidacy in June 2006 when another candidate was nominated for the office by the New York State Democratic Party.

1997-2001 I was nominated as United States Attorney for the Western York by President William Clinton and confirmed by the United States Senate.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

O'Donnell For New York Campaign Committee I was a candidate for New York State Attorney General from 2005-2006. I ended the campaign when the New York State Democratic Party nominated another candidate in May 2006. I was mentioned as a candidate for New York State Attorney General and Lt. Governor in 2010 but declined to run.

Lawyers Committee for Kathleen Rice I was a member of the Lawyers Committee for Kathleen Rice, an unsuccessful candidate for New York State Attorney General in 2010. I co-chaired a fundraiser for the candidate in 2010.

Spitzer 2006 Campaign Committee I was the Homeland Security and Criminal Justice Advisor to the Spitzer 2006 Campaign for Governor of New York State. I provided policy advice during the campaign and attended events of behalf of the candidate in 2006.

Transition Committee for Governor Elect Eliot Spitzer I was Co-chair of the Public Safety Committee of the Spitzer Transition Committee in 2006.

Transition Committee for Attorney General-Elect Andrew Cuomo I was co-chair of the Ethics and Reform Committee of the Cuomo Transition Committee in 2006.

Kerry Edwards 2004 Campaign I was a member of Lawyers for Kerry and provided legal services on voter access issues in Florida during the 2004 Presidential election.

Howard Dean 2004 Primary Campaign I was an alternate delegate for Howard Dean for President in 2004. Duties consisted of collecting signatures on nominating petitions, and making telephone calls to primary voters.

George McGovern for President Campaign I was a volunteer for the George McGovern Presidential campaign in 1972 in Buffalo, New York. Duties consisted of organizing volunteers, canvassing, mailings and logistics.

14. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

After graduation from law school, I served as law clerk to the late Honorable M. Dolores Denman of the New York State Appellate Division, Fourth Department from 1982-1985.

ii. whether you practiced alone, and if so, the addresses and dates;

I was never a solo practitioner.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

2010-Present	I am currently not affiliated with any law firm, company or government agency. I am working on *pro bono* projects for the Justice Task Force of the New York State Court of Appeals, the New York City Police Department, and the New York County District Attorney's Office.
2009-2010	**Governor David A. Paterson, State of New York,** Executive Chamber State Capital Albany, NY 12224
2007-2010	**Commissioner, New York State Division of Criminal Justice** Services (DCJS) 4 Tower Place Albany, New York 12203
2001-2007	**Hodgson Russ, LLP** The Guaranty Building. 140 Pearl St. Buffalo, NY 14202
1985-2001	**United States Attorney's Office** **For the Western District of New York** 138 Delaware Ave. Buffalo, New York 14202 United States Attorney 1997-2001, First Assistant United States Attorney 1993-2007 Assistant United States Attorney 1985-1993
1988 – 1997	**Part time Instructor, Trial Advocacy Program** **State University of New York at Buffalo, School of Law** John Lord O'Brian Hall Amherst, New York 14260
1982-1985	**Law Clerk to Honorable M. Dolores Denman** (Deceased) New York State Appellate Division, Fourth Department 50 Delaware Avenue Buffalo, New York 14203

1979-1981	**Part Time Legal Assistant to Plaintiffs, NAACP, and Citizens Council on Human Relations for the Buffalo School Desegregation Case** **Moot & Sprague Law Firm** (now dissolved) 298 Main Street Buffalo, New York 14202
1979 - 1980	**Part Time Student Teacher, Research & Writing** **State University of New York at Buffalo Law School** John Lord O'Brian Hall Amherst, New York 14260
1977-1978	**Social Worker** **West Side Counseling Center** (since closed) 24 Grant Street Buffalo, New York 14222
1976-1977	**Part Time Social Worker –Emergency Services** **Child & Family Services** 330 Delaware Avenue, Buffalo, New York 14202
1973-1974 1971	**Social Worker** **Catholic Charities of Buffalo** 525 Washington Street Buffalo, New York 14202
1968-1970	**Caseworker** **New York City Department of Social Services** 100 Lawrence Street Brooklyn, New York
1968	**Caseworker** **Erie County Department of Social Services** 210 Pearl Street Buffalo, New York 14203

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have never served as a mediator or arbitrator.

b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

I have had a rich and rewarding legal career as a law clerk, federal prosecutor, United States Attorney, partner with a respected law firm, state agency commissioner, and administrator and criminal justice policy advisor to two New York State Governors.

After graduating from law school in 1983, my first legal position was a clerkship for a highly respected Appellate Division Judge, M. Dolores Denman, of the New York State Appellate Division with whom I had the opportunity to work on a variety of civil and criminal cases, hear oral arguments, and develop strong research and writing skills.

Upon completion of the clerkship in 1985, I was hired by the United States Attorney's Office for the Western District of New York, and was fortunate to have had a challenging and rewarding sixteen-year career in that office, rising through the ranks from an Assistant United States Attorney to be nominated by the President, and confirmed by the United States Senate, as the United States Attorney.

As an Assistant United States Attorney from 1985 through 1990, I handled a variety of Federal criminal and civil cases. My criminal practice focused primarily on white-collar crime and public corruption cases. During my first several years in the office, I also handled civil cases including tort, administrative law, federal program fraud, immigration, bankruptcy, and asset forfeiture cases. I was Chief of Appeals from 1990-1993 and was the Professional Responsibility Officer for the office for a number of years. I also served as a Team Leader for the Evaluation and Review Staff (EARS) of the Executive Office for United States Attorneys, which evaluated performance of the U.S. Attorneys Offices. I served as First Assistant United States Attorney from1993 through 1997.

As United States Attorney from 1997 through 2001, I oversaw all civil and criminal litigation in which the United States was a party for the seventeen counties in the Western District of New York. I also served as Vice Chair of the Attorney General's Advisory Committee (AGAC), which advises the Attorney General on policy matters affecting the Department of Justice, and as a member of the Investigations & Intelligence, Northern Border and Civil Rights Subcommittees of the AGAC.

In 2001, I joined the law firm of Hodgson Russ LLP, one of New York State's oldest law firms as a Partner in the Litigation Practice Group. From 2001 through 2007, I concentrated my legal practice on white-collar defense, health care law, civil fraud and false claims act litigation, and corporate ethics and compliance.

I was an unsuccessful candidate for New York State Attorney General in 2005-2006 and, after ending my campaign in June 2006, served as a Criminal Justice and Homeland Security Advisor to the Spitzer 2006 campaign for New York State Governor.

I left private practice in 2007, and joined the administration of New York Governor Eliot Spitzer. From January 2007 through March 2010, I served as Commissioner of the New York State Division of Criminal Justice Services (DCJS). At DCJS, I was responsible for administration of a $64 million operating budget, $86 million in local assistance funding and $67 million in Federal Criminal Justice Stimulus funding. As Commissioner, I oversaw a multi-service criminal justice agency with responsibility for a number of programs including the Office of Legal Counsel and Legislative Affairs, federal and state grant administration, law enforcement training and accreditation, oversight and accreditation of forensic laboratories, the DNA Databank, the Sex Offender Registry, criminal justice technology projects, crime analysis centers, state and local re-entry task forces, juvenile justice programs, fingerprint and criminal history background checks, criminal justice research and statistics, and drug law reform.

In January 2009, I was appointed by Governor David A. Paterson as Deputy Secretary for Public Safety, a position I held along with the position of Commissioner of DCJS until March 2010. As Deputy Secretary to the Governor, I was responsible for a portfolio of twelve public safety agencies with a combined annual budget of $4.7 billion and a workforce of 42,000 employees, comprising 19 percent of the state workforce. My duties also included serving as Homeland Security Advisor for New York State with the Department of Homeland Security.

Since leaving State Government in March 2010, I have been involved in several *pro bono* projects to improve the criminal justice system and prevent wrongful convictions, and have been working on various bar association seminars and public safety projects in New York State.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

During my sixteen-year career in the United States Attorney's Office, I was very privileged to represent the people of the United States in a number of criminal investigations, along with Federal, State, and local law enforcement officers, including in some significant national and international cases. I also worked closely with crime victims and crime victim organizations.

While in private practice, I represented a variety of individual, corporate, government and not-for-profit clients in civil and criminal matters. I also represented several clients in federal false claims act cases.

During my years in State Government, I supervised a Legal Department that handled civil defensive cases against New York State and advised the Governor and the Governor's Counsel on class action litigation involving the State of New York.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

i. Indicate the percentage of your practice in:
  1. federal courts;
  2. state courts of record;
  3. other courts;
  4. administrative agencies

During my 16 years in the United States Attorney's Office, I appeared in federal court on almost a daily basis as an Assistant United States Attorney, and occasionally as First Assistant and United States Attorney. Approximately 95% of my practice was in federal court, and 5% was in state court.

During my five years in private practice, I appeared in both federal and state court occasionally. Approximately 40% of my practice was in federal courts, 40% in state courts and 20 % in arbitrations.

During my years in New York State Government, I did not handle litigation directly but supervised litigation, drafted legislation, researched legal issues and reviewed legal memoranda and briefs. The vast majority of my practice (95%) involved civil and administrative matters before state courts and administrative bodies, and 5% was before federal courts.

ii. Indicate the percentage of your practice in:
  1) civil proceedings;
  2) criminal proceedings.

During my time in the United States Attorney's Office, approximately 80% of my practice was criminal and 20% was civil.

During my time in private practice, approximately 30% of my practice was criminal and 70% was civil.

During my time in New York State Government, approximately 95% of my practice was civil and 5% was criminal.

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

i. What percentage of these trials were:
    1) jury;
    2) non-jury

During my time in the U.S. Attorney's Office, I tried approximately 15 jury cases to verdict as sole counsel or chief counsel and handled hundreds of grand jury proceedings, pre-trial hearings, pleas and civil depositions. I do not recall trying any non-jury cases.

During my time in private practice, I tried two arbitration cases. I also handled a variety of civil motions, depositions, oral arguments and appeals.

I did not directly handle litigation during my time in state government. I did supervise litigation.

e. Describe your practice, if any, before the Supreme Court of the United States Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

   I have not practiced before the Supreme Court of the United States.

15. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

    a. the date of representation;

    b. the name of the court and the name of the judge or judges before whom the case was litigated; and

    c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

U.S. ex rel. Cirrincione v. Larry D. Tingley, et al.;), U.S. ex rel. Cirrincione v. Thomas Hamel, et al. 98-CV-1929 (TJM) (DEP) and 99 CV 2082 (TJM)(DEP)

This was a Federal False Claims Act case against the State of New York, the City of New York and four local school districts. I was counsel for one of the named local school districts, Elmira City School District, and represented the school district in a civil whistleblower lawsuit and investigation by the Civil Division of the United States Department of Justice and the United

States Attorney's Office for the Northern District of New York from 2001 through 2006. The investigation required extensive document production by my client. The investigation focused on alleged improper Medicare billings by the school district for speech therapy and transportation charges for students and resulted in a civil settlement and payment of damages of $540 million by the State of New York and New York City. The case was resolved in a civil settlement in the U.S. District Court in the Northern District of New York. My client, Elmira City School District was not held individually responsible. The case was reported by the Department of Justice to be the largest civil settlement for false claims to the Medicaid Program.

Judge: Honorable Thomas J. McAvoy
U.S. District Court, Northern District of New York

Opposing Counsel: Carol Wallack,
Trial Attorney, US DOJ Civil Division
Commercial Litigation Branch
501 D Street NW
Washington DC 20530
Tel. 202-616-0345

U.S. ex rel Ho v. Korrect Optical, United States District Court, Western District of New York, Docket No: 03-CV-0073-S (F)

This was a False Claims Act case against Korrect Optical of Louisville, Kentucky, an eyeglass manufacturer that provided eyeglasses to veterans and other government entities under federal government contracts. The complaint, filed in 2003, alleged that Korrect Optical had violated Veterans Administration (VA) regulations by routinely submitting claims to the VA seeking reimbursement for false claims through ophthalmic prescriptions for VA eyewear. The complaint alleged the claims were false due to the inclusion of false certifications, unprescribed add-ons, non-rendered services including UV and scratch coating, product substitution and also the involvement of unlicensed dispensers. I was principal counsel for the relators, and conducted the investigation and filed the complaint substantiating extensive false claims by Korrect Optical. The United States intervened in the case, and the case was settled for $3.5 million dollars.

Judge: Honorable William M. Skretny
U.S. District Court
Western District of New York

Counsel for the United States: AUSA Robert Trusiak
U.S. Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14203
Tel. 716-843-5700

Opposing Counsel: Rodney Personius
2100 Main Place Tower
Buffalo, NY 14202
Tel: 716-855-1050

United States v. Stan Barre, Eastern District of Louisiana , Docket No:-05-CR-00186-CJB-SS2

From 2004 through 2006, I was chief counsel for a corporate business partner and witness against Stan Barre, a former police officer and New Orleans businessman, who was indicted in June, 2005 for accepting tens of thousands of dollars in kickbacks from a city contractor in a significant public corruption probe by the United States Attorney's Office in the Eastern District of Louisiana. The defendant pled guilty and was sentenced to five years imprisonment.

Judge: Honorable Carl Barbier
U.S. District Court
Eastern District of Louisiana

Opposing Counsel: First Assistant United States Attorney Jan Mann,
U.S. Attorney's Office
Eastern District of Louisiana
500 Poydras Street
Room 210B,
New Orleans, LA 70130
Tel. 504-680-3000

New York v. Hallmark Nursing Centre, Schenectady County Court, Schenectady, New York, Index No: AG-1101-1

I represented a corporate defendant, Hallmark Nursing Centre in a criminal investigation by the New York State Attorney General's Office. The corporation was criminally charged with patient negligence and abuse. In 2003, the corporation pled guilty and agreed to pay a fine and restitution of $1 million dollars, and to enter into a corporate compliance agreement with the New York State Health Department.

Opposing Counsel: William Comisky (former Chief, Medicaid Fraud
Control Unit,)New York State Attorney General's Office
Current Address: Partner, Hodgson Russ LLP
677 Broadway Street
Albany, New York 12207
Tel. 518-433-2428

<u>US v Giles, et al, 93-CR-238A/93-CR-255A, 93CR-81A</u>
<u>U.S. District Court, Western District of New York</u>

From 1992 through 1994, I was the chief prosecutor in a significant public corruption prosecution of Niagara County public officials for accepting bribes and gratuities from vendors supplying food to the Niagara County Jail. Defendants, including the Niagara County Sherriff, Deputy Sherriff, Chief Jailor and three other defendants who pled guilty and were sentenced to substantial fines and/or periods of incarceration.

Judge: Honorable Richard J. Arcara
U.S. District Court
Western District of New York

Opposing Counsel: Terrence Connors
1020 Liberty Building,
Buffalo, New York 14202
Tel. 716-852-5533

Joel Daniels
107 Delaware Avenue # 1366
Buffalo, New York 14202
Tel: 716- 856-5140

John F Humann
298 Main Street Suite 402,
Buffalo, New York 14202
Tel. 716-551-3341

<u>US v Laborer's Local 210, Civil Docket #: 1:99-CV-00915-RJA, U.S. District Court, Western District of New York</u>

From 1999 through 2000, I was co-counsel with the U.S. Department of Justice Organized Crime Section representing the United States in a civil RICO case against a local union in the Western District of New York. The case was part of a five-year long effort by the Department of Justice to rid the Laborers International Union of North America of the influence of organized crime. The action alleged that the influence of organized crime over the local union for a period of more than twenty years was so pervasive, long-standing, and substantial that the appointment of a court monitor was necessary to restore democracy to the union and put an end to the influence and control of organized crime. The case resulted in a Consent Degree and appointment of a Court Appointed Monitor in January 2000 to oversee the union.

Judge: Honorable Richard J. Arcara
U.S. District Court, Western District of New York
68 Court Street
Buffalo, New York 14202
Tel. 716-551-5626

Monitor: John McDonald
Director of Security
Erie Community College
21 Ellicott St, Buffalo, New York 14203
Tel: 716-634-0800

Opposing Counsel: Honorable John Curran
NYS Supreme Court
92 Franklin Street
Buffalo, New York 14202
Tel: 716-845-9471

United States v. Donald Jacobs, 93-CR-173-S, Court of Appeals Docket No. 961341,U.S. District Court, Western District of New York

Along with co-counsel, I prosecuted the defendant for participation in a nationwide Mexican Bank Draft scheme promulgated by the anti-government Patriot Movement for the purpose of destroying the United States monetary system. Three co-defendants pled guilty prior to trial. Jacobs was found guilty on multiple counts of bank fraud after a six-week jury trail for participation in the fraudulent scheme that resulted in a six million dollar financial loss.

Judge: Honorable William M. Skretny
U.S. District Court, Western District of New York

Opposing Counsel: Kimberly Schechter
298 Main Street
Buffalo, New York 14202
Tel. 716-551-3341

Herbert Greenman
42 Delaware Avenue
Buffalo, New York 14202
Tel. 716-849-1333

United States ex rel Grasty v. LTV/Sierra Research Division, 90-CR-124-E; 90 CV-1063-S, U.S. District Court, Western District of New York

I was sole prosecutor in the criminal prosecution of LTV/Sierra Research Division in a major defense procurement fraud investigation, and served as co-counsel with a trial attorney from the Department of Justice Civil Fraud Section in a related False Claims Act case. LTV/Sierra Research Division admitted, as part of a criminal plea, to obtaining confidential information related to the U.S. Air Force Anti Radiation Missile (ARM) Decoy Program to gain an advantage in bidding on government contracts. The case was resolved in a Global Settlement in 1990 that resulted in payment of $1.5 million to the United States.

Judge: Honorable John T. Elfvin (deceased)
U.S. District Court, Western District of New York

Opposing Counsel: Joseph V. Sedita
Hodgson Russ LLP
The Guaranty Building
140 Pearl Street
Buffalo, NY 14202
Tel: 716.848.1383

Michael Schieninger
1900 K Street
Washington D.C. 20006
Tel. 202-496-7570

United States v. Gleave and Knoll, 90 Cr-33-S, 786 F. Supp 258 (WDNY, 1992) U.S. District Court, Western District of New York; Court of Appeals Docket Nos. 92-1580; 92-1586; 95-1267, 16 F.3d 1313 (2d Cir. 1994).

This was a complex bankruptcy fraud prosecution of an attorney and businessman. Lengthy suppression hearings were held over a two-year period, during which I presented testimony from more than twenty witnesses at pre-trial hearings. Following a three-month jury trial, the defendants were convicted of bankruptcy fraud and making false statements to the bankruptcy court, but acquitted of other charges. On appeal, the case was remanded for further proceedings on Fourth Amendment grounds. Following a post-trial evidentiary hearing, the case was re-argued before the Second Circuit and was affirmed in 1996. I was sole counsel during the suppression hearings, trial, post trial and Second Circuit appeals.

Judge: Honorable William M. Skretny
U.S. District Court, Western District of New York

Opposing Counsel: Terrence M. Connors
1020 Liberty Building
Buffalo, New York 14202
Tel. 716-852-5533

Thomas P. Cleary (deceased)
120 Delaware Avenue
Buffalo, New York 14202
Tel. 716-847-6760

Steven Braga
Miller, Cassidy, Larroca & Lewin
255 M Street, N.W.
Washington D.C. 20037
Tel: 202-293-6400

United States v Steve John Washuta, 93-Cr-109-S, U.S. District Court, Western District of New York

I was the sole prosecutor in this significant RICO public corruption case that resulted in the defendant pleading guilty to operating a sanitary landfill as a criminal enterprise for the payment of bribes to public officials. During the undercover investigation, the defendant was videotaped paying $100,000 in bribes to a public official. After lengthy pre-trail proceedings, including one of the first legal challenges to the expanded use of the RICO statute to prosecute public corruption, the defendant pled guilty and was required to pay the sum of $1.2 million to the United States. Because of his seriously declining physical condition, the defendant was sentenced to home confinement.

Judge: Honorable William M. Skretny
U.S. District Court
Western District of New York

Opposing Counsel: Terrence M. Connors
1020 Liberty Building
Buffalo, New York 14202
Tel. 716-852-5533

16. **Legal Activities**: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

I have had a rich and rewarding legal career to date, and have developed a deep understanding and appreciation for the United States criminal justice system. I believe these experiences have prepared me well to serve as Director of the Bureau of Justice Assistance (BJA), the mission of which is to support law enforcement, courts, corrections, treatment, victim services, technology, and prevention initiatives that strengthen the nation's criminal justice system and provide national leadership in criminal justice policy, training, and technical assistance to further the administration of justice.

During my career as a federal prosecutor, I have had the privilege of working closely with all levels of law enforcement nationally and internationally. Much of the experience I have developed came from handling cases of national importance in the United States Attorney's Office and from leadership and policy positions, which I held in state government. In April 1995, I supervised the Western New York investigation of Timothy McVeigh, along with the FBI Buffalo Office, following the bombing of the Alfred P. Murrah Federal Building in Oklahoma City. McVeigh's family resided in the Western District of New York and critical evidence used in his prosecution was obtained through execution of search warrants in the Western District. I personally prepared search warrants, supporting affidavits, grand jury subpoenas, and coordinated the District's investigation with the Department of Justice, the FBI, the Courts and other U.S. Attorney Offices in the critical hours after the bombing.

I later supervised the investigation, extradition and prosecution of James Kopp, an international fugitive on the FBI's Ten Most Wanted List for the murder of Dr. Barnett Slepian in the Western District of New York. I learned valuable lessons from these cases on the need for information sharing and coordination of law enforcement resources, as well as for close collaboration between prosecutors and law enforcement.

I also worked on developing programs in the United States Attorney's Office to provide services to crime victims, combat domestic violence, fight discrimination and hate crimes, and reduce gun violence. During my time as United States Attorney, my office was one of the offices selected nationwide which participated in the Strategic Approaches To Community Safety (SACSI) Program funded by the Bureau of Justice Assistance to develop research-led community-based programs to reduce violent crime. I also developed the second Project Exile Program in the County to reduce gun violence through tough no-plea policies, close coordination with local prosecutors, development of multi-agency gun task forces, and implementation of the Boston Ceasefire model in Rochester and Buffalo. These efforts resulted in a substantial reduction in violent crime in the District.

I continued these efforts when I became Commissioner of the Division of Criminal Justice Services for New York. I worked to enhance law enforcement training and technology and to promote intelligence-driven policing. I oversaw the expansion of Operation Impact, a multi-faceted law enforcement program in the seventeen counties outside New York City with the highest volume of violent crime and set up four regional high tech crime analysis centers to share critical crime data and expand the analytical capability of law enforcement throughout the state.

New York State is one of eight States nationwide to participate in the National Institute of Corrections Transition from Prison to the Community Initiative (TPCI). As Chair of the New York State Re-entry Task Force, I coordinated efforts of state agencies to develop a statewide re-entry plan to transform the way the State transitions formerly incarcerated persons back to the community. I also oversaw the development and expansion of fourteen local county re-entry task forces around the state to build capacity at the local level.

From 2007-2009, I served as Chair of the Commission on Sentencing Reform for New York State. The Commission conducted research, heard from prominent national experts and conducted public hearings on sentencing and related criminal justice issues. It produced a Preliminary Report in 2007 and a Final Report in 2009 that made substantial recommendations for reform and simplification of New York's sentencing laws. The work of the Commission contributed to the reform of the Rockefeller Drug Laws in New York in 2009 and to subsequent policy changes in the areas of re-entry, probation and parole supervision and services to crime victims.

New York State was one of the first states to provide oversight and accreditation of its forensic laboratories (including DNA Labs) through establishment of the Forensic Science Commission (FSC). From 2007 through 2010, I served as chair of the FSC, and worked with Laboratory Directors, the Innocence Project and leading DNA scientists to continue to improve forensic science in New York. I was also instrumental in developing a rigorous program for investigation of misconduct in forensic laboratories required as a condition of award of funds under the Coverdale Program administered by BJA.

I served as the State Administrator for funds to New York State from the Bureau of Justice Assistance from 2007 to 2010 and oversaw the annual award of $86 million dollars in local assistance funding and $67 million in Federal Criminal Justice Stimulus funding. I understand the importance of objectivity, transparency and fairness in the awarding of competitive grants, and appreciate first-hand the need for careful oversight and administration of grant funds.

Lobbying Activities: I have not engaged in any lobbying activities.

17. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

Seminar/Class	Sponsor	Place	Dates	Description
Legal Research & Writing	SUNY Buffalo Law School	Buffalo, NY	1979-1980	Student Instructor-one semester course
Trial Practice	SUNY Buffalo Law School	Buffalo, NY	1988-1997	Part time faculty-one semester course
Criminal Practice Seminar	DOJ, Office of Legal Education	Washington DC	1988-1991	Instructor-Trial Practice one week course.
Criminal Justice Act Seminar	Federal Public Defender's Office	Buffalo, New York	5/1993	Lecture on Speedy Trial Act
*Basic Federal Practice CLE	NYS Bar Association	Buffalo, NY	11/93	Lecture on Investigative Techniques
*Professional Responsibility Officers Conference	DOJ	Washington DC	10/94	Lecture on Ethical Issues in Jury Selection and Witness Preparation
Fair Housing Act Seminar	DOJ, Civil Rights Division	Clearwater, Florida	10/94	Lecture on Ethics issues for DOJ Attorneys
Evidence For Experienced Criminal Litigators	DOJ, Office of Legal Education	Phoenix, Az	9/1994	Lecture on Relevancy (FRE 401-404)
Evidence For Experienced Criminal Litigators	DOJ, Office of Legal Education	Clearwater, Florida	2/94	Lecture on Ethics for Prosecutors
Fair Housing Act Seminar	DOJ, Civil Rights	Washington DC	9/95	Lecture on Ethics issues for DOJ
Fair Housing Act Seminar	DOJ, Civil Rights Division	Washington DC	9/95	Lecture on Ethics issues for DOJ Attorneys

Advanced Evidence for Civil Litigators	DOJ, Office of Legal Education	Rochester, NY	7/95	Lecture on Ethical issues in collateral proceedings
Professional Responsibility Officers Conference	DOJ	Washington DC	11/95	Lecture on Search Warrants and Attorney Client Privilege
Noonday CLE Lecture	Bar Assn of Erie County	Buffalo, NY	6/96	Lecture on Professional Responsibility Issues for Prosecutors
Practical Evidence	NYS Bar Association	Buffalo, NY	11/96	Lecture on Questioning Witnesses
US Attorneys Office Management Seminar	DOJ Office of Legal Education	Columbia SC	5/97	Lecture on Working Together To Manage a US Attorneys Office
Third National Symposium on Victims of Federal Crime	EOUSA	Washington DC	1/01	Lecture on collaboration between prosecutors and victim witness coordinators
*Seminar For In House Counsel	Hodgson Russ LLP,	Buffalo, New York		Lecture on Safety in the Workplace
*Arizona State Law School	Federal Practice Seminar	Phoenix, Arizona	4/09	Lecture on Role of the U.S. Attorney
*Criminal Justice Retreat	City Bar Association	New York City	4/08	Panel Discussion on Prosecutorial Power
*Prisoner Re-Entry Institute	John Jay College of Criminal Justice	New York City	5/09	Lecture on New York State's Re-Entry Plan
*Fighting Crime in New York State	Citizens Crime Commission	New York City	1/10	Lecture on Priorities of the Division For Criminal Justice Services
* Symposium on Juvenile Justice Reform	Ethical Cultural Society	New York City	4/10	Transforming New York's Juvenile Justice System
* Criminal Justice Council	New York City Bar Association	New York City	6/10	New York State Division of Criminal Justice

* Criminal Justice Council	New York City Bar Association	New York City	6/10	New York State Division of Criminal Justice Services
*Forensic Evidence CLE	New York State Bar Association	New York City	10/10	Regulation and Oversight of Forensic Science in New York State

I have done my best to locate copies of all outlines, lecture notes and instructional materials from classes and lectures which I have conducted, including conducting a through review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other items I have been unable to identify, find or remember. Materials are available for the lectures and courses identified by *, and are attached as Appendix 17.

18. **Deferred Income/ Future Benefits**: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

New York State Retirement System Defined Benefit Plan- applied for benefits in September with estimated date of retirement in October 2010. I began receiving estimated benefits in December 2010.

Vested in Hodgson Russ Retirement Program Defined Benefit Plan- not currently receiving benefits -eligible at age 65 (benefit from former employment with Hodgson Russ LLP)

Vested in Federal Employees Retirement System and Thrift Savings Plan– not currently receiving benefits or payments (benefit from former employment with Department of Justice).

19. **Outside Commitments During Service**: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service? If so, explain.

I have no plans, commitments, or agreements to pursue outside employment during service as Director of Bureau of Justice Assistance

20. **Sources of Income**: List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding $500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached SF-278.

21. **Statement of Net Worth**: Please complete the attached financial net worth statement in detail (add schedules as called for).

    See attached net worth statement.

22. **Potential Conflicts of Interest**:

    a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

       In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official.

    b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

       In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official.

23. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

Current Pro Bono Activities:

Justice Task Force
New York State Court of Appeals
2009- Present The task force was created by the New York State Court of Appeals to improve the criminal justice system in New York and prevent wrongful convictions of innocent persons. I was appointed to the Task Force by the Chief Judge and serve on three important subcommittees: The Forensic Science Subcommittee to improve the quality of forensic evidence, the Identification Sub-committee to examine the role of misidentification in wrongful convictions and improve identification procedures in New York, and the Statements of the Accused Subcommittee to examine the role of law

enforcement interrogation and erroneous confessions in wrongful convictions and make recommendations for improvement.

Conviction Integrity Advisory Panel
New York County District Attorney's Office
2010-Present I was appointed to this panel by Manhattan District Attorney (DA) Cyrus Vance, Jr. DA Vance has established an ambitious conviction integrity program in the Manhattan DA's office to improve the administration of justice and prevent wrongful convictions. The advisory panel assists the office in maintaining the highest ethical standards and implementing policies, such as expedited discovery, multi-level view of prosecution charging decisions, and procedures for post conviction DNA testing.

Sex Crimes Working Group
New York City Police Department (NYPD))
2010-Present I was appointed to this Working Group by Police Commissioner Raymond Kelly to improve New York City Police Department's handling of sex crimes and response to victims of sexual assault.

New York State Bar Association
2010-Present In 2010, I worked with a state bar committee to plan a seminar on Use of Forensic Evidence in response to the National Institute of Science Report calling for an overhaul of the forensic science system. The goal of the seminar was to better educate judges and the bar on use of, and limitations on the use of, forensic evidence.

Association of the Bar, City of New York
2009-2010 I served on a committee for the annual convocation of the Criminal Justice Council and moderated a panel on Crime Prevention and Reduction in New York State.

Pro Bono Activities while in New York State Government

Re-entry work—I coordinated state-wide re-entry policy for New York State from 2007-2010, During that time, I regularly volunteered my time to speak at conferences and community groups to promote re-entry services for formerly incarcerated persons to help them succeed after returning to the community and to reduce recidivism. I organized and chaired the New York State Re-entry Task Force that developed a statewide plan for Re-entry for New York and the Service Provider Advisory Council (SPAC) to provide a vehicle for re-entry providers to advise the state on re-entry policy.

Drug Law Reform- I served as Chair for the NYS Commission on Sentencing Reform from 2008-2009. The Commission's Report was published in January 2009 and provided a blueprint for the state legislature to implement meaningful reform of the drug laws in New York.

<u>Pro Bono Activities while in Private Practice</u>

While in private practice, I participated in a number of Bar Association Committees and seminars, as well as in the Volunteer Lawyers Program to provide pro bono services to indigent clients.

<u>Pro Bono Activities while in the US Attorney's office</u>:

Hate Crimes Working Group.
In 1998, I formed the Hate Crimes Working Group in Western New York to respond to incidents of hate crimes in the Greater Buffalo and Rochester Communities. The Office also organized a Hate Crimes Conference to improve the investigation and prosecution of Hate crimes.

Weed & Seed Program
From 1997-2001, I served as Chair of the Executive Committee of the Buffalo Weed & Seed Program, which worked with community leaders and residents to reduce crime and improve economic survival in two of Buffalo's poorest neighborhoods.

SACSI Program
From 1999-2001, I began the Strategic Approach To Community Safety Initiative (SACSI) in Rochester, which was a model program funded by BJA to combine community oriented policing, firearm reduction and youth violence initiatives to reduce violent crime.

Pro Bono Program with the Volunteer Lawyers Program (VLP).
I set up a pro bono program in the US Attorney's Office in which AUSAs could volunteer to handle pro bono cases for indigent persons through VLP. I also volunteered to handle cases through that program.

Fair Housing Initiative

I began a Fair Housing Initiative in the U.S. Attorney's Office to investigate housing discrimination complaints and bring civil enforcement cases in partnership with a neighborhood fair housing organization, Housing Opportunities Made Equal.

<u>Other Community Activities</u>

Social Work with Disadvantaged Groups
From 1968-1979, I worked on behalf of disadvantaged groups as a social worker. That work included child protective services, child and family counseling, drug counseling, and adoption services. I completed a two-year Masters in Social Work program where I did field placements in urban studies, drug counseling, and child and family therapy.

I served on the **Board of Directors of the National Conference for Community & Justice** (NCCJ)(Current name: National Federation for Just Communities(NFJC) from 1997-2000. NFJC does training and promotes community education and understanding of racial, ethnic, and religious differences and differences based on sexual orientation. NFJC also operates programs for pre trial diversion of first offenders, a camp to promote diversity fairness for children, and community education and intervention programs.

I have been a member of **Housing Opportunities Made Equal**, a fair housing organization, since 1990.

Denise O'Donnell

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		110	000	Notes payable to banks-secured			
U.S. Government securities-add schedule				Notes payable to banks-unsecured			
Listed securities-add schedule		105	795	Notes payable to relatives			
Unlisted securities--add schedule				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgage		409	305
Real estate owned-add schedule		580	000	Chattel mortgages and other liens payable		39	000
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property							
Cash value-life insurance		60	000				
Other assets itemize:							
Schedule C Retirement Accounts		581	033				
Schedule D Personal Property		10	000				
				Total liabilities		448	305
				Net Worth		998	523
Total Assets	1	446	828	Total liabilities and net worth	1	446	828

CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor		No		Are any assets pledged? (Add schedule)		No	
On leases or contracts		No		Are you defendant in any suits or legal actions?		No	
Legal Claims		No		Have you ever taken bankruptcy?		No	
Provision for Federal Income Tax		No					
Other special debt		No					

Schedule A Listed Securities

NATIONAL FUEL GAS (S)		**$430.00**
Roll Over IRA Investment Account	SCHROEDER BRAXTON & VOGT INC.	105,365.60(see stock listing below)
	DFA INTL CORE EQUITY FYND (IRA)	7,449.09
	TWEEDY BROWNE GLO VAL FD (IRA)	9,793.53
	DFA INTEL SMALL CAP VALUE FD (IRA)	3,567.92
	DFA REAL ESTATE SECS FD (IRA)	4,304.40
	IVY GLOBAL NATURAL RESOURCES FD (IRA)	5,005.24
	SCWAB ADVISOR SWEEP SHARES (IRA)	1954.39
	DFA 1 YR FIXED INCOME (IRA)	19,865.39
	DFA INFLATED PROTECTED SECURITY (IRA)	10,069.34
	LOOMIS SAYLES BOND FD (IRA)	**5,546.20**
	DFA US CORE EQUITY 2 FUND (IRA)	32,107.81
	DFA 2 YR GLOBAL FIXED INC FD (IRA)	2,492.71
	DFA EMERGING MARKETS VALUE FD (IRA)	2,361.18
	METZLER PAYDEN EUROPEAN FD.	848.40
Total		$105,795

Schedule B Real Estate

Residence
Buffalo, New York
Estimated value: $450,000

Residence For Son
Buffalo, New York 14201
Estimated value: $ 130,000

Total $ 580,000

Schedule C   Other Assets

Retirement Accounts

NYS Deferred Compensation Account (S)	$203,200
TSP Retirement Account	$377,833
Total:	$581,033

Schedule D   Other Assets: Personal Property

Furniture and Artwork	$4,000
Appliances	$1,000
China & Silver and Glassware	$2000
Tools & Equipment	$1000
Jewelry	$2000
Estimated value	$10,000

Schedule E Real Estate Mortgages Payable

Residence
Buffalo, New York
Mortgagor: Manufacturer & Traders Trust Co.
Balance owed: $ 300,000

Residence for son
Buffalo, New York
Mortgagor: HSBC
Balance owed: $109,304.87

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Total $ 409, 305

SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Form Approved:
OMB No. 3209-0001

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election or Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	[ ] Incumbent — Calendar Year Covered by Report:	[X] New Entrant, Nominee, or Candidate	[ ] Termination Filer — Termination Date (*If Applicable*) (*Month, Day, Year*):
Reporting Individual's Name	Last Name: O'Donnell		First Name and Middle Initial: Denise E.	
Position for Which Filing	Title of Position: Director. Bureau of Justice Assistance		Department or Agency (*If Applicable*): US Department of Justice	
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): 125 Edward St. Buffalo. NY 14201		Telephone No. (*Include Area Code*): 716-882-3100	
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: None			
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Committee on Judiciary		Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [X] No	
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: Denise E. O'Donnell		Date (*Month, Day, Year*): 9/20/2010	
Other Review (If desired by agency)	Signature of Other Reviewer: [signature]		Date (*Month, Day, Year*): 9/27/2010	
Agency Ethics Official's Opinion On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: [signature]		Date (*Month, Day, Year*): 9/30/10	
Office of Government Ethics Use Only	Signature		Date (*Month, Day, Year*)	

Comments of Reviewing Officials (*If additional space is required, use the reverse side of this sheet*)

(*Check box if filing extension granted & indicate number of days*) [ ]

(*Check box if comments are continued on the reverse side*) [ ]

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only

SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name		Page Number
O'Donnell, Denise E.	**SCHEDULE A**	2 of 9

Assets and Income BLOCK A	**Valuation of Assets** at close of reporting period BLOCK B															**Income:** type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C																
For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income. For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual acount of any honoraria over $200 of your spouse). None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date *(Mo., Day, Yr.)* Only if Honoraria
Examples: Central Airlines Common				x												x						x										
Examples: Doe Jones & Smith, Hometown, State			x																												Law Partnership Income $130,000	
Examples: Kempstone Equity Fund					x								x										x									
Examples: IRA: Heartland 500 Index Fund							x						x											x								
1 State of New York																															Salary $217,100.00	
2 State of New York (S)																															Salary (S)	
3 M&T Bank (Joint Checking)		x																		x												
4 M & T Bank (Checking)		x																		x												
5 M & T Bank (Savings)			x															x			x											
6 M & T Bank (CDs)	x																	x			x											

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot be Used.

Reporting Individual's Name: O'Donnell, Denise E.

SCHEDULE A continued
(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	First Niagara Bank (Checking) (S)		x																		x												
2	First Niagara Bank (Savings) (S)			x															x		x												
3	NYS Retirement System, defined benefit plan-value not readily ascertainable																				x											Eligible to receive $2180 per month at age 62.	
4	NYS Retirement System, defined benefit plan (S)				x																											Retirement payment	
5	Hodgson Russ Retirement Plan, defined benefit plan		x																		x												
6	Condominium, Buffalo, NY (co-owner with son)					x															x												
7	Ivy Global Natural resources Fund (IRA)		x											x							x												
8	Metzler Payden European Fund (IRA)	x												x							x												
9	Tweedy Browne Glo Val Fund (IRA)		x											x							x												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name: O'Donnell, Denise E.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	DFA Real Estate Secs Fund (IRA)		x											x							x												
2	DFA Intl Small Cap value Fund (IRA)		x											x							x												
3	DFA Intl Core Equity Fund (IRA)		x											x							x												
4	Schwab Advisor Sweep Shares (IRA)		x											x							x												
5	DFA 1 Yr Fixed Income (IRA)			x										x							x												
6	DFA Inflation Protected Securities (IRA)		x											x							x												
7	Loomis Sayles Bond Fund (IRA)		x											x							x												
8	DFA US Core Equity 2 Fund			x										x							x												
9	DFA Emerging Markets Value Fund		x											x							x												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name: O'Donnell, Denise E.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None [ ]

#	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust
1	DFA 2 Yr Global Fixed Income Fund (IRA)			x										x		
2	Fidelity Magellan (S) (NYS Deferred) Compensation Plan				x									x		
3	T Rowe Equity Income Fund (S) (NYS DeferredCompensation Plan)					x								x		
4																
5																
6																
7																
8																
9																

#	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1					x												
2					x												
3					x												
4																	
5																	
6																	
7																	
8																	
9																	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Do not Complete Schedule B if you are a new entrant, nominee, Vice Presidential or Presidential Candidate

Reporting Individual's Name		Page Number
O'Donnell, Denise E.	**SCHEDULE B**	6 of 9

Part I: Transactions

None ☐

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example:	Central Airlines Common	x			2/1/99			x									
1																	
2																	
3																	
4																	
5																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260; and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☐

	Source *(Name and Address)*	Brief Description	Value
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
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5 C.F.R Part 2634
U.S. Office of Government Ethics

Do not Complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name		Page Number
O'Donnell, Denise E.	**SCHEDULE B continued** (Use only if needed)	

Part I: Transactions

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example:	Central Airlines Common	x			2/1/99			x									
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* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Prior Editions Cannot Be Used.

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5 C.F.R Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name		Page Number
O'Donnell, Denise E.	SCHEDULE C	8 of 9

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					x						
1	HSBC Mortgage Corp USA	Mortgage on condominium, Buffalo, New York	2007	7%	30 yrs				x							
2																
3																
4																
5																

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	I continue to prticipate in the Hodgson Russ Retirement Plan, a defined benefit plan. Since my resignation from the firm, neither the firm nor I continue to make any contributions to the plan.	Hodgson Russ, LLP Buffalo, NY	6/01
	I continue to participate in the NYS Retirement System, a defined benefit plan. Since my resignation from state employment, neither the State of New York nor I continue to make any contributions to the plan.	State of New York	5/07
3			
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Prior Editions Cannot Be Used.

Reporting Individual's Name		Page Number
O'Donnell, Denise E.	**SCHEDULE D**	9 of 9

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	State of New York	State Government	Deputy Secretary for Public Safety Comm, Div of Criminal Justice Serv	2/2007	2/2010
2	University at Buffalo Foundation, Buffalo, New York (uncompensated)	Not- for- Profit Research Foundation	Director	6/07	6/10
3	National Association of Former US Attorneys (uncompensated)	Professional Organization	Director	10/2003	10/2009
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	State of New York	Salary
2	Hodgson Russ LLP, Buffalo, New York	Legal services provided prior to 2008.
3		
4		
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6		

AFFIDAVIT

I, Denise E. O'Donnell, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

February 2, 2011
(DATE)

Denise E O'Donnell
(NAME)

(NOTARY)

Darlene Maciejewski
Notary Public, State of New York
Qualified in Erie County
No. 01MA4839275
Commission Expires March 30, 2011