

Commission on Prosecutorial Conduct  
Attn: Susan Friedman  
P.O. Box 90398  
Brooklyn, NY 11209

December 11, 2024

Kevin Riford  
3038 Michael Drive  
North Tonawanda, NY 14120

**Re: Formal Complaint Against Prosecutor Allison Contrera – Case 24100028 – Town of Wheatfield Court**

Dear Commission on Prosecutorial Conduct,

I am writing to file a formal complaint against Allison Contrera, the prosecuting attorney assigned to my case, 24100028, currently being heard in the Town of Wheatfield, NY. I am representing myself (pro se) in this matter, and I believe that the prosecutor's conduct has violated my constitutional rights and professional standards expected of a prosecutor. The prosecutor's actions have not only been inappropriate but may also constitute Prosecutorial misconduct and unethical behavior. The specific issues I wish to address are as follows:

**1. Failure to Acknowledge Lack of Qualification for Mental Health Court:**

The prosecutor has repeatedly suggested that I be placed into mental health court, despite my clear communication that I do not have any mental health illness that would qualify me for such a program. Despite this, the prosecutor has insisted on mental health court without any justifiable explanation or alternative offers, depriving me of my right to due process and my right to make an informed decision about how to proceed with my case. I have never stated in court nor indicated that I have a mental illness, as I do not have a mental illness.

**2. Unreasonable and Inflexible Offer:**

Despite my objections, the prosecutor has not presented any other resolution or plea options that would be applicable to my case. As a pro se defendant, I am entitled to be fully informed of all available options and given a fair chance to present my case. The prosecutor's refusal to discuss alternative resolutions constitutes a violation of my right to a fair trial and right to counsel under the Sixth Amendment.

### **3. Unethical Encouragement to Obtain a False Diagnosis:**

The most concerning behavior occurred when I was provided with a business card for social workers and was explicitly instructed to contact them to obtain a diagnosis before the mental health screening. The prosecutor told me to obtain a mental health diagnosis/ in order to qualify for mental health court, even though I do not suffer from any mental illness. This is a clear violation of ethical standards for prosecutors and may constitute criminal behavior under state and federal law. Encouraging me to obtain a false diagnosis to influence the outcome of my case is a form of Prosecutorial misconduct and a violation of my right to fair treatment and due process. Such behavior undermines the integrity of the justice system and violates both my right to equal protection and my right to a fair trial as guaranteed under the Fourteenth and Sixth Amendments. Feeling coerced and pressured into getting a diagnosis, I received a diagnosis of Adult attention-deficit/hyperactivity disorder (ADHD) on November 19, 2024. ADHD is a neurodevelopmental disorder and not classified as a mental illness. I called numerous mental health courts within my jurisdiction and none of them accept ADHD as a qualifying diagnosis into mental health court.

### **4. Lack of Communication and Response:**

In addition to the aforementioned issues, I have attempted several times to contact the prosecutor regarding my concerns. I sent an email on December 9, 2024 and made multiple phone calls, but I have not received a response. This failure to communicate further deprives me of my right to due process, as I am not being given the information or opportunity to properly address my concerns in my case.

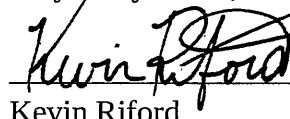
### **5. Prosecutorial Misconduct and Violations of Legal and Ethical Standards:**

The prosecutor's actions, including coercing and pressuring me into an inappropriate program (mental health court), suggesting that I falsify a diagnosis, and failing to provide adequate communication, constitute a pattern of proprietorial misconduct. This conduct not only violates my constitutional rights but also breaches the ethical obligations of attorneys to act in the interests of justice and fairness.

### **Request for Investigation:**

I respectfully request that the Commission on Prosecutorial Conduct investigate these actions as potential violations of ethical standards and Prosecutorial misconduct. The prosecutor's behavior is not only a violation of my rights but also undermines the integrity of the legal system. Please contact me at kevinriford4@protonmail.com should you require further information or documentation regarding this complaint. Thank you for your attention to this grave matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Kevin Riford", written over a horizontal line.

Kevin Riford

ATT: Emails communications (4 pg.), Niagara County Plea Slip (1 pg.)

December 9, 2024 letter to Ms. Contrera (2 pg.), Business Card provided to me (1 pg.)

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**Plea Offer - Kevin Riford - December 9, 2024**

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**From** Kevin Riford <kevinrif@buffalo.edu>

**Date** Mon 12/9/2024 9:46 AM

**To** Allison R. Contrera <Allison.Contrera@niagaracounty.com>

**Cc** Sarah A. Bertozzi <Sarah.Bertozzi@niagaracounty.com>

 1 attachment (74 KB)

OFFER\_TO\_ALLISON\_CONTRERA.pdf;

Ms. Contrera,

Attached, please find my response to your plea offer which was sent to me on December 6, 2024 via email. Thank you.

Regards,

Kevin Riford

Att.: 1



Outlook

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**RE: Mental Health Treatment Court - Screening**

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**From** Allison R. Contrera <Allison.Contrera@niagaracounty.com>

**Date** Fri 12/6/2024 5:05 PM

**To** Kevin Riford <kevinrif@buffalo.edu>

**Cc** Sarah A. Bertozzi <Sarah.Bertozzi@niagaracounty.com>; Amy K. Larrabee <ALarrabee@nycourts.gov>

 1 attachment (20 KB)

Riford, Kevin MH Treatment Court plea slip.docx;

Hello Kevin,

Please see the attached plea slip containing the revocable plea offer. Please let me know if you have any questions.

Best,  
Allison



**Allison R. Contrera**

Assistant District Attorney  
Niagara County District Attorney's Office  
Niagara Falls Municipal Building  
1925 Main Street  
Niagara Falls, NY 14305  
[Allison.Contrera@NiagaraCounty.com](mailto:Allison.Contrera@NiagaraCounty.com)  
Phone: 716-286-4518  
Fax: 716-286-4721

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**From:** Allison R. Contrera

**Sent:** Monday, November 25, 2024 4:35 PM

**To:** Kevin Riford <kevinrif@buffalo.edu>

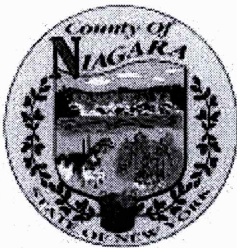
**Cc:** Sarah A. Bertozzi <Sarah.Bertozzi@niagaracounty.com>

**Subject:** RE: Mental Health Treatment Court - Screening

Hi Kevin,

This email is to confirm receipt of your two emails. I apologize for the delay in my response and will send the plea offer to you once it is determined.

Best,  
Allison



**Allison R. Contrera**

Assistant District Attorney  
Niagara County District Attorney's Office  
Niagara Falls Municipal Building  
1925 Main Street  
Niagara Falls, NY 14305  
[Allison.Contrera@NiagaraCounty.com](mailto:Allison.Contrera@NiagaraCounty.com)  
Phone: 716-286-4518  
Fax: 716-286-4721

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**From:** Kevin Riford <[kevinrif@buffalo.edu](mailto:kevinrif@buffalo.edu)>  
**Sent:** Monday, November 25, 2024 10:31 AM  
**To:** Allison R. Contrera <[Allison.Contrera@niagaracounty.com](mailto:Allison.Contrera@niagaracounty.com)>  
**Cc:** Sarah A. Bertozzi <[Sarah.Bertozzi@niagaracounty.com](mailto:Sarah.Bertozzi@niagaracounty.com)>  
**Subject:** Re: Mental Health Treatment Court - Screening

**[EXTERNAL MESSAGE]**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- Niagara County IT

Hi Ms. Contrera,

I sent you an email last week regarding the written plea agreement. Please let me know if you have a specific written plea agreement as of today. If you do, if you can send it over for review. Thank you.

Kevin Riford

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**From:** Kevin Riford <[kevinrif@buffalo.edu](mailto:kevinrif@buffalo.edu)>  
**Sent:** Friday, November 22, 2024 9:41 AM  
**To:** Allison R. Contrera <[Allison.Contrera@niagaracounty.com](mailto:Allison.Contrera@niagaracounty.com)>  
**Cc:** Sarah A. Bertozzi <[Sarah.Bertozzi@niagaracounty.com](mailto:Sarah.Bertozzi@niagaracounty.com)>  
**Subject:** Re: Mental Health Treatment Court - Screening

Hi Ms. Contrera,

We were discussing a plea agreement last time in court off the record to reduce the charges down to a violation. I am wondering if you have a specific written plea agreement as of today? If you do can you send it over for review. Thank you.

Kevin Riford

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**From:** Allison R. Contrera <[Allison.Contrera@niagaracounty.com](mailto:Allison.Contrera@niagaracounty.com)>  
**Sent:** Tuesday, November 12, 2024 7:44 PM  
**To:** [hhurtgam@nycourts.gov](mailto:hhurtgam@nycourts.gov) <[hhurtgam@nycourts.gov](mailto:hhurtgam@nycourts.gov)>  
**Cc:** Kevin Riford <[kevinrif@buffalo.edu](mailto:kevinrif@buffalo.edu)>; Sarah A. Bertozzi <[Sarah.Bertozzi@niagaracounty.com](mailto:Sarah.Bertozzi@niagaracounty.com)>  
**Subject:** Mental Health Treatment Court - Screening

You don't often get email from [allison.contrera@niagaracounty.com](mailto:allison.contrera@niagaracounty.com). [Learn why this is important](#)  
Hello,

Pro Se Defendant Kevin Riford (copied on) is potentially interested in getting screened for Mental Health Treatment Court. Can you please assist with determining his eligibility for the program?

Best,  
Allison



**Allison R. Contrera**

Assistant District Attorney  
Niagara County District Attorney's Office  
Niagara Falls Municipal Building  
1925 Main Street  
Niagara Falls, NY 14305  
[Allison.Contrera@NiagaraCounty.com](mailto:Allison.Contrera@NiagaraCounty.com)  
Phone: 716-286-4518  
Fax: 716-286-4721

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# NIAGARA COUNTY DISTRICT ATTORNEY

## PLEA SLIP / READY FOR TRIAL FORM

Defendant Name <b>Riford, Kevin M.</b>	Date of Plea/Pretrial <b>Dec 10, 2024</b>	Docket No.
Defense Attorney	Assistant District Attorney <b>Allison Contrera</b>	Judge <b>Angela Stamm-Philipps</b>
<b>ORIGINAL CHARGES</b>	<b>REDUCTION / RESOLUTION</b>	
1. § PL 145.10 00 D F 2 CRIMINAL MISCHIEF - 2ND	1) Covers: Criminal Mischief-4th Degree § PL 145.00 00A M 4	
2. § PL 195.05 00 A M 2 OBSTRUCT GOVERNMENTL ADMIN-2ND	2) Covers: Obstruct Governmental Administration-2nd Degree § PL 195.05 00A M 2	
3. § PL 205.30 00 A M 0 RESISTING ARREST	3) Pleads Guilty to: Resisting Arrest § PL 205.30 00A M 0	
Revocable plea offer conditions: <b>Plead guilty to PL 205.30 Resisting Arrest (A Misdemeanor), waive the right to appeal, consent to final limited order of protections, and enter Mental Health Treatment Court. Upon successful completion of Mental Health Treatment Court, the plea may be vacated to PL 240.20 Disorderly Conduct (Violation).</b>		
5% Surcharge imposed on restitution paid through Probation [Penal Law §60.27(8)]		
Final Order of Protection requested for: <b>Joanne Riford DOB: 04/18/1957; Katie Riford DOB: 11/15/1984</b>		
Cases Covered by this Plea:		
Notes / Recommendations:		
<div><i><u>s/Allison Contrera</u></i></div> <div><b>Dated: December 6, 2024</b></div>		

GRANT CASE? ☐ GIVE ☐ MVTIF (copy to DA Inv.) ☐ CARP ☐ OTHER \_\_\_\_\_

DA #10 Eff. 09/21/2022

Kevin Riford  
3038 Michael Drive  
North Tonawanda, NY 14120

December 9, 2024

Allison Contrera, Assistant District Attorney  
Niagara Falls Municipal Bldg.  
1925 Main St.  
Niagara Falls, NY 14305

Re: Plea Deal Counter Offer  
Case No. 24100028

**SENT VIA EMAIL TO: [allison.contrera@niagaracounty.com](mailto:allison.contrera@niagaracounty.com)**

Dear Ms. Contrera,

I hope this message finds you well. Thank you for sending over the first plea offer on December 6, 2024. I've had the opportunity to review it.

I noticed that the offer includes NYS Mental Health Court, and I'm a bit confused by this, as I understand it is intended for individuals with serious mental illnesses. I want to clarify that I do not have a mental illness, nor have I made any statements to suggest otherwise.

**I'd like to counter your plea offer with the following two opportunities:**

**OFFER #1**

- 1.) Criminal Mischief (PL 145.00) reduced to Disorderly Conduct (PL 240.20)
- 2.) Obstruct Government Administration (PL 195.00) reduced to Disorderly Conduct (PL 240.20)
- 3.) Resisting Arrest (PL 205.30) reduced to Second Degree Harassment (PL 240.26)
- 4.) Defendant agrees to pay the maximum fine for each violation (\$250 each) for a total of \$750, due by 01/01/2025.



5.) The defendant agrees to accept these terms and resolve the case, but does so without admitting guilt to any of the charges. The defendant acknowledges that this agreement is a way to resolve the matter through a reduction in charges and a financial settlement, rather than an admission of criminal conduct or responsibility for the charges.

**OFFER #2**

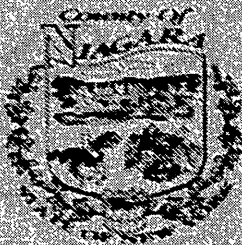
1.) All charges dismissed upon the successful completion of a 6-month ACD (Adjournment in Contemplation of Dismissal) period.

2.) Defendant agrees to attend counseling during this 6 month period, once per week during the 6 month ACD period for his attention-deficit/hyperactivity disorder (ADHD). Defendant will choose a NYS licensed counselor of his choice whom specializes in attention-deficit/hyperactivity disorder (ADHD).

3.) The defendant agrees to accept these terms and resolve the case, but does so without admitting guilt to any of the charges. The defendant acknowledges that this agreement is a way to resolve the matter through the successful completion of the ACD process and counseling, rather than an admission of criminal conduct or responsibility for the charges.

Respectfully,

/S/ Kevin Riford



## NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE

Phone: (716) 439-7071

Fax: (716) 439-7076

Office Address:  
170 East Avenue  
Lockport, New York 14094

Mailing Address:  
175 Hawley Street  
Lockport, NY 14094

Social Workers - Anna & Maggie