Division of Criminal Justice

Agency Description

The Division of Criminal Justice is constitutionally charged with the investigation and prosecution of all criminal matters in the Superior Court. Pursuant to Article 23 of the Connecticut Constitution, the division's mission is to contribute to the due process of criminal law and to achieve justice. Article 23, enacted by the voters in 1984, established the division as an Executive Branch agency and transferred it from the Judicial Branch.

The Chief State's Attorney, as administrative head of the agency, is responsible for planning and establishing agency policy and administering the operations and activities of the central office and over 50 prosecutor’s offices throughout the state.

The division is organized into three major activity areas: investigation and prosecution, appellate and collateral litigation, and management and support services. These program areas include: prosecution of all felonies, misdemeanors, infractions, motor vehicle offenses and violations arising under state statutes; investigation and prosecution of particular crimes and offenses of statewide scope and/or requiring special expertise and representation of the state in all appellate, post-trial and post-conviction proceedings related to criminal matters.

The division has expanded its activities in the areas of public integrity, “cold case” investigation, prosecution of elder abuse, Medicaid fraud, gun violence prosecution, computer crime, neighborhood prosecution, domestic violence, youth violence, recorded custodial interrogation research, and drunk driving.

The inclusion of juvenile prosecution in the division's repertoire of duties continues to present specialized issues. The division attained jurisdiction over juvenile prosecution as a result of Public Act No. 95-225. Juvenile offenders provide special challenges to prosecutors in that some juveniles may best be diverted to rehabilitative programs to avoid judicial action and detention. However, some juvenile offenders commit crimes serious enough to warrant their transfer to the adult docket.

Investigation AND PROSECUTION

## ***Statutory References***

C.G.S. Sections 51-276, 51-286e, 54-82l-m and 54-36h.

## ***Statement of Need and Program Objectives***

To represent the people of the State of Connecticut in the investigation and prosecution of all felonies, misdemeanors and motor vehicle offenses against the laws of the State of Connecticut and the ordinances of local government after arrest by state or local law enforcement officials.

## ***Program Description***

Thirteen Judicial District (JD) State's Attorneys' Offices handle major felonies. Twenty Geographic Area (GA) Offices are responsible for lesser felonies and misdemeanors, including motor vehicle and criminal infractions. Thirteen Juvenile Matters Offices are responsible for juvenile crimes.

Connecticut prosecutors are assigned to specific offices and the process of handling cases is the same in both JD and GA locations.

Throughout the process, significant time may be spent in negotiation with defense counsel, with the anticipated result being that many cases are resolved without a jury or court trial. In capital cases, prosecution requires the attention of more than one prosecutor and centralized research assistance is provided by Appellate Bureau staff that specializes in capital litigation.

In addition to the ongoing review of filed criminal cases, substantial prosecutor time must be devoted to the review and issuance of arrest, re-arrest and search warrants, as well as post-conviction actions, and the collection of forfeited bail bonds. The division is responsible for the extradition of prisoners from other states and for bringing in witnesses needed for trial who reside in other states.

*Juvenile Prosecution* became the responsibility of the Division of Criminal Justice in 1996.  The prosecution of juvenile delinquents and status offenders runs the gamut of offenses from truancy to capital crimes. The division has taken substantial steps to improve the effectiveness of juvenile prosecution by hiring Supervisory Prosecutors and additional Juvenile Investigators and prosecutors in juvenile offices and upgrading the technology used by the staff. The State’s Attorneys provide supervision of the juvenile matters staff while the Office of the Chief State’s Attorney provides statewide coordination of juvenile matters as well as training and educational programs for staff, police agencies, schools and community groups.  The division handles in excess of 15,000 juvenile delinquency matters each year, which, while down from peak numbers in past biennia due in part to increased use of graduated sanctions and community-based diversion programs, is a figure that will rise as ongoing implementation of the “Raise the Age” legislation brings 16 and 17-year-olds into the juvenile courts.  Between July 1, 2012 (the first date that 17-year-olds became subject to “Families With Service Needs” laws) and November 30, 2012 there has been an eighteen percent increase in the number of delinquency cases received by the juvenile court compared to the same time period in the previous year.

The *Asset Forfeiture Bureau* works in conjunction with prosecutors handling drug-related prosecutions by filing civil actions, where appropriate, for the forfeiture to the state of property or assets used in the commission of the drug-related crime as a means to deter criminal activity. The bureau provides revenue to the state and programs for local and state agencies through forfeited assets. In Fiscal Year 2012 over $3 million was collected in drug asset forfeitures. The bureau represents the state in the collection of bonds forfeited in criminal cases, with an average annual collection of $2 million over the past three years.

The *Nuisance Abatement Unit*, within the Asset Forfeiture Bureau, employs two prosecutors assigned to handle Nuisance Abatement cases. These prosecutors are responsible for filing civil actions seeking injunctive relief against criminal nuisances as authorized in Connecticut General Statutes Section 19a-343, et seq. In addition to litigation responsibilities, the prosecutors conduct training of law enforcement personnel for nuisance abatement investigations and conduct community group education regarding the program. Another function of the nuisance abatement program is to provide cooperating landlords an opportunity to correct problems at their properties with the assistance of local police and the Chief State's Attorney's Office.

*Housing Court* Prosecutors deal with criminal cases in the state’s urban areas and deal with issues including fire code violations, lead paint abatement and building code violations. This equates to approximately 200 prosecutions per year.

*Community Court*, through an innovative partnership between the Judicial Branch, city officials and the Division of Criminal Justice, handles “quality of life” offenses which otherwise would be assigned to the regular court docket. These crimes and violations are targeted because of their impact on the public safety of citizens and their contribution to the deterioration of many neighborhoods. In FY 2012, the division prosecuted 12,918 cases, resulting in 27,757 hours of community service, 2,314 referrals to human service providers and over 1,000 referrals to Hartford-area mediation.

The *Office of the Chief State’s Attorney* conducts investigations and prosecutions on a statewide basis in a number of different specialized areas. These investigations are often highly technical, complex or statewide in nature. In the majority of cases that fall into these areas, referrals will be made from state or local police departments or the State's Attorney’s Offices. In order to improve the effectiveness and efficiency of investigative and prosecutorial functions, a new organizational structure has been implemented. This new structure enables the division to draw upon experienced prosecutors and inspectors, allowing the agency as a whole to respond to surges in demand in particular program areas and to work more efficiently with the State’s Attorneys’ offices as well as state, local and federal law enforcement agencies.

The *Statewide Prosecution Bureau*has responsibility for public integrity matters, elder abuse, and environmental and other financial crimes. Highlights include the investigation and prosecution of public corruption; elder abuse prosecutorial activities to combat the increasing incidence of crimes against the elderly which range from telemarketing scams to physical abuse (such cases are segregated and vertically prosecuted with an annual average of 85 open cases representing over $7 million in financial abuse alone); and the investigation and prosecution of criminal violations relating to economic fraud, social services recipient and provider fraud, private health care fraud, environmental laws, election laws and other designated matters. Significant subunit activities include:

The *Worker’s Compensation Fraud Control Bureau*, within the Statewide Prosecution Bureau at the Chief State’s Attorney’s Office has the broad responsibility of investigating and prosecuting offenses related to workers' compensation fraud.

The *Medicaid Fraud Control Unit*, also within the Statewide Prosecution Bureau, protects the State of Connecticut and its citizens by investigating and prosecuting fraud committed by health care professionals and facilities that provide services paid for by the Connecticut Medicaid program. In addition, the unit investigates and prosecutes abuse and neglect of patients by Medicaid providers as well as misappropriation of patients’ personal funds**.** In FY 2012, penalty fees, restitution and recovery proceeds collections exceeded $7 million.

The *Statewide Prosecution Bureau* also investigates organized crime, domestic violence, narcotics and other violent crimes. Highlights include the vertical prosecution of gang and gun-related crimes across the state, as well as other organized criminal activity, through use of the state's CORA (Corrupt Organization and Racketeering Act) laws*.* Significant subunit activities include:

*Domestic Violence Prosecution* in the Division of Criminal Justice, through a combination of state and federal funding, has been enhanced in the Judicial Districts of Ansonia/Milford, Fairfield, Hartford, New Britain, New Haven, Stamford, Waterbury, and Windham (with a special emphasis on rural domestic violence and child sexual assault issues) where prosecutors and investigators are given specialized training and handle domestic violence cases exclusively. They work with judicial, police and social service agencies to create a global approach that recognizes the special needs of victims and the importance of accountability for offenders. This approach includes expertise in the investigation and prosecution of statutory rape and also includes outreach programs designed to prevent teen pregnancy. Federal funding has also enabled the division to establish a centralized Domestic Violence Unit, which assists in domestic violence investigation and prosecution as well as in the formation, codification, dissemination and implementation of best policies and procedures. The centralized unit also conducts in-depth statewide trainings on specialized domestic violence topics including the prosecution of strangulation crimes. The unit has, with federal funding, initiated a groundbreaking camera kit project to assist police departments in documenting domestic violence incidents.

The *Cold Case Unit* investigates and prosecutes serious crimes that have gone "cold," or unsolved for a long period of time. The cases assigned to this unit typically include unsolved murders, some of which took place decades ago. The unit works with the Connecticut State Police, local police departments, and nationally recognized forensics experts. The unit has obtained convictions in fifteen cases in which arrests have been made, a significant majority of them homicides.

*Shooting Task Forces* were established by the Office of the Chief State’s Attorney in 2011 and currently are deployed in Hartford, New Haven, and New Britain. These teams link experienced Division of Criminal Justice Inspectors with state and local police officers to aggressively investigate cases involving known shooters in Connecticut’s most violent cities. Since the inception of a shooting team in July 2011, the City of Hartford has seen a decrease of approximately 33% in the number of persons struck by gunfire. In a much shorter period of time the City of New Haven also has seen a notable decline in shootings, thus prompting the City of New Britain to request the initiation of a shooting team there, which began operation in the Fall of 2012.

The *Witness Protection Unit* was created in 1999 as a result of Public Act 99-40 and implements the Leroy Brown, Jr. and Karen Clarke Witness Protection Program. The unit administers a statewide program, in cooperation with the State’s Attorneys and local, state and federal law enforcement agencies, to identify and protect witnesses in criminal proceedings where there is evidence of substantial danger that they may suffer from intimidation or retaliatory violence. Services rendered include temporary relocation, semi-permanent relocation in or outside Connecticut and police protection. Since its inception, the unit has handled 646 witness protection matters and has assisted 1,635 persons with some form of protection.

The *Centralized Case Presentation Unit*, within the Office of the Chief State’s Attorney, formed with federal assistance, assists prosecutors statewide in the collection and usage of digitized evidence and in utilizing the latest technology in trial presentations.

Appellate and Collateral Litigation

## ***Statutory Reference***

C.G.S. Sections 51-276, 51-277, 51-279 and 51-279b.

## ***Statement of Need and Program Objectives***

To participate on behalf of the state in all appellate, post-trial and post-conviction proceedings arising out of the initiation of any criminal action, whether or not the proceedings are denominated civil or criminal for other purposes. To provide research in matters of criminal law and legislation to further specific prosecutorial action and agency policy.

## ***Program Description***

Criminal prosecution and investigation generates numerous pre- or post-arrest activities. The Appellate Bureau's activities include: handling direct appeals in criminal cases, whether in the state or federal appellate court system; representing the state in state and federal habeas corpus matters referred to it by the field offices; conducting legal research to assist division personnel as well as responding to state and municipal law enforcement agencies' information requests; coordinating capital research and litigation on a statewide basis; providing representation of agency interests in collateral litigation, such as habeas corpus and subpoenas of agency personnel and the collection of bonds forfeited in criminal cases.

The bureau also assists in the preparation, editing and publication of legal summaries, manuals and handbooks that are disseminated to division personnel and others to be used in training.

The Civil Litigation Bureau’s primary focus is the representation of the division's interests in civil matters not otherwise handled by the agency’s prosecutors or the Attorney General's Office.

Management and Support Services

## ***Statutory Reference***

C.G.S. Sections 51-276 and 54-142h.

## ***Statement of Need and Program Objectives***

To direct and coordinate the policy, planning and administration of the Division of Criminal Justice. To ensure that the personnel, payroll, budgeting, accounting, information technology, training and service requirements of the central office and 50 geographically disparate field offices are met in a timely and efficient manner.

## ***Program Description***

Management and Support Services coordinate a variety of activities and services that respond to the programmatic and logistical demands of the division. The responsibilities include: establishing and enforcing policy for the division, developing and supporting legislation related to the criminal justice process, coordinating training and developing manuals related to new issues in prosecution and the law, implementing collective bargaining agreements and coordinating all contracts and grant applications and awards.

In addition, planning, implementation and service delivery for budget, payroll, purchasing, accounting, auditing, data systems, inventory control, communications and personnel functions, including labor relations, are handled in the central office. Financial and personnel records are maintained for each office location and in aggregate.

Management and Support Services is also responsible for providing information technology policies and strategies in conjunction with the Department of Administrative Services’ Bureau of Enterprise Systems and Technology, law enforcement and other agencies (such as planning for major infrastructure improvements), developing and implementing electronic case management, establishing electronic means for document management and legal research and implementing the Criminal Justice Information System (CJIS) initiatives. Federal grants totaling more than $3 million were secured to support these activities.

Further duties include delivering in-service training on issues of criminal law, ethics and forensic science, as well as diversity training, workplace violence training and management training. The division has prepared a criminal records manual for police departments and has conducted training sessions for police records officers. It also provides an Employee Assistance Program (EAP) in conjunction with the University of Connecticut. Other activities performed by Management Services include: responding to Freedom of Information Act requests, processing complaints concerning division personnel; coordinating prisoner transportation for extradition; planning facilities for field offices; records retention; managing the agency's fleet of vehicles; coordinating firearms training and law enforcement related purchases and organizing, conducting, and tracking training sessions for prosecutors and support staff. The division is required by statute to conduct audits of randomly-selected agencies retaining criminal records to insure that these agencies comply with state law.