



# State of New York

## Executive Chamber

No. 7

### EXECUTIVE ORDER

#### **A SPECIAL PROSECUTOR TO INVESTIGATE AND, IF WARRANTED, PROSECUTE MATTERS ARISING OUT OF OR RELATED TO EXECUTIVE ORDER 147.41**

**WHEREAS**, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

**WHEREAS**, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the office of Governor; and

**WHEREAS**, on December 22, 2020, on the New York State Thruway, Interstate 87, in Ulster County, a vehicular collision took place between New York State Police Trooper Christopher Baldner and another individual that caused the death of Monica Goods ("the Goods Incident"); and

**WHEREAS**, pursuant to Executive Orders 147 and 147.41, the Attorney General was designated the special prosecutor to investigate the circumstances of the Goods Incident, and, if warranted, to prosecute any involved law enforcement officer; and

**WHEREAS**, the Attorney General learned, during the investigation into the Goods Incident, that Trooper Baldner engaged in prior similar conduct on two occasions leading to two prior motor vehicle collisions; and

**WHEREAS**, the Attorney General will place the Goods Incident before an Ulster County Grand Jury and ask the grand jury to consider any and all appropriate charges against Trooper Baldner; and

**WHEREAS**, as part of the grand jury presentation of the Goods Incident, the Attorney General will call the two individuals involved in the two prior incidents with Trooper Baldner as part of the evidence in chief; and

**WHEREAS**, the Attorney General seeks authority to ask the grand jury to consider charging Trooper Baldner with appropriate criminal charges regarding the two prior incidents, and if the grand jury votes to charge Trooper Baldner, authority to prosecute those charges in addition to charges related to the Goods Incident, and

**WHEREAS**, it is vital to ensure that the laws of New York State have not been violated by any member of the New York State Police; and in the interest in judicial economy and

**WHEREAS**, the foregoing compels me to conclude that in this case, to ensure full confidence in our system of criminal justice and without objection from the Ulster County District Attorney, a special prosecutor should be appointed whose authority should supersede in all ways the authority and jurisdiction of the Ulster County District Attorney to manage, interpret, prosecute or inquire into the specified matters,

**NOW, THEREFORE I, KATHLEEN HOCHUL**, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, and particularly by subdivision 2 of section 63 of the Executive Law, hereby authorize the Attorney General (hereinafter, the "special prosecutor") to investigate and, if warranted, prosecute all unlawful acts or omissions or alleged unlawful acts or omissions, including the making of false statements including perjury, by any person arising out of, relating to, or in any way connected with:

- THE JANUARY 26, 2017, VEHICULAR COLLISION INVOLVING NEW YORK STATE TROOPER CHRISTOPHER BALDNER, OPERATING A MARKED TROOPER VEHICLE, AND A CIVILIAN OPERATING A CIVILIAN VEHICLE, ON THE NEW YORK STATE THRUWAY, INTERSTATE 87, ULSTER COUNTY, NEW YORK; and
- THE SEPTEMBER 6, 2019, VEHICULAR COLLISION INVOLVING NEW YORK STATE TROOPER CHRISTOPHER BALDNER, OPERATING A MARKED TROOPER VEHICLE, AND A CIVILIAN OPERATING A CIVILIAN VEHICLE, WITH TWO OTHER PERSONS INSIDE, ON THE NEW YORK STATE THRUWAY, INTERSTATE 87, ULSTER COUNTY, NEW YORK, and

**FURTHER**, the special prosecutor shall have all of the powers and duties specified in subdivisions 2 and 8 of section 63 of the Executive Law for purposes of this Order and shall possess and exercise all the prosecutorial powers necessary to investigate and, if warranted, prosecute any individual relative to the specified incidents, and the special prosecutor's jurisdiction shall displace and supersede the jurisdiction of the Ulster County District Attorney, who shall have only those powers and duties designated to him by the special prosecutor, as specified in subdivision 2 of section 63 of the Executive Law; and

**FURTHER**, for any matter covered herein, the special prosecutor shall be authorized to (i) attend a term or terms of the County or Supreme Court to be held in and for the County of Ulster, (ii) appear before any grand jury drawn for any term(s) of said court, for the purpose of conducting any and all proceedings, examinations, and inquiries, and (iii) bring any and all criminal actions and proceedings which may be had or taken before said grand jury and other grand juries concerning or relating to any and all alleged unlawful acts as described by the Order.

This Executive Order shall continue until modified, suspended or terminated by the Governor.



GIVEN under my hand and the Privy Seal of the State in  
the City of Albany this twentieth day of October  
in the year two thousand twenty-one.

BY THE GOVERNOR

  
Secretary to the Governor

