



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY

JOINT COMMITTEE ON JUDICIARY

In support of:

S.B. No. 1097 (RAISED):
An Act Concerning Reports on the Training of Prosecutorial Officials

April 1, 2011

The Division of Criminal Justice supports the concept of S.B. No. 1097, An Act Concerning Reports on the Training of Prosecutorial Officials, and would respectfully suggest to the Committee that the goal of the bill can be accomplished voluntarily and without writing its provisions into statute. This bill would expand section 51-279c of the general statutes, which requires the Chief State's Attorney to establish a formal training program for all newly hired prosecutors consisting of not less than five days each year and ongoing training of at least two days per year for other prosecutors.

The Division of Criminal Justice has a strong and continuing commitment to training, not only for prosecutors but for the sworn investigative personnel in our agency and for clerical and administrative support personnel as well. For several years, the Division has set aside two days in June for an annual prosecutor training program. This year's program is scheduled for June 16-17 and includes a plenary session on prosecutor ethics as well as a "boot camp" for less-experienced prosecutors. Topics for other sessions include Sexual Assault Nurse Examiner/Sexual Assault Forensic Examiner (SANE/SAFE) testimony in child sexual assault cases, firearms law, immigration issues, DNA, drunken driver victim impact panels and legislative and legal updates. The Chief State's Attorney is requiring all prosecutors with less than ten years experience to attend both days of the training unless they are specifically excused by the State's Attorney for the Judicial District where they are assigned. A similar one-day program is held at least once a year for Inspectors, who are sworn investigators. We would note that we have continued to offer these programs on what can at best be described as a shoestring budget; while the Division of Public Defender Services has specific training personnel the Division of Criminal Justice has no such positions. In fact, our already small training account is one of the areas specifically recommended for reduction in the Governor's biennial budget.

Nonetheless, the Division fully recognizes the critical importance of training and will state unequivocally that we will continue to provide some sort of training program one way or the other. Through our own initiative, and again without any staff dedicated to this area, we have

put in place a system to record and monitor the training each employee receives. Those employees with statutory requirements (i.e., prosecutors pursuant to section 51-279c and firearms training for Inspectors) are informed of their status with regard to compliance with those requirements. Our training program relies heavily on existing staff assigned primarily to other functions, both in terms of planning training programs and in providing the actual training classes. The Division is blessed with many experienced employees, some of whom we would proudly report have risen to the level of being recognized as experts in their field. We also partner with other law enforcement agencies and bar groups for collaborative programs. Division employees also participate in training programs provided to all state employees through the In-Service Training operated under the auspices of the Department of Administrative Services and in specialized areas, such as information technology (IT) training provided through the Department of Information Technology or through the agencies responsible for the CORE-CT accounting system.

An example of an in-house initiative is a "roundtable" program held recently at the Office of the Chief State's Attorney on child abuse cases involving head trauma injuries. The presenters included pediatricians from the Connecticut Children's Medical Center, Yale-New Haven Hospital and a pathologist from the Office of the Chief Medical Examiner. The discussion was facilitated by two of our senior prosecutors. Another program on Technology Assisted Crimes Against Children is planned for May. An example of various agencies joining together for training is a weekly series of training classes on computer forensics. Instructors included Connecticut State Police troopers, officers from a variety of municipal police departments and prosecutors from the Division of Criminal Justice. Last year the Division partnered with the Judicial Branch and the Division of Public Defender Services to sponsor a symposium held at the Quinnipiac University School of Law on the issue of implicit bias in the criminal justice system. We have also actively participated in the annual multi-agency cross-training sponsored by the Criminal Justice Policy Advisory Commission (CJPAC) and the Office of Policy and Management.

An important component of our internal training program is the "Appellate Updates" that are produced on a regular basis (sometimes more than twice a week) and distributed via fax and the Division's Intranet site to all employees. These bulletins are produced by a senior prosecutor in our Appellate Bureau and analyze decisions from the state and federal courts specific to Connecticut law and the operations of the criminal justice system. Notice of training opportunities is posted on our agency intranet site, which gives online access to all employees from their workstations. The intranet site also includes a section on employee training resources, including a voluminous "Prosecutor's Deskbook," an online reference tool intended primarily for newer prosecutors but also of value to any employee with a question on any aspect of a prosecutor's job. This invaluable resource was the product of many hours of research, writing and editing on the part of senior prosecutors - again, individuals who dedicated their time to this project while still attending to their regular caseloads. Similar references have been researched and written by Division staff with regard to the prosecution of criminal matters in the Housing Session of the Superior Court and a comprehensive guide to the law and procedures governing the issuance of search and seizure warrants. These, too, were produced by employees giving extra effort while attending to what would be considered their regular duties. Training schedules and other information about training opportunities are

included in our agency newsletter, *The Brief*, which is produced quarterly and available electronically to all employees.

A regular feature of the newsletter is a complete listing of courses open to Connecticut prosecutors at the National Advocacy Center (NAC), a facility located at the University of South Carolina in Columbia, S.C., and operated under the auspices of the National District Attorneys Association. Connecticut prosecutors have not only attended the National Advocacy Center as students, but to serve as faculty as well. This training includes intensive "boot camps" for new prosecutors, introductory and advance trial advocacy and specialized areas including computer crime and crimes against children. While once a staple of our training program, National Advocacy Center training opportunities have been lessened in recent years due to reductions in federal support for the center as well as by State of Connecticut restrictions on out-of-state travel (even though the actual travel expenses were paid by the center, as were most other costs of attendance). It also should be noted that the reductions in federal support have raised questions as to whether the center will continue to exist in its present form, if at all.

Another aspect of the Division's training efforts that is sometimes overlooked is the training provided by Division of Criminal Justice prosecutors and Inspectors. Prosecutors devote a substantial amount of time instructing police officers and others in the law enforcement community on developments in the law and the practical application of the law. Numerous prosecutors serve as instructors at the Police Officer Standards and Training Council (POST) Connecticut Police Academy and the Connecticut State Police Academy. The Supervisory Assistant State's Attorney for Juvenile Matters in the Office of the Chief State's Attorney is one of the primary sources of information and training for police departments concerning juvenile issues, including implementation of the "Raise the Age" legislation. The Supervisory Assistant State's Attorney for Housing Matters provides similar training for law enforcement and others in that field. Our Information Technology staff plays a key role in training personnel from the Division and various other law enforcement agencies for the Offender Based Tracking System (OBTS). The State's Attorneys also offer training specific to their judicial districts both for Division employees as well as for law enforcement agencies and others in their communities. Each year the Office of the Chief State's Attorney in conjunction with POST, the Connecticut Police Chiefs Association and the Connecticut State Police presents the John M. Bailey Seminar on New Legal Developments Impacting Police Policies and Practices in accordance with section 7-294 of the general statutes.

While we are proud of what we have accomplished with limited resources, it is also necessary to stress for the Committee that those limited resources can be stretched only so far. A request for a specific training officer position has been included on a regular basis for several years now in our budget submissions to both the Office of Policy and Management and the Joint Committee on Appropriations. We would certainly appreciate any support the Judiciary Committee might express for the creation of this position and the appropriation of additional funding for all employee training. Another often-overlooked problem is finding time for prosecutors to attend training programs. Every reduction in personnel is an increase in the amount of time someone must spend in the courtroom with that much less time available to participate in training programs. This is exacerbated by the fact that our employees work in more than fifty locations throughout the state, which means lengthy travel time is required for some to get to a training class, further straining already busy schedules.

Despite these concerns and the difficulties in providing and participating in training programs, the Division remains fully committed to an aggressive training program for all of its employees. In order to further demonstrate our needs in this area, the Division is fully prepared to provide the Committee at the present time with the data and any supporting documentation that would be required in the future through the enactment of S.B. No. 1097. While we support the concept of the bill and would have no objection to its passage, it is not needed. We recognize that such a report might be helpful to the Committee and are ready to produce it without the enactment of legislation. The Division appreciates the Committee's attention to this important area and we would be happy to provide answer any questions the Committee might have.