

John Murtari
34 Franklin St.
Lyons, NY 14489
March 15, 2010

District Attorney Richard Healy
Hall of Justice, Suite 202
Lyons, NY 14489

Dear Mr. Healy:

I'd like to report an incident involving Deputy Harry Aunkst on February 18th, 2010, in the town of Lyons. I believe he intentionally lied to Town Judge Wunder during my arraignment and there is independent confirmation of his false statements. I'm very disturbed by this. I'd like to initiate a criminal complaint regarding his conduct while on duty and I ask direction from your office on how to proceed. Here is what occurred that morning.

I'd been arrested by another deputy at the County Courthouse for charges of graffiti & trespassing and was sitting in his car. Deputy Aunkst then arrived and I was moved to his vehicle. After a stop at the Sheriff's Offices he took me to Lyons Town Court for arraignment.

Deputy Aunkst told Judge Wunder the DA's office wanted \$2,500 bail. The Judge asked who he'd spoken to at the DA's office and Deputy Aunkst couldn't remember. Judge Wunder then began mentioning the names of different ADAs and Deputy Aunkst said he'd talked to Chris Bokelman for approval. The Judge also asked him if he'd witnessed the events charged and Deputy Aunkst said, "Yes."

I complained about the high bail, but it remained \$2,500. We then started the trip to the jail. Although he had the radio loud in his car, I heard him make a cell call to your offices. It was an animated conversation. He was trying to convince someone to agree to the high bail. I suspected he'd never spoken to Mr. Bokelman and had lied to the Judge.

After my release I was able to get confirmation that neither Mr. Bokelman, nor anyone else in the DA's office, had spoken to Deputy Aunkst regarding the bail amount prior to my arraignment – he had deliberately mislead Judge Wunder.

I'm concerned regarding both his duty status & conduct and also wonder how staff in your office responded when becoming aware a Deputy had set "DA recommended bail" without ever speaking to anyone? I hope you'll give it your immediate attention. While Mr. Correia is my assigned counsel on the graffiti charges; this complaint is on my initiative. Please contact me (315-430-2702: cell) with how this matter should best be handled or if you have any questions.

Sincerely,

John Murtari

CC: Attorney Andrew Correia