CHAIRPERSON: Representative Edwin Vargas

SENATORS: Duff, Looney

REPRESENTATIVES: Davis, Perillo, Vargas

REP. VARGAS (6TH): Will guests and nominees please take their seats. We'll go over the -- we're calling the meeting to order and I'll have the clerk read the safety procedures.

CLERK: In the interest of safety, I would ask you to note the location of and access to the exits in this hearing room. The two doors through which you entered the room are the emergency exits and are marked with exit signs. In the event of an emergency, please walk quickly to the nearest exit. After exiting the room, go to your right and exit the building by the main entrance or follow the exit signs to one of the other exits. Please quickly exit the building and follow any instructions from the Capitol Police. Do not delay and do not return unless you are advised that it is safe to do so. In the event of a lockdown announcement, please remain in the hearing room, stay away from the exit doors and seek concealment behind the desks and chairs until an all-clear announcement is heard.

REP. VARGAS (6TH): Thank you, Madam Clerk. Before we begin with the public hearing, I'd just like to go over a few items. First, we hold the public hearing where we allow the nominees to come forward. We give them an opportunity to give a brief presentation about their desire to serve to their appointment. Then we open it up for questions from
the members of the Committee. After which, we ask each nominee a final question which nobody should take offense to which is is there anything that might prove embarrassing in their past. And then after that question is answered, we excuse the nominee.

After we go through all the nominations, we make an announcement that the votes will be kept open until 4 p.m. because many of our members are serving on numerous committees around the building so they cannot all be here at the time when we vote. So, when we close -- before we close the public hearing, we also ask members of the public because it is, after all, a public hearing. If they would like to weigh in either in favor or against any of the particular nominees. We also read into the record any written communications we may precede regarding the nominees.

After which we finish the public hearing, then we go into our business meeting where we take the vote, we keep it open until 4 p.m. And then the votes, which usually in this Committee are in the affirmative, we've had very -- I believe we haven't had a single nominee that's been rejected. Then the votes, since these are joint resolutions, they'll go both to the Senate and the House for a final confirmation.

So, that being the procedure, we'll start with our -- unless there's any remarks from my co-chair, Senator Duff?

SENATOR DUFF (25TH): No, sir.

REP. VARGAS (6TH): If not, we'll start with our first nominee which is the Honorable Andrew J. McDonald of Stamford who has been nominated to be chairperson of the Criminal Justice Commission.
Before you take your seat, would you please raise your hand. Do you promise to tell us the truth and nothing but the truth?

MR. MCDONALD: I do.

REP. VARGAS (6TH): Please be seated. First of all, let me congratulate you on your nomination and the floor is yours.

MR. MCDONALD: Well, thank you and good morning Chairman Vargas and Chairman Duff and members of the Executive and Legislation Nominations Committee. I want to first thank you for the opportunity to appear before you today and I appreciate the time and energy dedicated by this Committee's members to the confirmation process.

I also want to thank Governor Lamont for nominating me to the position of term of the Criminal Justice Commission and I appreciate his confidence in my ability to perform this role. Should the Legislature deem me qualified to fill this position, it will be an honor to continue to serve on the Commission that I first joined in 2017.

Briefly, by way of background with the exception of my years in college, I have lived in Connecticut all of my life. I attended the Stamford Public Schools before entering college at Cornell University from which I graduated in 1988. I then earned my Juris Doctorate degree with honors from the University of Connecticut School of Law where I also served as the managing editor of the Connecticut Journal of International Law.

Following my law school graduation, I was engaged in the private practice of law for almost 20 years, first as an associate and then as a partner of the
law firm Pullman and Comley where I was a commercial litigator and an appellate practitioner. While I was in private practice of law, I also served for several years as the Director of Legal Affairs and Corporation Council for the City of Stamford where I managed the Law Department, Human Resources Department and Benefits Department of the city.

Later I served as a State Senator from Stamford and Darien from 2003 to 2011 and was honored to be the Senate Chairman of the Judiciary Committee for all eight years I was in the General Assembly.

In 2011, I became General Counsel to the Office of the Governor where I remained until my appointment to the Supreme Court in January of 2013. In addition to being the current Chairman of the Criminal Justice Commission, I also serve as the Chairman of the Rules Committee of the Superior Court and as a member of the Connecticut Library Board.

Since I've been on the Criminal Justice Commission, the Commission has tried to develop some more objective measurements for the appointment or reappointment of the various prosecutorial positions that we fill. And have tried to diversify the applicant pool of candidates for appointment as Deputy Assistant State's Attorneys which are the entry level prosecutorial positions that we also appoint.

I have been fortunate to serve with other Commissioners who are extremely collegial and dedicated. In my two years on the Commission, we have been able to reach consensus on all of our appointments which I think is commendable. Governor Lamont has assembled a remarkable group of nominees
for the Commission that are here today and if confirmed by the legislature, I hope to serve with them all in a similar manner for the benefit of the people of Connecticut.

Again, I thank you for the consideration of my nomination and I would be happy to answer any questions you may have about me or the work of the Commission.

REP. VARGAS (6TH): Thank you very much, Mr. McDonald. You have served in the Connecticut Supreme Court. You have served in this body in the Connecticut General Assembly in the Senate and your reputation proceeds you. I have extreme confidence in your abilities and frankly, you know, this is a very important Commission selecting prosecutors and making sure that our judiciary system works. And I know you had experience at the Judiciary Committee as chairperson and Senate Chair and that you've had, you know, many, many years of experience with the law.

Any thoughts on where you'd like to see the Chief States Attorneys office head in the future or any changes or anything you may think of in terms of our whole Second Chance Initiative and how that plays into the prosecutors?

MR. MCDONALD: Well, most of that is public policy considerations for the legislator to consider. Kevin Cain who is the Chief States Attorney has been in that position since about 2006 and I believe his current term extends to 2021, I think. And, you know, one of the things that we have done on the Criminal Justice Commission is to try to create more objective measures for evaluating the performance of State's Attorneys around the state.
Under current law, the Chief States Attorney merely has to provide a summary of his recommendation about a reappointment of a state's attorney. And there is nothing more in the statutes that talks about what the commission is supposed to be using. I do know that there is some legislation pending before the General Assembly that would augment the materials that would be available to the Commission. I welcome that. It would be a great opportunity for us to have more objective measures to measure the performance of somebody over an eight-year period of time.

In the absence of legislation such as that, the Commission has required that each state's attorney develop a management plan for his or her judicial district. That had never been done before and I frankly didn't understand how you could measure whether somebody has accomplished things that were needed to be done in a particular district without having a plan to measure it against.

And so, as part of that, I recruited the Dean of the UConn Business School to help teach all of the state's attorneys how to develop a management plan. They had never -- they are running essentially law firms but didn't have a management plan to do it. And I think maybe Commissioner Ogilvie will be able to augment on this but I think it's been helpful to the Commission to start that process.

We haven't yet reviewed any state's attorney for reappointment using that methodology but, I think, that type of thing and the if the legislation is passed would be tremendously helpful to the Commission.
REP. VARGAS (6TH): Thank you for those responses. Senator Duff.

SENATOR DUFF (25TH): Thank you. Andrew, Mr. Justice, thank you for being here today and congratulations on your nomination. Can you just talk for the folks who may not be very familiar with the Criminal Justice Commission, can you just talk a little bit about what you do and what the work of yourself as Chair and also the other Commissioners do as it intersects with policy or your work on the court more working to advance some of the work here in the State of Connecticut.

MR. MCDONALD: Sure. The scope of responsibilities of the Commission are actually fairly narrow by current design of the legislature. The Commission appoints the Chief States Attorney, the two Deputy Chief States Attorneys and the 13 states attorneys around the state. And also has responsibility for hiring Deputy Assistant States Attorneys who are essentially entry level prosecutors.

There hadn't been too many of those as late because of budget cuts. The division's workforce is down by about 20 percent. So, there have been relatively few appointments for Deputy Assistant States Attorneys. But other than that, the statutes have very limited roles for the Commission. And that maybe changed at some point in the future but it's a kind of historical adaptation of the old system of how states attorneys were appointed.

Before the Criminal Justice Commission was established by a constitutional amendment, it was actually Judges who appointed the prosecutors in the state. And so, that's changed with the
constitutional amendment, of course, and we have, other than that, very little role.

Many people have the misconception that we have the authority to investigate particular cases that are handled by states attorneys around the state and we do not. We don't have the authority to discipline states attorneys, assistant states attorneys. We do have the authority to investigate complaints that are filed against states attorneys or the chief states attorney. But in my relatively short period of time on the Commission, there have been no such complaints filed.

SENATOR DUFF (25TH): Thank you. That is what I was going to ask you about the complaints and whether you had any type of investigatory process, I guess, or authority. So, thank you for answering that question. Other than that, I am good so thank you very much. Congratulations on your nomination. I look forward to voting for you.

MR. MCDONALD: Thank you.

REP. VARGAS (6TH): Just one last quick question. Do you have any advisory role?

MR. MCDONALD: We do not by statute. And if that's something the legislature -- I know members of the Commission have been frustrated at times with some of the -- some of the existing structures. But we don't have an advisory role under current law. If the legislature wants to adopt something like that, I am pretty certain -- I don't want to speak for the new members but I know that the old members of the Commission would have welcomed that type of opportunity.
REP. VARGAS (6TH): Well, thank you very much and once again, I want to congratulate you on your reappointment by Governor Lamont. Before I let you go, one last question. Is there anything in your background that you believe may prove embarrassing to this Committee, to the Governor, to the State of Connecticut?

MR. MCDONALD: I guess embarrassment is in the eye of the beholder but not from my point of view.

REP. VARGAS (6TH): Okay well thank you very much and congratulations again. That brings us to our second nominee which is a resolution confirming Robert M. Berke of Woodbridge to be a member of the Criminal Justice Commission. Mr. Berke, before you are seated, could you please raise your right hand. Do you promise to tell us the truth and nothing but the truth?

MR. BERKE: I do, sir.

REP. VARGAS (6TH): Please be seated. Congratulations on your appointment and you have the floor.

MR. BERKE: Thank you. Good morning Senator Duff and Representative Vargas and the members of the Executive and Legislative Nominations Committee. My name is Robert Berke. It is an honor to be nominated by Governor Lamont and would be privileged to serve on the Criminal Justice Commission. Thank you all for the opportunity to appear before you today to allow me to discuss my background and qualifications.

I live in Woodbridge with my wife Robin and three children. My son Logan, a junior at UConn Storrs, my daughter Lindsey a sophomore at Amity High School
in Woodbridge and my youngest son Dillon who is in the 7th grade.

I grew up in Queens, New York. My father instilled in me the benefits and gratification of public service. Despite being a busy civil litigator, he was always active in our community. After several decades as an attorney, he was elected as a Judge of the New York Civil Court and later as a Justice of the New York Supreme Court. He had a significant influence upon my siblings and me. We all chose careers as litigators.

During the beginning of my legal career, I worked in the Connecticut Public Defenders Office in the Milford, Bridgeport and Waterbury courts. Upon leaving states service after eight years, I worked for two law firms and in 2003, I opened my own practice with my wife. We handle civil and criminal matters in Connecticut's federal and state courts.

Since relocating to Connecticut in 1992, I have been involved in public service in Woodbridge. I have served as town moderator and have served on the Board of Ethics, the Plan and Zoning Commission and Board of Finance. I am currently the Chair of the Board of Police Commissioners.

During the past 27 years, I have handled thousands of criminal matters in courts throughout the state. I have tried more than 50 cases to a jury verdict in state court including murder, robbery, larceny, kidnapping, narcotics, weapons, assault and sexual assault.

In addition to my state court practice, I have represented clients in various federal criminal matters. Including narcotics distribution, trafficking of stolen property, securities fraud and
bank robbery. I have also handled criminal matters in New York City, Mississippi and Texas.

In addition to my law practice, I conducted a seminar for the Connecticut Bar Association on criminal practice in state court and gave a lecture to the Fairfield Bar Association on criminal discovery in Connecticut. I look forward to serving on the Commission and drawing from these experiences to provide a unique perspective to the diverse group of nominees that I've had the honor to serve alongside.

When considering an applicant for the position of prosecutor, I would look for someone with compassion, sound judgement, unique life experiences and a belief that justice should be administered fairly without bias or prejudice. Thank you very much for considering my nomination to the Criminal Justice Commission and I look forward to answering any questions you may have.

REP. VARGAS (6TH): Well, thank you very much, Mr. Berke. Your background is quite extensive and you have a lot of litigation experience which is great and I'm sure you're going to add a lot to the Criminal Justice Commission and I congratulate you on the Governor's appointment to this position. Are there any thoughts about your service on this Commission you'd like to share with us?

MR. BERKE: Well, I think it would be a wonderful opportunity. It would be a unique perspective that I think I can offer. Being a criminal defense lawyer, I think I'm certainly well suited to add additional perspective that may not have been provided in the past.
REP. VARGAS (6TH): And now as I asked the previous nominee, I asked about the advisory role. If that were possible if legislation would enable that do you see that as something favorable in your opinion?

MR. BERKE: Yes. Potentially, I think that could be very favorable. I think the group of nominees that are being presented have a wide range of background. I think it would be a unique group to consider criminal justice policy.

REP. VARGAS (6TH): Thank you very much. Senator Duff.

SENATOR DUFF (25TH): I thank you, Mr. Chairman, and congratulations, Mr. Berke, on your nomination. Today I appreciate your testimony and especially when you talked about looking for someone who for a prosecutor position, that the prosecutor would be compassion, sound judgement, unique life experiences and a belief that justice should be administered fairly without bias or prejudice.

I think that's an important philosophy to have and one that suits us here in the State of Connecticut well in looking towards making sure that our system of justice is one in which people go into confidently and not feel that they will not -- feel that they won't be treated in any way but fairly. So, again just thank you for your willingness to serve and congratulations on your nomination. Thank you, Mr. Chairman.

REP. VARGAS (6TH): Once again, I want to congratulate you on your appointment by the Governor and I'm pretty sure that you're going to be doing a good job. And thank you for being here today. And before I let you go, I have one final question that I ask of all nominees. And that is, is there
anything in your background that you believe might prove embarrassing either to this Committee, to the Governor or to the State of Connecticut?

MR. BERKE: No, sir.

REP. VARGAS (6TH): Well, then thank you very much and we'll proceed to the next nominee which is Reginald D. Betts of New Haven who has also been nominated to be a member of the Criminal Justice Commission. Is Mr. Betts in the room? He's not here yet. So, we'll hold his resolution for further on the agenda and we'll proceed to the next nominee. The Honorable Melanie L. Cradle of Durham to be a member of the Criminal Justice Commission.

Hi. Before you take your seat could you please raise your right hand. Do you promise to tell us the truth and nothing but the truth?

MS. CRADLE: I will.

REP. VARGAS (6TH): Please be seated.

MS. CRADLE: Thank you.

REP. VARGAS (6TH): And as with all nominees we allow our nominees to make introductory remarks so the floor is yours.

MS. CRADLE: All right, thank you. Good morning Chairman Duff, Chairman Vargas and members of the Committee. My name is Melanie Cradle, I'm a wife, a mother of two beautiful children and a Judge of the Superior Court. First, I would like to thank Governor Lamont for my nomination to the Criminal Justice Commission. I'm humbled by this nomination and if approved, it would be a great honor to serve as a member.
To tell you a little bit about myself, I was born in New York and raised in Hamden, Connecticut. I attended the Hamden Public School system and following high school attended Adelphi University in New York. Upon graduation, I returned to Hamden for two years to work and take classes at Trinity College towards a master's degree in public policy. I again left Connecticut to attend Seton Hall University School of Law in New Jersey and upon graduation, I returned to Connecticut to work for a small general practice law firm in Hartford where I handled a variety of matters including civil and criminal cases.

In search of a role that was more fulfilling, I left private practice in the year 2000 to become a Deputy Assistant States Attorney in GA 23 New Haven. During my time in New Haven, I handled a variety of criminal matters and tried cases to verdict. In 2002, I transferred to the Milford States Attorney's Office where I handled parole matters and became a senior assistant state's attorney. I remained in this position until Governor Malloy appointed me to be a Superior Court Judge in 2013.

I found that the role of a prosecutor is an awesome one. Prosecutors have tremendous authority and regularly make decisions that have a significant impact on the lives of those with whom they interact as well as the communities in which they serve. It is a responsibility that should never be taken lightly and one that I took very seriously as a prosecutor.

Turning to my judicial career, my first assignment as a judge was in criminal court GA 2 in Bridgeport. In 2014, I was transferred to New Haven GA 23 to handle criminal matters, the place where I began my
career 13 years earlier. In 2015, I was fortunate to be assigned as the presiding judge of GA 23. As presiding judge, I'm responsible for handling both substantive cases and administrative matters and I refer cases to all the judges assigned to that courthouse.

As you can see, my career in the criminal justice system has enabled me to work with a wide variety of cases and in various roles and location. I interacted on a daily basis with members of the community, members of the defense bar, court personnel and other stakeholders which impressed upon me, the importance of treating people fairly with dignity and with respect.

My work as a prosecutor instilled in me the essential qualities of a good prosecutor. Integrity, fairness, good judgement open mindedness and humility. I believe that these qualities are also essential to be a good judge. If confirmed, I believe that my background and experience as a private attorney, prosecutor and as a trial judge gives me a unique perspective that will enable me to fulfill my obligations as a member of the Commission. I thank you for your time and I'm happy to answer any questions that you may have.

REP. VARGAS (6TH): well, let me congratulate you on your appointment to the Criminal Justice Commission. Your background as a Superior Court Judge and your former background as a prosecutor all demonstrate a qualification for service on this Commission. So, I congratulate you on Governor Lamont's appointment. I'll ask you the same question I've asked the other nominees. Do you feel that an expansion of this Commission's role, perhaps in an advisory capacity would be something that you see positively?
MS. CRADLE: If the legislature deemed fit to expand the role then I would certainly be happy to and would fulfill my obligation. So, I do not take any issue with that.

REP. VARGAS (6TH): Very good. Senator Duff.

SENATOR DUFF (25TH): I have nothing further to add, just to say congratulations on your nomination and thank you for taking on this supporting role.

MS. CRADLE: All right, thank you very much, I appreciate it.

REP. VARGAS (6TH): And before we let you go, we'll ask you the same question we ask of all our nominees. Is there anything that you believe in your background that might prove embarrassing to this Committee, to the Governor or the State of Connecticut?

MS. CRADLE: No.

REP. VARGAS (6TH): If not, well then, you're excused and thank you for being here. And we move on to our next nominee which is Mr. Scott J. Murphy of Woodbridge to be a member of the Criminal Justice Commission. Would you please raise your right hand, Mr. Murphy? Do you promise to tell us the truth and nothing but the truth?

MR. MURPHY: I do.

REP. VARGAS (6TH): Please be seated and please feel free to make your opening remarks.

MR. MURPHY: Thank you. Good morning, Chairman Vargas. My name is Scott Murphy. I am grateful for the opportunity to appear before this Committee and to be considered for the appointment to the Criminal Justice Commission. I want to thank Governor Lamont
for the honor of this nomination. I actually live in the town of Farmington with my wife of 35 years. We have an adult son who we are glad to say is returning to Connecticut this summer to live and to work.

I was a prosecutor for 34 years in the division of criminal justice. The majority of my time was spent in New Britain. First as a supervisory assistant state's attorney at GA-15 where I served for 12 years. And then in 1998, I was appointed to the state's attorney for the newly created judicial district of New Britain. Eight years later, I was reappointed to that position. I retired in 2011.

Shortly after retirement, I was given the opportunity to serve as the Executive Director of the Judicial Review Council. I served in that position until 2014. The last four years, I served as a volunteer at the AARP Tax Aide Program in both New Britain and Avon. This is a program which assists low and moderate income individuals in preparing and filing their federal state income taxes.

For many years, I worked in a GA court appearing in court on a daily basis and talking to defense attorneys, unrepresented defendants, victims and witnesses. Later as states attorney, I was involved in and tried numerous cases involving very serious criminal activity. From these experiences I have gained an understanding of the criminal justice system, the impact it has on people and the skills needed to perform the job of prosecutor.

During my career, I have also been involved many times in the hiring process for new prosecutors. This included reviewing employment applications,
interviewing candidates and helping select a finalist to appear before the Criminal Justice Commission. I myself have appeared twice before the Criminal Justice Commission.

I would like to serve on this Commission because of my continuing interest in public service. I think I can make a positive contribution to the efforts to improve the criminal justice system in Connecticut. The Criminal Justice Commission has the responsibility of finding the most qualified people to hold the position of prosecutor. If I am confirmed, I pledge that I will do my utmost to identify such people. I look forward to working collaboratively with the other members of the Commission to further the cause of criminal justice for all people. Thank you again for allowing me to appear before this Committee.

REP. VARGAS (6TH): Well, thank you, Mr. Murphy. Again, your background recommends you. Your extensive experience as a prosecutor for the State of Connecticut. And I assume you're retired at this point?

MR. MURPHY: Yes, I am.

REP. VARGAS (6TH): Well, thank you for all your service, for your many years of service to the State of Connecticut and your willingness to continue to play a role with the Criminal Justice Commission and congratulations on your appointment by Governor Lamont to this position. I know you're a new appointee and I'll ask you the question I've asked the other nominees. Should the legislature add an advisory capacity to the Criminal Justice Commission, do you see that in a positive light?
MR. MURPHY: Yes. I think it's important that there be a set of expectations that the states attorneys understand. So, that when they come before the Commission to be reappointed or to seek reappointment, that they will have an understanding of how we're going to judge them and they can conform their duties in accordance with our expectations.

REP. VARGAS (6TH): Thank you very much. At this point, I'll open it up to other Committee members. If there's no further questions, then I thank you for being here today and for making yourself available to the Committee. Before we let you, there is one final question we ask of all nominees. Is there anything in your background that you believe would prove embarrassing to this Committee, to the Governor or to the State of Connecticut?

MR. MURPHY: No, I do not.

REP. VARGAS (6TH): Well, thank you very much.

MR. MURPHY: Thank you, sir.

REP. VARGAS (6TH): That brings us to Mr. Moy N. Ogilvie of Bloomfield to be a member of -- of Ms., Ms. Ogilvie, okay, my apologies. Before you take your seat would you please raise your right hand. Do you promise to tell us the truth and nothing but the truth?

MS. OGILVIE: I do.

REP. VARGAS (6TH): Please take a seat, Ms. Ogilvie and the floor is yours to make your initial statement.

MS. OGILVIE: Okay. Good morning Chairman Duff and Chairman Vargas and the members of the Executive and
Legislative Nominations Committee. My name is Moy Ogilvie and it's an honor and a privilege to be nominated by Governor Lamont to continue my service on the Criminal Justice Commission. My sincere thanks to this Committee for the opportunity to appear before you.

I was born in London, England to Jamaican parents. My parents came to the United States when I was a toddler and I eventually became a United States citizen. I was raised in Brooklyn and Queens, New York and Simsbury, Connecticut. I now live in Bloomfield.

I graduated from Bowdoin College with a major in sociology and a minor in Spanish. After graduation, I worked for two years in Boston at the Institute for Responsive Education, a non-profit organization focused on increasing parental involvement in education. Then I attended and graduated from Boston University School of Law.

My legal career started at the law firm of Cummings and Lockwood. I joined the firm in 1995 as a first year litigation associate in Hartford and worked at Cummings until 2003 when the Hartford of Cummings joined the law firm of McCarter and English. I currently serve as managing partner of McCarter's Hartford office.

I was trained as a civil litigation attorney working on various types of commercial litigation. Over the years, I began to specialize in product liability litigation working largely on toxic tort and various types of product matters. I have also practiced in family court doing divorce work and child custody matters.
Additionally, for most of my career, I've handled pro bono cases representing children in neglect cases and juvenile court. I have also handled pro bono cases for Greater Hartford Legal Aide, Connecticut Veterans Legal Center, Connecticut Fair Housing and other organizations. Over the years, I have been involved with recruiting, interviewing and hiring law students, associates and partners for McCarter and I also oversee the firm's diversity and inclusion efforts.

I realize that I have been beyond fortunate and blessed to have had supportive parents who made tremendous sacrifices for me so that I had excellent educational opportunities and countless other opportunities that followed. As a result, I am deeply committed to giving back to the legal community and the community in which I live.

For three years, I served as pro bono counsel to the Federal Grievance Committee for United States District Court and for six years, I served on the Federal Grievance Committee as a member. I have also served on selection panels for two federal magistrate court judges and over the years I have worked on and volunteered on numerous community and non-profit organizations.

In the eight years that I served on the Criminal Justice Commission, I have met and interviewed so many talented and dedicated attorneys who want to serve as prosecutors. It has been enlightening to learn the extent to which they understand the power that they have or will have. And their willingness to consider alternatives to incarceration, their ability to be fair to all parties, their courage to move forward with tough cases and the discretion to drop the weak ones.
Their understanding of the importance of community perception, the interest in educating youth and others about the roles of the prosecutor and the criminal justice system generally. And for those seeking the highest post, their experience managing, supervising, training prosecutors and their interest in creating an inclusive diverse work environment where all attorneys are challenged to stretch and grow.

I am extremely honored to be considered for this position. I have solid legal experience and I am a hard worker. I have faith in Connecticut's criminal justice system and the attorneys and judges who work tirelessly to ensure that the rights and interest of victims, citizens and the accused are protected and advanced to the fullest extent possible. I assure you that if I am appointed, I will do my best to fully and effectively discharge my obligations as a member of the Criminal Justice Commission. I thank you for your consideration and look forward to answering any questions that you may have.

REP. VARGAS (6TH): Well thank you, Ms. Ogilvie and I want to congratulate you on behalf of the Committee members for your appointment by Governor Lamont and your background recommends you for the position. And I've been asking all the nominees what their thoughts are on the possible legislation granting this Criminal Justice Commission and advisory role to the Chief States Attorneys Office. Do you have any thoughts on that?

MS. OGILVIE: I believe that is legislation extends our duties, I believe that our Committee will do a great job in filling those additional duties.
REP. VARGAS (6TH): Thank you very much. And at this point, if there's any Committee members that would like to make it a required question. If not, then I want to thank you for being here today and congratulate you once again on your appointment. And there's one final question that I need to ask of all nominees. Is there anything in your background that you believe would prove embarrassing to this Committee, to the Governor or to the State of Connecticut?

MS. OGILVIE: No sir.

REP. VARGAS (6TH): Well, thank you very much.

MS. OGILVIE: Thank you.

REP. VARGAS (6TH): And I believe we've been joined by our next nominee which we skipped over which was Reginald Betts of New Haven. Is he here? Oh, come on up. Before you take a seat, please raise your right hand. Do you promise to tell us the truth and nothing but the truth?

MR. BETTS: I do.

REP. VARGAS (6TH): Please be seated. And I don't know if you were here or not but we allow every nominee to make some introductory remarks so the floor is yours.

MR. BETTS: Thank you, sir. Good morning Senator Duff, Representative Vargas, Senator Looney, Representative Phipps, Senator Fasano, Representative Perillo and members of the Executive and Legislative Nominations Committee. My name is Reginald Dwayne Betts and it is an honor and a privilege to be nominated by Governor Lamont to serve on the Criminal Justice Commission. My sincere thanks to this Committee for the opportunity
to appear before you to speak to my desire to serve on the Commission and what I can contribute to its important work.

For roughly the past decade, I've been actively involved in efforts to reform the Criminal Justice System. First is to advocate against the transfer and trial of juveniles as adults. And later as a practitioner member of the Coordinating Council on Juvenile Justice and Delinquency Prevention as appointed by President Obama.

My work on criminal justice reform issues taken seriously for those who have been victims of crimes and those who have been found guilty of crimes and even those who have been accused of crimes led me to law school. For a year after law school, I worked at the New Haven Public Defenders Office and currently I'm a law clerk for the Honorable Judge Ted McKee of the Third Circuit Court of Appeals in Philadelphia.

I desire to be on the Commission because I find the work of prosecutors to be vital to our community. It is often said that prosecutors represent the people and doing so must be understood that they represent all of the people. Those who witnessed the trial, those who are victims of crimes, those who witnessed crimes, those who are perpetrators of crimes and all of their families.

For a long time, this vital function has occurred without, I believe, the insight and understanding of individuals who have witnessed and been involved in every aspect of the criminal justice system. I believe in my experience, first as a criminal defendant, then as an advocate, then as a law student representing clients in New Haven as a part
of the Criminal Justice Clinic there and at Yale Law School.

And finally, as a licensed attorney here in Connecticut and a law clerk for an appellate judge, I believe that I have the insight into a number of vital and important -- into the vital and important role of prosecutors in the work of moving us towards a place where justice is provided for all citizens. This is challenging work. In some sense, it is also thankless work. But I believe it is important work, the work of a prosecutor.

My family lives in New Haven. My children go to school in New Haven. This is one of the things that I do that I'm certain that they won't really know about. But I believe it is important because I believe that my safety is important, I believe that their safety is important and I believe that the safety of us all is important.

I thank the members of the Executive and Legislative Nominations Committee for your consideration and I will be happy to answer any questions that you may have.

REP. VARGAS (6TH): Well, thank you very much for your introductory statement and congratulations on behalf of the Committee for your nomination by Governor Lamont. I see you're a new appointment to the Committee and I think it's important we have an advocate for criminal justice reform on the Committee. And I would imagine that you heard the previous nominees. I've asked them the question of what they believe, whether they believe it would be a positive thing if this legislature were to enact a statute granting you advisory capacity over the
Chief States Attorney's Office and I'd like your thoughts on that.

MR. BETTS: I mean, I believe that if the legislature would so choose that the Committee is well positioned to make a positive contribution. And so, I would really defer to the legislature. But I think that if they so chose to do that, we could make a positive contribution.

REP. VARGAS (6TH): I have to admit that I was not until I was educated here by Justice McDonald about the fact that the Commission is so limited in its scope. I really wasn't aware of that I've never served on the Judiciary Committee. But I believe that it would make sense that a Commission like this would have an advisory capacity to the Chief State's Attorneys Office.

At this point, well we've been joined by Senator Looney. Is there any member of the Committee that would like to either ask a question or make any remark or comment? All right, if we're all set, I'll ask you a final question --

REP. DAVIS (57TH): Hold on.

REP. VARGAS (6TH): Oh, okay. Representative.

REP. DAVIS (57TH): Thank you. Thank you, Mr. Betts, for being here today. You certainly have quite the background to serve on this Commission. I was just wondering, I see in your resume you were leader of the Rebellious Lawyers Conference. I just wondering what that is at Yale Law School.

MR. BETTS: You know, it's interesting. I was the - - I think that was the 20th year but it's a conference that brings together public interest minded lawyers from all across the country. And,
you know, they descend upon Yale Law School basically for a weekend. And we have a series of panel, discussions.

Interesting for this panel, I think, as I caused quite a bit of controversy as one of the directors that year. Because one of the panels I put together was a public conversation between prosecutors and criminal defense attorneys for students who wanted to be either prosecutors or defense attorneys. To think about their work holistically in a way in which in our adversarial system, it is adversarial but that doesn't mean that both parties don't have justice as their end goal.

And also, interestingly enough for like this panel is the keynote speaker that year was Sujatha Baliga who I invited. She is from -- she works in California but she's an attorney. And she first was a -- she went to law school to become a prosecutor. She ended up becoming a criminal defense attorney and then she ended up abandoning that work because she was working too closely with victims sometimes for her office's sake. For their policy, they didn't think that it was that appropriate for a defense attorney to work closely with victims to sort of understand what harm occurred and how to repair the harm as a means to get a better outcome for the defendant. And so, she started practicing restorative justice.

And her speech that day was about the restorative justice work that she does in San Francisco. She actually works closely with prosecutors. In fact, all of the work that they were doing was based on cases that were deferred from the criminal court to her, basically her shop to do restorative work with the victims and the accused.
But the point of that conference is the opportunity to have serious discussions about what reform might look like on a broad spectrum of topics that law students themselves suggest and then they do all of the work to develop the panels and to invite the people come. And I was sort of just the organizer but I just had a hand in both the keynote address and the panel that I chose to run.

REP. VARGAS (6TH): Representative Perillo.

REP. DAVIS (57TH): Just one more question if I may, Mr. Chairman. Sorry. And right now, you are the -- you currently are the law clerk or are you back into private practice?

MR. BETTS: I'm currently finishing up as a law clerk for Judge McKee.

REP. VARGAS (6TH): Thank you Representative. Representative Perillo, you have the floor.

REP. PERILLO (113TH): Thank you, Mr. Chairman. As a new appointment, I just want to congratulate you. Clearly you bring a lot to the discussion and I think this is great.

MR. BETTS: I appreciate it.

REP. VARGAS (6TH): Senator Looney.

SENATOR LOONEY (11TH): Thank you, Mr. Chairman. Good morning, attorney Betts. You obviously are someone who comes before the Committee with some degree of celebrity. There have been obviously news stories about your unusual career from the time that you first became a law student and an advocate after having experienced the system from the inside in a painful way.
So, I think that the perspective that you have will be unique on the Commission and very valuable. And I'm pleased to see that the Governor has made this selection. Because I think we've been generally fortunate in that most prosecutors do see themselves as public officials in the sense that their job is to do justice not merely to secure convictions. But, you know, we have to have eternal vigilance about those in the role of prosecutors who may have an excessively prosecutorial approach and they see their responsibility in that regard more than the sense of being a public official with the responsibility to -- with the responsibility as an officer of the court to do justice not just pursue wrongdoers.

So, I think that you are in a position and I think your experience, I think will help you to make those kinds of judgements when you evaluate people coming before the Commission looking for positions of power and influence within the system. So again, I'm very pleased to see you here this morning.

MR. BETTS: Thank you, sir.

REP. VARGAS (6TH): Any other comments or questions? If not, I thank you again for coming before us and making yourself available for questions. And also, I want to once again reiterate the sentiment of the Committee and congratulating you in your appointment to the Criminal Justice Commission. There is one final question we ask of all nominees. Is there anything in your background that you believe would prove embarrassing to this Committee, to the Governor or to the State of Connecticut?

MR. BETTS: No, sir.

REP. VARGAS (6TH): Well, then thank you very much and that concludes this part of the public hearing.
Is there any member of the public that at this point would like to address the Committee of either for or against any of the nominees? If not, I'd like to enter into the record a written communication that we received from the American Civil Liberties Union. Their executive director basically congratulating the Governor on including a justice impacted expert and a criminal justice reformer to the Commission. In an effort to bring a critical and previously excluded perspective to the consequential process of interviewing and appointing Connecticut Prosecutors.

So, I'll have this letter from the ACLU entered into the record and I believe that's all the business for the -- that we have before us for the public hearing. We'll conclude the public hearing and commence our regular meeting. [Gavel]