

CONNECTICUT ASSOCIATION OF PROSECUTORS

John P. Doyle, Jr.

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Melissa Streeto

Secretary

PO Box 1004

Rocky Hill, Ct

06067-1004

TESTIMONY OF THE CONNECTICUT ASSOCIATION OF PROSECUTORS

Appointment of Chief State's Attorney

Criminal Justice Commission

October 11, 2019

The Connecticut Association of Prosecutors (CAP) is the bargaining unit representing 248 Deputy Assistant, Assistant, Senior Assistant and Supervisory Assistant State's Attorneys within the Division of Criminal Justice. Charged with the responsibility for the investigation and prosecution of criminal matters in the State of Connecticut, under the supervision of the Chief State's Attorney and the thirteen state's attorneys, Connecticut's prosecutors handle tens of thousands of cases per annum. The Criminal Justice Commission has expressed an interest in hearing from parties and organizations that have specific interests with regard to the criminal justice system as to what the Commission should be looking for in our next Chief State's Attorney. The Commission, through its Chairman, Justice McDonald, has indicated it seeks input from stakeholders on how they would like to see the Division of Criminal Justice develop in the years to come under the next Chief State's Attorney. As a vital, in fact, crucial stakeholder in this endeavor, CAP recommends the following necessary criteria to be considered for the next Chief State's Attorney.

We seek a Chief State's Attorney who understands the laws, rules and parameters in which we operate. By law prosecutors are subject to a variety of rules and regulations in their work. Like all attorneys, we are subject to the Rules of Professional Responsibility, and the Connecticut Practice Book which governs practice in Connecticut courts. We are additionally subject to the policies of the Division of Criminal Justice. We are subject to the Connecticut General Statutes. Additionally, as prosecutors we are beholden to the special rules for prosecutors within the Rules of Professional Responsibility. Most importantly, we are charged with upholding the state and federal Constitutions. As prosecutors, we are charged with upholding the rights of both criminal defendants and victims of crime while endeavoring each day to make our communities safer and to ensure justice for all affected by the criminal justice system.

We seek a Chief State's Attorney who understands and respects our careers. One who understands that the vast majority of state prosecutors are career prosecutors, who chose and were fortunate to be chosen by this Commission to do this extremely vital work. Prosecutors who elect to continue this work each day and night under intense scrutiny and under difficult conditions. Conditions where we quite often have to investigate and prosecute heinous acts committed by one person upon another or minor acts that may still have devastating consequences to others. We have to make decisions on what to prosecute, or not prosecute, by weighing numerous factors such as the community interest, the victim interests and the accused interests. We must consider the relative strengths and weaknesses of each case. We do so while balancing the rule of law which governs our work, whether in a GA office, a Part A office or a specialized unit. We seek a Chief State's Attorney who has walked in our shoes and has done this work; as one of the most effective ways to lead is by example and experience.

We seek a Chief State's Attorney who has experience managing, supervising or directing investigations, prosecutions within the DCJ. One who has knowledge of our GA, Part A, Appellate and Specialized units throughout the state. One who has knowledge of the everyday practices and the reality of prosecution matters in Connecticut Courts.

We seek a Chief State's Attorney who will continue to understand and respect the roles of the Deputy Chief State's Attorneys and the State's Attorneys for each of the state's Thirteen Judicial Districts. Article XXIII of the Connecticut Constitution established that the "prosecutorial power of the state shall be vested in a chief state's attorney and the state's attorney for each judicial district."

We seek a Chief State's Attorney who can endeavor to change the perception of prosecutors. Quite often, many do not recognize or understand the role of the prosecutor in the criminal justice system. There are misperceptions about what we do and what we cannot do. A Chief State's Attorney needs to advocate for the citizens of this state but also those prosecutors who assist in that endeavor

We seek a Chief State's Attorney who understands and respects our Collective Bargaining Agreement. One who will continue, as Chief State's Attorney Kane has, to seek our input on policies and legislation. Over the past several years, CAP, as representatives of front line prosecutors, collaborated with DCJ management in updating and establishing policies on prosecutorial ethics, discovery practices and in legislative recommendations. We seek to continue this process.

On behalf of CAP, I thank the Commission for affording this opportunity to provide input on the next Chief State's Attorney. The next Chief State's Attorney will have the responsibility of leading the DCJ in an evolving and challenging criminal justice system, while endeavoring to continue a legacy of integrity, fairness and quest for justice established by the retiring Chief State's Attorney Kevin Kane. I would be happy to provide any additional information or to answer any questions that the Criminal Justice Commission may have, should the need arise.

Sincerely,



John P. Doyle, Jr.

Senior Assistant State's Attorney
President
Connecticut Association of
Prosecutors