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PRESS RELEASE

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DA McMahon Names New Chief Assistant District Attorney, Congratulates ADA Paul Capofari on Retirement

Chief ADA Paul Capofari “The Colonel” honored for his years of public service to the people of Staten Island; DA McMahon names Executive Assistant District Attorney Timothy Koller as RCDA’s new Number Two

Staten Island, N.Y. – Today, Richmond County District Attorney Michael E. McMahon announced Chief Assistant District Attorney Paul Capofari’s retirement from RCDA and honored his many years of public service to the people of Staten Island. Additionally, DA McMahon named Executive Assistant District Attorney Timothy Koller as RCDA’s new Chief ADA.

“Chief ADA Paul Capofari has been a tremendous champion for justice while at RCDA and during his many years of public service, working tirelessly every day on behalf of the people of Staten Island,” **said District Attorney Michael E. McMahon.** “During his first tour of duty at RCDA, he prosecuted many important cases, ensuring justice for victims of crime, and was instrumental in establishing a Mental Health Court on Staten Island. While serving as Chief of my administration, ADA Capofari has continually shown excellent leadership in guiding our prosecutors through many challenging cases with his wealth of experience and knowledge of the law. At the same time, he has helped transform the ways in which the office handles many of the most serious issues facing Staten Island, and was especially vital in establishing the borough’s first Veterans Court. While we are sad to lose his expertise, I am confident that “The Colonel” has left RCDA and Staten Island in a better and much safer place, and I congratulate him on his well-deserved retirement.”

McMahon continued, “Filling the role of new Chief ADA is Executive ADA Timothy Koller, who has served under five District Attorneys on Staten Island during his more than 37 years as a prosecutor. As the most senior prosecutor on Staten Island, I am honored to have ADA Koller stepping in to lead this important position as we continue fighting each and every day to keep the people of Staten Island safe.”

Chief ADA Paul Capofari said, “I have been grateful for the chance to serve the people of Staten Island under the leadership of DA McMahon and continue to be proud of all the office has accomplished during that

time. My admiration for the DA, my fellow leaders in the office, and all of the prosecutors and staff serving RCDA, is unbounded. I am proud of my work here, but know the office will continue to serve the people of Staten Island. I have been guided in my life by the precepts of my alma mater, West Point: Duty, Honor, Country. I hope my diligence, my ethics, and my commitment to my community have measured up to those ideals. I believe they have.”

Executive ADA Timothy Koller said, “It has been a tremendous honor to work every day on behalf of the people of Staten Island, and I am grateful to DA McMahon for his confidence in allowing me to serve as Chief ADA for the office. Together, we will continue to tackle the many challenges facing our borough, from the drug crisis, to domestic violence and other serious crimes, in order to make Staten Island a safer place for all.”

Chief ADA Capofari graduated from the U.S. Military Academy at West Point in 1972 and was assigned to the 25th Division at Schofield Barracks Hawaii. After five years of infantry service, Capofari was selected to be part of the Army funded legal education program and attended New York Law School. He graduated cum laude in 1980 and joined the Army’s Judge Advocate General’s Corps, assigned to various posts throughout the United States. While working at the Pentagon in 1988, then Major Capofari wrote the Army AIDS policy and appeared as a witness before the President’s Commission on the HIV epidemic. He was also assigned to the Office of the White House Counsel during the trials in the Iran-Contra affair where he worked on the Classified Information Procedures Act. In 1990, Capofari was promoted to Lieutenant Colonel and assigned to West Point to teach law. While on the faculty, he was twice named the NUI honor instructor and co-authored the text book, “Constitutional Law for the Citizen-Soldier.” He retired from the Army after 21 years of service in 1993 and returned to Staten Island to work in the Richmond County District Attorney’s Office. He was chosen by then DA Bill Murphy to be the lead prosecutor in the case of *People v. Wilson*, who killed Undercover Detectives Andrews and Nemorin in Tomkinsville in 2003. During his 19 years, ADA Capofari prosecuted many cases, including that of a local builder who ordered a 15-foot deep trench dug without any proper reinforcement. The trench collapsed, killing one worker and injuring another. The case was the first homicide conviction in New York for a construction trench collapse. Capofari has been a strong supporter of mental health. He has served on the board of directors of the local chapter of the National Alliance on Mental Illness, a grassroots organization offering advocacy, support, and education to those with mental illness and their families. He served as the President of the NY State organization for a short period of time. He is proud of his role in the establishment of a Mental Health Court here on Staten Island. In 2012, Capofari left the prosecutor’s office to establish a law firm with his son. Three years later, he heeded the call to return to public service as the Chief Assistant DA under DA McMahon. During that time, he guided ADAs through many challenging cases and helped to establish and operate the borough’s first Veterans Court. In 2018, ADA Capofari was awarded the prestigious Morgenthau Award for his devotion to justice and public safety. Capofari met his wife Sharon in high school; they live on Staten Island, have four grown children and eleven grandchildren.

Timothy Koller earned a bachelor’s degree in political science and business from St. John’s University in 1977, and went on to earn his J.D. in 1980 from Pace University School of Law. After serving as an intern at the Richmond County District Attorney’s Office in 1979, he was appointed an Assistant District Attorney on Aug. 11, 1980, where he began his career as a prosecutor in the office’s Criminal Court Bureau. In 1982, Koller was transferred to the Supreme Court Bureau as a staff assistant assigned to prosecute felonies. From 1986 through 1989, Koller served as the Chief of the Career Criminal Unit, where he was responsible for the prosecution of repeat felony offenders. In 1989, Koller was appointed Chief of the Investigations Bureau, a position he held until 1991 when he was tapped to serve as the Chief of the Supreme Court Bureau, a post Koller held for 14 years. In 2005, he was named Executive Assistant District Attorney, and continues to serve in that role under District Attorney Michael E. McMahon, the fifth District Attorney under whom Koller has served during his nearly 40 years as a prosecutor, making him the longest-serving assistant district attorney in the history of the Richmond County District Attorney’s Office. Koller is a member of the National District Attorneys’ Association, as well as the District Attorneys Association of the State of New York (DAASNY),

where he serves as a member of the Best Practices Committee, and as the Co-Chair of the Ethics Guidance Committee. As an original member of the DAASNY Best Practices Committee, Koller was part of a group that formulated Identification Protocols for New York State’s law enforcement community. In 2014, he was invited to serve as a pre-publication reviewer for a National Academy of Sciences Publication, “Identifying the Culprit: Assessing Eyewitness Identification”. He also serves as a member of the New York State Bar’s Criminal Justice Section’s Executive Committee; the Awards Committee, and the Bar’s Task Force on Parole Reform. As an Adjunct Assistant Professor at St. John’s University since 2003, Koller has taught graduate courses in Constitutional Law and other areas of criminal justice. He has been a guest lecturer at Pace University’s Prosecution Clinic, and has been a program panelist at the Brennan Center for Justice at NYU Law School. He has also lectured at various trainings at the NYPD; the NYS Division of Criminal Justice Services; the NY Prosecutors Training Institute; DAASNY; the NYS Attorney General’s Office; the NYC Department of Investigation; Safe Horizon; numerous District Attorneys’ Offices, and the Oregon Bar Association’s Criminal Justice Section. As an original member of the DAASNY Best Practices Committee, Koller was part of a group that formulated Identification Protocols for New York State’s law enforcement community. In 2014, he was invited to serve as a pre-publication reviewer for a National Academy of Sciences Publication, “Identifying the Culprit: Assessing Eyewitness Identification”. Koller served as co-counsel in the 1998 trial that resulted in the conviction of the defendant who murdered P.O. Gerard Carter in the West Brighton Houses in 1997. Among the recognitions that Koller has received are the New York City Bar Association’s Thomas E. Dewey Medal in 2005, DAASNY’s Robert M. Morgenthau Award in 2012, and NYPTI’s Prosecutor of the Year Award in 2018.

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