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5, 12, 19 + 26

By: Michael Peterson

Subscribed and sworn to before me
this 26 day of April, 2002

Rhonda Bachman
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Heastie: ‘I think we’re making progress’

BUDGET

▼ CONTINUED FROM **A1**

said his conference would not negotiate policy issues in the budget.

“There were positive discussions between district attorneys and the advocates, without staffs on the call, and I think we landed in a good place,” Heastie told reporters at the Capitol Monday morning. He said the specifics are still being drawn up.

However, district attorneys in upstate counties said they are facing different challenges than their counterparts in New York City, whose offices receive funding from the city. The situation also has been exacerbated by the statutory changes that some say provided unclear directives for the judges who enforce the disclosure of evidence in criminal cases.

“There’s wasn’t good guidance in the statute to guide judges on what to do and how to determine what happens with the case if the timing is not met,” said Washington County District Attorney Tony Jordan, president of the District Attorneys Association of New York.

In a 10-point criminal justice plan drafted by Hochul’s office that was made public last month, she had proposed three changes to “improve the discovery statute.”

One change would deem prosecutors in compliance if they failed to turn over a document but its contents were previously

provided to a defendant in a different form.

Another change proposed by Hochul, whose office has consulted with prosecutors and public defenders, would allow a case to go forward once they had turned over all “locatable materials,” as opposed to wording in the law that requires them to disclose unavailable materials. The plan would also exclude traffic infractions from the discovery requirements, which prosecutors said has made it hard to prosecute those violations.

Rensselaer County District Attorney Mary Pat Donnelly said that for many district attorneys outside of New York City, the lack of resources to meet the pretrial discovery mandates has been a “huge issue.”

“It’s a real challenge upstate for us to have to figure out how to make these directives work with the same budget that we had in 2019,” said Donnelly, whose office did receive county funding to hire two employees devoted to helping process discovery matters.

“My colleagues around the state have not had the same experience. ... We’re still six months-plus behind getting what we need from our 911 call center. That’s nobody’s fault; there is simply an inability of personnel to get that done,” Donnelly added. “It’s a huge, huge issue, probably even sur-



HEASTIE

passing our concerns about bail reform.”

Donnelly and other district attorneys in the statewide association have given bipartisan support to the pretrial discovery changes, but many said they are simply struggling to handle the increased workload that it created.

“You want to be turning over materials as quickly as possible,” she said. “Quite frankly, what we really need is money ... if this is how the state feels discovery should be administered.”

The pretrial discovery changes, approved as part of the state budget in April 2019, mandated that prosecutors hand over evidence to a defendant or their attorney within 15 days of an arraignment. The changes were made, in part, so that defendants held in custody would not remain incarcerated while their cases languished. It also was intended to prevent defendants from taking plea agreements before they had a chance to review all of the evidence in their case, including information that might support their innocence.

Defense attorneys were among those who had lobbied for the pretrial discovery changes, noting that months might go by before prosecutors would drop mounds of evidentiary records on them — often on the eve of a defendant’s trial. Prose-



JORDAN

cutors have said the discovery rules have endangered witnesses or victims, whose statements to police are turned over to defendants who may threaten those individuals.

A “significant number” of district attorneys and defense attorneys are satisfied with where the Senate and executive chamber have landed on discovery, according to state Senate Finance Chair Liz Krueger, D-Manhattan.

“But is everybody happy?” Krueger said.

“No.”

Jordan, who became president of the district attorneys association in June, said that they do not oppose the changes that were made to pretrial discovery, but that they need resources to be able to meet those obligations.

“It would seem as if there’s a dual track happening where, how do we put money in the budget to address those needs ... and how do we tweak discovery to address the current needs,” Jordan said. “We don’t want our cases dismissed. We want to give defense (attorneys) everything and need money to do that. ... There’s no one in our organization that complains about having to do it. ... Where our issue is, is you haven’t provided us with the funding to be able to do it.”

Hochul’s office and Democrats in the state Senate have been open to tweaking some of the



DONNELLY

criminal justice statutes that were overhauled in 2018 and 2019, including adjusting the rules to give judges and prosecutors more discretion on keeping the cases of violent adolescent offenders in the youth part of adult court, rather than shifting them to Family Court.

But the Assembly’s Democratic majority, which initially said it would not negotiate policy in the budget, has since walked back that position and has engaged in the ongoing deliberations.

“When you deal with a budget with lots of conversations around policy, it’s going to be late,” Heastie said. “So here we are. But I think we’re making progress.”

Lawmakers Monday extended payments to state workers through Thursday, although it does not mean a budget deal would necessarily be completed by then.

Hochul looked to quell concerns about the negotiations when she spoke to reporters Monday afternoon.

“I’ll tell you this is a very normal budget process,” Hochul said. “It’ll be resolved in a matter of days. We’re getting close.”

As the governor discussed issues on the delayed budget, advocates demanding increased wages for home care workers pressed onto closed doors of the Capitol’s second floor, shouting to be heard.



KRUEGER



Rich Pedroncelli / Associated Press
Leticia Harris, left, the wife of shooting victim Sergio Harris, consoles his mother, Pamela Harris, after receiving the news of his death Sunday in Sacramento, Calif.

MASS SHOOTING

Man in custody after massacre

Sacramento police expect more arrests

By Adam Beam and Kathleen Ronayne
Associated Press

Sacramento, Calif.

Sacramento police arrested a man Monday connected to the shooting that killed six people and wounded a dozen others in the heart of California’s capital as at least two shooters fired more than 100 rapid-fire rounds and people ran for their lives.

Police booked Dandrae Martin, 26, as a “related suspect” on charges of assault with a deadly weapon and being a convict carrying a loaded gun. Detectives and SWAT team members found one handgun during searches of three homes in the area.

The arrest came as the six victims killed were identified in the shooting that occurred Sunday at about 2 a.m. as bars were closing and patrons filled the streets near the state Capitol.

The Sacramento County coroner identified the three women killed as Johntaya Alexander, 21; Melinda Davis, 57; and Yamile Martinez-Andrade, 21. The three men killed were Sergio Harris, 38; Joshua Hoye-Lucchesi, 32; and De’vazia Turner, 29.

The burst of gunshots sent people running in terror in the neighborhood just a few blocks from Golden One Arena, where the NBA’s Sacramento Kings held a moment of silence for the victims before their game Sunday night.

Detectives were trying to determine if a stolen handgun found at the crime scene was connected to the shooting, Police Chief Kathy Lester said. Witnesses answered her plea for help by providing more than 100 videos and photos of evidence.

“The scale of violence that just happened in our city is unprecedented during my 27 years here,” Lester told reporters. “We are shocked and heartbroken by this tragedy.”

Martin was not arrested for any homicide-related charge, District Attorney Anne Marie Schubert said.

“The investigation is highly complex involving many witnesses, videos of numerous types and significant physical evidence,” Schubert said in a statement.

“This is an ongoing investigation and we anticipate more arrests in this case.”

Martin was held without bail and was scheduled to appear in Sacramento County Superior Court on Tuesday, according to jail records.

OFFICER

▼ CONTINUED FROM **A1**

caused the concussion. ... This is either gross incompetence or some bias at work there. There is no other rationalization.”

The March 4 incident, which took place at a party on Salem Drive where underage drinking allegedly took place, also left the teen with a split lip, loose tooth, black eye and a cut on his back, Montagnino said. After the victim shoved another teen, he was allegedly thrown against a countertop by one assailant and repeatedly punched by two others. Racial slurs were also allegedly being shouted at the victim, the commissioner said.

“There is nothing in the law that justifies responding to a shove that causes no injury whatsoever with throwing someone into a granite countertop and causing that type of an injury,” he said. “The evidence is overwhelming this was at the very least a third-degree misdemeanor assault.”

After what Montagnino referred to as “a gang assault,” the teen ended up in a basement of the home.

He said the victim, who had been accepted into an Ivy League school in the fall, is delaying attendance because of a brain injury.

The dispute comes as the state attorney general’s office is investigating Saratoga Springs police’s handling of Black Lives Matter protests last year for possible civil rights violations.

The officer who declined to submit charges against the teens did not return a phone call seeking comment. The Times Union also reached out to the officer’s attorney, Christopher Silva, but did not immediately hear back.

Sean Briscoe, who is the officer’s union representative, said Friday he couldn’t comment on the “unsubstantiated rumors that could be detrimental to an officer’s right to due process.”

Saratoga Springs Police Chief Shane Crooks said on Monday he couldn’t comment on the matter.

“It’s an internal matter,” Crooks said. “I don’t feel it’s appropriate to comment because there are multiple people involved.”

The incident came to Montagnino’s attention after the alleged victim’s family reached out to Saratoga County Supervisor Tara Gaston.

She said this was the first time the family was ever involved with the justice system and they had questions that, even as an attorney herself, she could not answer.

After Montagnino met with the family at Gaston’s request, he asked the senior officer to review the file. After a review, the officer told the commissioner why police weren’t charging the other teens, and referred to the victim as a complainant.

Montagnino — a lawyer and former prosecutor who took office at the beginning of the year — said he was stunned at the officer’s rationale for that word choice: “(The officer) said, ‘I won’t refer to him as a victim. He’s a complainant,

not a victim, because he pushed the defendant first.”

The commissioner said social media has left the family feeling revictimized. They said their son is being harassed on Snapchat with messages calling him a “snitch.” Montagnino and Gaston said the family wants to remain anonymous.

Montagnino, who according to the city charter provides civilian oversight of the department, has taken criticism for discussing the matter in public — something he said he decided to do only after seeing it raised on various social media platforms.

Gaston, a fellow Democrat, defended Montagnino, saying he’s doing what he was elected to do.

“The role of the commissioner of public safety is designed to help drive policy and make sure things are done correctly,”

Gaston said. “It is the responsibility of a leader, if they see things are not done correctly, especially when it comes to ensuring the equal safety and health in the community, ... to step in.”

At this point, Montagnino said the family no longer wants to press charges. “They want their son to heal and they want to put this behind them,” he said.

The commissioner, however, is demanding the officer be reprimanded and demoted.

“When you have a group of people and something happens at the end of which only one is injured and the injuries consist of a concussion and neurological impairment ... and someone said there is no crime there, I think someone who says that has no understanding of what is supposed to be happening in a society governed by law,” he said.

Public Notice

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Paul Buckowski / Times Union archive

Kim Aquino, bar manager at City Line Bar and Grill, poses March 24, 2021 with some of the to-go drinks the Albany restaurant was offering. The state budget is again allowing bars and restaurants to sell takeout alcohol, with the purchase of a “substantial food item.”

BOOZE

▼ CONTINUED FROM **A1**

guidance on its website on Monday.

Over the weekend, as part of the newly passed state budget, New York’s tens of thousands of restaurants and bars licensed to serve alcohol for on-premises consumption may again sell it as part of orders for takeout and delivery.

Although beer has long been permissible for takeout, similar sales of wine and spirits were illegal for years. They were allowed for 15 months during the pandemic under emergency provisions but lapsed in late June, when the state Legislature ended its session without passing a separate law that would have continued the measure.

With the help of strong advocacy from Gov. Kathy Hochul, in the face of opposition from the state’s liquor-store lobby, alcohol-to-go was included in the budget.

According to the law (Part P in the online version), food must be included with takeout alcohol orders. The stipulation is for a “substantial food item.” Trying to prevent a recurrence of the confusion around what minimum quantity of food was acceptable when alcohol-to-go was first allowed in March 2020, which resulted in businesses being scolded for selling \$1 orders of “Cuomo chips,” the SLA on Monday advised the following:

Sufficient: full meals, individual entrees, sandwiches, soups, salads, wings, hot dogs.

Insufficient: bag of chips, bowl of nuts or candy, “unreasonably small portion of soup, a serving of canned beans, a handful of lettuce.”

“Obvious efforts to circumvent the law,” the SLA said, including “charging a small extra fee for an alcoholic beverage in lieu of a food item not actually ordered or delivered, will be treated as a violation of the law.”

Restaurants and bars settled into general compliance after the state’s strong crackdown in 2020 on pandemic-related provisions affecting bars and restaurants, including a task force that at times was making

thousands of compliance checks per week and issuing steep fines for failure to observe social distancing, not requiring food be ordered with alcohol for on-premises consumption or providing minimal food with alcohol-to-go.

By last spring, it was widely understood by the industry what was expected, and the return of alcohol-to-go with a food requirement will not likely be much of an adjustment, as it is essentially a return to the previous rules.

But what’s new is the second half of Monday’s SLA guidance about permissible quantities.

The new law allows the takeout or delivery of bottled beer, individual cocktails and glasses of wine, served in a container with secure lid or sealed cap. It specifically precludes the sale from bars and restaurants of full bottles of wine and spirits in their original packaging. This stipulation was included as a nod to liquor stores, which had predicted that allowing full-bottle sales would open the door to some restaurants setting up dedicated areas that turned them into de facto liquor stores.

However, the new law mentions no limits on serving sizes. Some earlier bills specified, for example, that orders were limited to two drinks, either as wine or cocktails, with a maximum number of ounces per drink, for each entree. The lack of portion limits in the budget prompted speculation from some restaurant and bar owners that they could empty an entire bottle of wine into a takeout vessel of the same size and drop it into a bag with food, or even do the same with a liter of Maker’s Mark Bourbon.

The SLA guidance addresses this, saying, “Obvious efforts to circumvent the law, such as transferring the contents of a bottle of wine or liquor to a same or equivalent bottle, will be treated as a violation of the law.”

But is a quart-size martini still OK?

There is a three-year limit on alcohol-to-go, after which it will need to be ended, extended or made permanent.

INVASION

Russia reinforces military in eastern Ukraine with no letup ahead of talks

By Dan Lamothe, Kim Bellware and Mary Ilyushina

The Washington Post

Ukraine and its international partners are bracing for Russia to launch a new offensive, with the Pentagon on Monday saying there are signs that the Kremlin has begun reinforcing and resupplying its forces in the eastern Donbas region as a top official in Moscow vowed there would be no letup in hostilities before the next round of peace talks.

U.S. intelligence has observed a massive Russian military convoy making its way south toward Izyum, a strategically important town in northeast Ukraine that Russia seized earlier this month and may use now as a staging point to carry out assaults on larger cities to the south, said Pentagon spokesman John Kirby. The expectation, Kirby added, is that the “same brutal tactics, that same disregard for civilian life and civilian infrastructure, will probably continue” as Russian military commanders concentrate on the Donbas.

The bleak U.S. assessment came as Austria’s chancellor, Karl Nehammer, became the first Western leader to meet face to face with Russian President Vladimir Putin since the incursion began in late February. Nehammer’s trip, according to officials in Vienna, was intended to convey to the Russian leader that, morally, Putin had already lost the war.

“This is not a friendly visit,” the chancellor said. “I have just come from Ukraine and have seen with my own eyes the immeasurable suffering caused by the Russian war of aggression.”

Amid the global outrage over accusations that Russian troops committed atrocities targeting civilians in areas around the capital, Kyiv, French law enforcement officials prepared to start working on related investigations after arriving in Ukraine on Monday. Prosecutors in France have opened multiple probes into potential war crimes committed against French nationals there.

President Joe Biden met virtually with Indian Prime Minister Narendra Modi and urged him not to increase Russian energy imports, as the international community seeks to impose greater financial pressure on Moscow to call off its war. Biden

said after the meeting that the United States and India are in “close consultation” in managing the “destabilizing” effects of Russia’s actions.

While Russia has pulled back from the suburbs of Kyiv and other parts of northern Ukraine, Putin’s forces continue to attack elsewhere.

Russia has continued to fire artillery, rockets and mortars at the northern city of Kharkiv, Ukrainian military officials said. Russian forces, they said, attempted on Monday to storm the city of Sievierodonetsk in the Donbas region but were unsuccessful.

In a speech relayed via video to South Korean lawmakers, Ukrainian President Volodymyr Zelenskyy on Monday said the Russian buildup in eastern Ukraine includes “tens of thousands of soldiers and a huge amount of equipment.” With its new offensive, he said, Russia aims to “break our national resistance.”

Zelenskyy highlighted the destruction in Mariupol, a port city in the south that has been bombarded for weeks.

“There are tens of thousands of dead,” the Ukrainian leader said in his address. “But even despite this, the Russians do not stop the offensive. They want to make Mariupol a demonstratively destroyed city.”

NYC ECONOMY

Can Manhattan adapt to remote work?

By Dana Rubinstein and Nicole Hong

The New York Times

New York

PwC, a global consulting firm with its American headquarters here, has told 40,000 of its U.S. employees that they can work remotely forever. Quinn Emanuel Urquhart & Sullivan, a white-shoe law firm with about 300 lawyers in New York, is allowing its staff to live anywhere in the country.

Verizon, headquartered in New York, has started permitting hybrid employees to come to the office as many, or as few, days a week as they want.

The list of companies permanently changing the way they work keeps growing longer, making the five-day-a-week trek into Manhattan an increasingly fading corporate practice — with enormous consequences for New York, whose economy is especially dependent on filling its forests of office towers.

The shift has raised alarms for Mayor Eric Adams and Gov. Kathy Hochul, who have stepped up their messaging that the city’s 1.3 million private-sector workers need to return to their desks.

“You can’t stay home in your pajamas all day,”

Adams has said. But Hochul and Adams may well be shouting into the wind, as society changes around them.

They have valid reasons for concern. With more companies settling into a permanent period of hybrid work, the average New York City office worker is predicted to reduce annual spending near the office by \$6,730 from a pre-pandemic total of around \$13,700, the largest drop of any major city, according to research from economists

at Instituto Tecnológico Autónomo de México, Stanford University and the University of Chicago.

And even as other indicators — such as Broadway attendance and tourism — show early signs of a rebound, workers are far less eager to return to office buildings.

The decline poses a profound threat to the city’s real estate-reliant tax base, money that helps fund schools, police and parks. Without regular commuters, the public

transit systems face cuts that will disproportionately harm workers who must show up in person.

And it has also contributed to the shuttering of coffee shops, dry cleaners and other small businesses that served commuters.

About 37 percent of New York employees went to the office in late March, according to data from Kastle Systems, an office security firm, a pandemic-era high, but still far below the 80 percent norm before the pandemic.

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KIMBERLEY F. WALLACE AND RAYSHEEA T. TURNER

Wednesday, April 13 • 8:30a.m.

The attorneys and founders of their own firm, the Schenectady-based Wallace Turner Law, will share their vision for creating a new dynamic in law as they strive to help their clients reach their goals.

This is a members-only virtual event where we'll make time for questions and small-group networking after the interview. You'll have a chance to meet and re-connect with women from the Capital Region and beyond.

Register: <https://womenwork.memberclicks.net/events> – Not a member? Join now at <https://womenatworkkny.com>. Not sure if your membership is current, just email us at magazines@timesunion.com.

Raysheea T. Turner and Kimberley F. Wallace

HEAT

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National Grid says it could have all of its heating customers — both residential and business — using renewable fuels such as biogas and green hydrogen by 2050 instead of natural gas drilled from the ground.

The switch would be revolutionary for the utility, which for all of its history has relied on fossil fuels for a majority of its heating and power services across the state.

The plan also includes the use of electric heat pumps and other electric heat technologies in new construction.

A full-scale conversion to electric heating, which some environmentalists favor, would be too costly, National Grid says. A new heat pump installed at a home can cost \$30,000, not something that the average upstate customer can afford without some type of subsidy.

“Not every customer is going to be able to afford heat pumps,” Wynter said. “We think this solution offers another pathway.”

National Grid says it doesn’t know exactly how the switch to biogas and green hydrogen would affect utility bills.

But the company says it would be up to \$1,000 cheaper per customer, per year, than installing all-electric equipment to heat and power all upstate homes.

In fact, National Grid says that using a hybrid gas and electric approach will reduce overall energy costs for upstate utility customers by 15 percent by 2050 because of all the energy-efficiency programs that will be in place by then, which will reduce the need for power generation and transmission equipment.

Heat pumps are very efficient. They work like a refrigerator by using electric power to move heat from one place to another in your home. By exploiting the temperature difference between the inside and outside of a home, pumps will heat structures in winter or cool them in summer. But National Grid believes the pumps can be inadequate during severe cold snaps.

Green hydrogen is made by extracting hydrogen atoms out of water. Although green hydrogen is not widely made today, companies like Plug Power, based in Latham, are building new green hydrogen production facilities. These facilities are placed near renewable energy centers like hydroelectric dams as well as wind and solar farms in order to cut down on emissions.

This switch from drilled natural gas won’t happen overnight. National Grid says that by 2030, it hopes that as much as 20 percent of its heating gas will be from renewable sources. That’s eight years away. “We don’t believe we can electrify all of it,” Wynter said.

TIMES UNION'S
ONE-TWO PUNCH
COVERING SCHENECTADY WITH PAUL NELSON AND PETE DEMOLA

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Zelenskyy vows to keep fighting

UKRAINE

▼ CONTINUED FROM **A1**

mostly Russian-speaking industrial heartland in the east, where Moscow-backed separatists have been fighting Ukrainian forces for the past eight years and have declared two independent republics that have been recognized by Russia.

In recent weeks, the Kremlin declared the capture of the Donbas its main goal of the war after its attempt to storm Kyiv failed. After withdrawing from the capital, Russia began regrouping and reinforcing its ground troops in the east for an all-out offensive.

“No matter how many Russian troops are driven there, we will fight,” Zelenskyy vowed. “We will defend ourselves. We will do it every day.”

The Ukraine military’s general staff said Russian President Vladimir Putin’s forces were increasing assaults in the Luhansk and Donetsk regions — both of which are part of the Donbas — as well as in the area of Zaporizhzhia.

“This morning, almost along the whole front line of the Donetsk, Luhansk and Kharkiv regions, the occupiers attempted to break through our defenses,” Oleksiy Danilov, secretary of Ukraine’s national security council, was quoted as telling Ukrainian media. “Fortunately, our military is holding out. They passed through only two cities. This is Kreminna and another small town.”

He added: “We are not giving up any of our territories.”

A Ukrainian military official said that street battles had begun in Kreminna and that evacuation was impossible.

Luhansk regional military administrator Serhiy Haidai said heavy artillery fire set seven residential



Lynsey Addario / The New York Times

A Ukrainian firefighter holds a stray cat while on a break from searching for bodies alongside an international group of firefighters in Hostomel, Ukraine, on Monday.



Joe Raedle / Getty Images

Firefighters battle a blaze after a civilian building in Lviv, Ukraine, was hit by a Russian missile on Monday. Seven people were killed in missile strikes around the city.

buildings on fire and targeted the sports complex where the nation’s Olympic team trains.

Haidai later told Ukrainian television that Russians took control of the city after “leveling everything to the ground,” so his forces retreated to regroup and keep on fighting.

Meanwhile, in the besieged southern port city of Mariupol, Denys Prokopenko — commander of the Azov Regiment of the Ukrainian National Guard, which was holding

out against Russian forces — said in a video message that Russia had begun dropping bunker-buster bombs on the Azovstal steel plant where the regiment was holed up. The sprawling plant contains a warren of tunnels where both fighters and civilians are sheltering. It is believed to be the last major pocket of resistance in the shattered city.

Overnight and on Monday, Russia bombarded the western city of Lviv and a multitude of other

targets across Ukraine in what appeared to be an intensified bid to grind down the country’s defenses.

At least seven people were reported killed in the missile strikes on Lviv, a city close to the Polish border that has seen only sporadic attacks during almost two months of war and has become a haven for civilians fleeing the fighting elsewhere. To the Kremlin’s increasing anger, Lviv has also become a major gateway for NATO-supplied weapons.

The attack on Lviv hit three military infrastructure facilities and an auto shop, according to the region’s governor, Maksym Kozytskyi. He said the wounded included a child.

A Lviv hotel sheltering Ukrainians who had fled the fighting in other parts of the country was also badly damaged, Mayor Andriy Sadovyi said. The city has seen its population swell with elderly people, mothers and children trying to escape the war.

“The nightmare of war

has caught up with us even in Lviv,” said Lyudmila Turchak, who fled with two children from the eastern city of Kharkiv. “There is no longer anywhere in Ukraine where we can feel safe.”

Lviv, the biggest city and a major transportation hub in western Ukraine, is about 50 miles from Poland, a NATO member.

Russia has strongly complained about the increasing flow of Western weapons to Ukraine and warned that such aid could have consequences. On Russian state media, some anchors have charged that the supplies amount to direct Western engagement in the fight against Russia.

A powerful explosion also rocked Vasylikiv, a town south of the capital of Kyiv that is home to an air base, according to residents. It was not immediately clear what was struck.

Kharkiv, Ukraine’s second-largest city, was hit by shelling that killed at least three people, according to Associated Press journalists on the scene. One of the dead was a woman who appeared to be going out to collect water in the rain. She was found with a water canister and an umbrella by her side.

Military analysts say Russia was increasing its strikes on weapons factories, railroads and other infrastructure ahead of its assault on the Donbas.

Moscow said its missiles struck more than 20 military targets in eastern and central Ukraine in the past day, including ammunition depots, command headquarters and groups of troops and vehicles.

Gen. Richard Dannatt, a former head of the British Army, told Sky News that Russia was waging a “softening-up” campaign ahead of the Donbas offensive.

RULING

▼ CONTINUED FROM **A1**

Just days before the dismissal, Pick filed a motion asking for Jones to approve a proposal that would allow Blum to auction off the property and have that money go toward the property’s tax debt.

A county attorney said there would be no movement on the property until a second court matter was resolved.

“There remains a pending state court proceeding to vacate the county’s delinquent real property tax lien foreclosure judgment,” Eugenia Condon said. “Pending decision of the court, the proposed conveyance of the Central Warehouse properties to Redburn/Columbia is on hold.”

Prior to his second bankruptcy filing, another attorney for Blum filed a

motion in state Supreme Court in Albany County claiming that the county violated notification requirements under state law for property tax foreclosures. That case was put on hold after Blum filed bankruptcy for a second time.

The county has denied the accusation that it did not follow the proper notification requirements.

On March 14, the County Legislature approved a resolution that transferred the property to CW Skyway LLC, a company controlled by Redburn Development Partners and Columbia Development.

The developers agreed to pay \$50,000 while the county wiped away more than \$500,000 in overdue property taxes.

The two development groups want to transform the property into a mixture of apartments, retail

space and commercial space. It’s unclear how much that project will cost and the developers have made it clear they will ask for taxpayer assistance to fund the redevelopment.

Blum initially filed for bankruptcy last June after the county declared

it was seizing the property for back taxes and asked for bidders to submit sealed bids on the property.

After repeatedly asking Blum to show how he could pay the back debts and redevelop the property, a U.S. Bankruptcy Court judge denied his

reorganization proposal in December.

Blum withdrew his bankruptcy filing and in January the county awarded the property to CW Skyway LLC.

The company was the sole bidder for the property after another developer withdrew.

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SCAN ME

Redistricting maps face court challenge

MAPS

▼ CONTINUED FROM **A1**

wrote in a court filing this week.

The computer simulations, run by a graduate student, do not factor in “communities of interest,” a required standard for fair maps in New York. Democrats argue that without that component, the maps cannot be taken seriously. Republicans and the majority of justices in the appellate division said that even if that information is taken into account, it doesn’t explain how egregiously the maps favor Democrats.

Determining how to code for “communities of interest” and then having a standard to base it on is part of the problem, said Steven S. Elliott, a Delmar political scientist. Elliott had worked on redistricting for the Republican

Party in the 1980s and for the Democratic Party in the 1990s and 2000s.

“There’s no measure of that,” Elliot said Monday. Maps are intended to be drawn to provide voters with equal political representation. Depending on how they’re drawn, they can lead to potentially more districts that favor one party over the other based on the makeup of voters in an area.

“It’s certainly not a very fair map if you look at it from an objective standpoint,” Michael Li, a counsel at the Brennan Center, said Monday in an interview. “But the court is bound by the record and the question is, what did Republicans put in and is that enough?”

The initial ruling by a judge in Steuben County found that the Republican argument was correct: Not only were the congressional maps drawn with

political intent, the judge ruled, but the maps altogether were drawn without the clear right of the Legislature, therefore voiding all of them, including the new state Senate and Assembly lines.

The mid-level court partially disagreed. That panel said the process was legal but the outcome wasn’t.

A decision from the Court of Appeals can set precedent on the state’s current redistricting process, which was updated in 2014 to include the redistricting commission and also altered the standard of what constitutes gerrymandering.

Although this year was the first time in about a century that Democrats had the ability to draw their own maps in New York, it could fall back to a map drawer appointed by a judge in Steuben Coun-

ty. He selected a political scientist who is known for assessing maps, not drawing them.

The Court of Appeals could also determine whether the election calendar needs to be pushed back, or any changes need to be made to the election process.

The case is expected to be resolved within days, if not hours. The primary ballot is set to be certified by May 5 and the primary is June 28.

Changes in Capital Region, elsewhere

The Democrat-drawn map excludes the city of Rensselaer from the Capital Region’s 20th Congressional District, but includes Saratoga Springs and Glens Falls.

Rensselaer would join the 19th Congressional District, which U.S. Rep. Antonio Delgado, a Demo-

crat, currently represents. The new district would stretch south to New Paltz and west to Binghamton.

Dutchess County Executive Marc Molinaro, a Republican, is challenging Delgado.

A Republican-proposed “remedial” map, offered in recent days, would include Rensselaer but exclude Glens Falls.

The 19th district would then no longer include New Paltz, stopping at Kingston, but still stretching to Binghamton.

One notable but subtle change proposed in the remedial map is on Long

Island, based on maps produced by The Graduate Center at the City University of New York.

The village of Mineola, where former Republican state Sen. Jack Martins lives, would be included in the 3rd Congressional District, which U.S. Rep. Tom Suozzi, a moderate Democrat, is vacating to run for governor. Martins, who is now running for his old state Senate seat, was the head Republican on the Independent Redistricting Commission.

One of the commission’s final disputes over where boundaries should fall, before it failed to vote on a final set of maps, was over lines in Nassau County.

Later on, Republican petitioners challenged the maps on whether they were constitutional because the commission failed to agree to a final set of maps.



DELGADO



MOLINARO

TRUMP

▼ CONTINUED FROM **A1**

March 31 court-imposed deadline to meet the terms of the subpoena.

Trump, a Republican, has been fighting James in court over her investigation, which he has called a politically motivated “witch hunt.” During oral arguments Monday, Trump attorney Alina Habba said that “Donald Trump does not believe he is above the law.”

Habba said in a statement that the ruling will be appealed.

“We respectfully disagree with the court’s decision. All documents responsive to the subpoena were produced to the attorney general months ago,” she said.

James has been conducting a lengthy investigation into the Trump Organization, the former president’s family company, centering around what she has claimed is a pattern of misleading banks and tax authorities about the value of his properties.

“Today, justice prevailed,” James said in a release after Engoron’s ruling. “For years, Donald Trump has tried to evade the law and stop our lawful investigation into him and his company’s financial dealings. Today’s ruling makes clear: No one is above the law.”

The contempt finding by the judge came despite a spirited argument by Habba, who insisted repeatedly that she went to great lengths to comply with the subpoena, even traveling to Florida to ask Trump specifically whether he had in his possession any documents that would be responsive to the demand.

The judge, though, criticized the lack of detailed explanation in the Trump team’s formal response to the subpoena, telling Habba: “You can’t just stand here and say I searched this and that.”

And after saying he felt “like there’s an 800-pound gorilla in the room here,” he asked why the response to the subpoena didn’t include an affidavit from Trump.

Habba noted that Trump does not send emails or text messages and has no work computer “at home or anywhere else.” She described the search for documents as “diligent.”

“The contempt motion is inappropriate and misleading,” she said. “He complied. ... There are no more doc-

uments left to produce by President Trump.”

She also derided the James probe as a “political crusade” and “truly a fishing expedition,” saying Trump and his companies had turned over more than 6 million documents and paperwork related to 103 Trump entities for an eight-year period.

“We’ve turned over everything as fast as possible. This is a waste of judicial resources,” Habba added.

She also defended Trump’s character, saying: “My client is an honest person much to the dismay of certain people in this room.”

Trump spokespeople did not immediately respond to a request for comment.

Investigators for James have said in court filings that they uncovered evidence that Trump may have misstated the value of assets like golf courses and skyscrapers on his financial statements for more than a decade.

At the hearing, Assistant Attorney General Andrew Amer said the investigation was being hampered “because we don’t have evidence from the person at the top of this organization.”

And he said the failure to turn documents over in response to the subpoena was “effectively Mr. Trump thumbing his nose at this court’s order.”

Still, Assistant Attorney General Kevin Wallace signaled the probe was about to move to a new phase, saying: “We plan to bring enforcement action in the near future.”

A parallel criminal investigation is being conducted by the Manhattan District Attorney, Alvin Bragg, also a Democrat.

Monday’s contempt finding was not the first for someone who has held the nation’s highest office.

While in the White House, then-President Bill Clinton was found in civil contempt of court in April 1999 in connection to his deposition in a sexual harassment lawsuit filed against him in Arkansas by Paula Jones.

Judge Susan Webber Wright held him in contempt for his testimony, where he falsely said he hadn’t had a sexual relationship with former White House intern Monica Lewinsky. That contempt citation came two months after his acquittal in Congress on articles of impeachment over his testimony.

WAR IN UKRAINE

U.S. wants to see Russia weakened

Delegation vows efforts to thwart future aggression

By Marc Santora, John Ismay and Rick Gladstone
The New York Times

The United States toughened its messaging on the Ukraine war on Monday, saying the American aim was not just to thwart the Russian invasion but also to weaken Russia so it could no longer carry out such military aggression anywhere.

The aim was stated in explicit terms by the high-ranking Biden administration delegation to visit Ukraine since the war began. It reflected an emboldened intent to counter Russia by giving more numerous and powerful arms to the Ukrainians, who have battled Russian forces with unexpected tenacity, sapped Kremlin resources and flustered President Vladimir Putin’s hope for a quick victory.

The American delegation also announced the United States would reopen its embassy in the Ukrainian capital, Kyiv — another signal aimed at portraying Russia as headed toward defeat. The embassy, closed in the run-up to the Feb. 24 invasion, will be led by a new ambassador.

The American visit itself, led over the weekend by Secretary of Defense Lloyd Austin and Secretary of State Antony Blinken, was completed early Monday and amounted to a risky dare to Russia, which has been seeking to subjugate Ukraine by force for more than two months. Russia has demanded that the United States and its NATO allies quit supplying advanced arms to Ukraine’s military.

Although the trip was supposed to be secret, word leaked, and Russia rained rockets on at least five Ukrainian rail stations hours after the visitors had finished talks with President Volodymyr Zelenskyy in Kyiv and then traveled by rail to Poland, which can take 11 hours. It is unclear whether they were in Ukraine during any part of those attacks or whether Russia had been targeting them.

Ukraine’s railways and other infrastructure are important for funneling Western-supplied weapons and aid to the combat zones in the former Soviet republic, which Putin has said he does not consider



Leo Correa / Associated Press

A woman is carried on an improvised stretcher as she boards a train, fleeing the war in Severodonetsk at a train station in Pokrovsk, Ukraine, Monday. Russia unleashed a string of attacks against Ukrainian rail and fuel installations Monday.

a real country.

Austin said Russia had suffered significant military losses, including “a lot of its troops.” He said the Pentagon was working to ensure that Russia could not “very quickly reproduce that capability.”

Austin and Blinken planned to hold discussions on what support Ukraine needed to prevail at a meeting with allies Tuesday in Germany.

“We want to see Russia weakened to the degree it cannot do the kinds of things that it has done in invading Ukraine,” Austin said.

The United States has agreed to provide not only advanced American-made weapons to Ukraine but also newly made ammunition for Soviet-designed arms, since the Ukrainian forces still use weapons dating to that time. On Monday, the State Department said the United States was giving Ukraine \$165 million in artillery shells, rockets and grenades compatible with Soviet-designed weapons.

Blinken, who said Russia had already been thwarted in its goal of

destroying the Ukrainian state, said he expected the U.S. Embassy in Kyiv to reopen in a few weeks. The administration nominated Bridget Brink, the current U.S. ambassador to Slovakia, as the new envoy to Ukraine.

“Russia is failing,” Blinken said. “Ukraine is succeeding.”

There was every sign Monday that Russia saw the visit as a provocation to escalate the conflict. Besides the rocket assaults on Ukraine’s railways, Russian attacks in the east knocked out electricity for the entire province of Luhansk, leaving tens of thousands without power.

Elsewhere, an Orthodox Easter lull was shattered in the northeast city of Kharkiv, where Russia resumed shelling. And on the other side of the country, explosions shook Transnistria, a Russia-aligned breakaway region of Moldova that borders Ukraine. Hundreds of Russian troops are deployed in Transnistria, and Ukrainian defense officials accused Russia of causing explosions as a pretext to invade Ukraine from that direction.

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