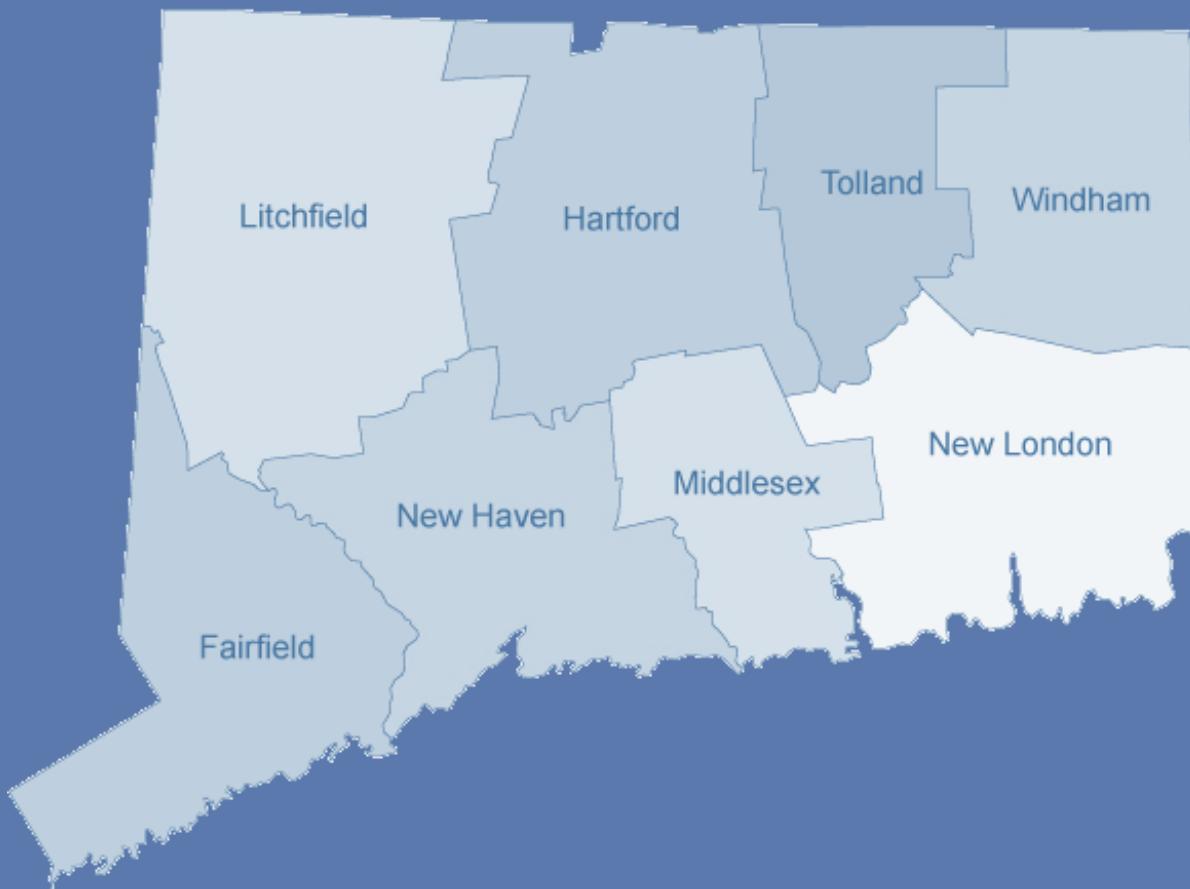


# Connecticut's Prosecutors

## - Innovative Programs -



## National Prosecutors' Consortium



July 2019

# **Table of Contents**

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<b>Acknowledgements.....</b>	<b>1</b>
<b>The Evolving Role of the Prosecutor.....</b>	<b>2</b>
<b>The National Prosecutors' Consortium.....</b>	<b>3</b>
<b>Overview of Connecticut Prosecutor Programs.....</b>	<b>3</b>
<b>Innovative Programs - Examples.....</b>	<b>4</b>
State's Attorney's Office—Judicial District of Waterbury- Early Screening and Intervention Program (ESI).....	5
State's Attorney's Office—Judicial District of New Britain- Community Engagement Board (CEB).....	7
State's Attorney's Office—Judicial District of Stamford/Norwalk- Living in a Digital World Lecture Series.....	9

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# The Evolving Role of the Prosecutor

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Over the last forty years, there has been a dramatic transformation and expansion of prosecutors' mission, to not only vigorously prosecute criminal cases, but also to engage in crime prevention, problem solving and community partnerships. Prosecutors' fundamental goal is to protect the community and ensure justice when enforcing the law. Traditionally, a prosecutor's role was a limited and relatively passive one - to evaluate and prosecute arrests made by the police.<sup>1</sup> That role has expanded and evolved significantly. The shift is driven by the need for more complex solutions that not only seek positive outcomes for victims, but also strive for long-term solutions for preventing crime and assisting those who are entangled in the criminal justice system.

Prosecutors are uniquely situated to be effective in carrying out these new initiatives. They play a pivotal role in the criminal justice system, making decisions and exercising discretion about whether to prosecute, whom to prosecute, and how to prosecute. Also, as leaders in law enforcement, prosecutors can work with the police and other partners to improve community relationships and to build trust in the criminal justice system.



1. Catherine M. Coles, *Evolving Strategies in 20<sup>th</sup>-Century American Prosecution*, in THE CHANGING ROLE OF THE AMERICAN PROSECUTOR, 182-187 (John L. Worrall & M. Elaine Nugent-Borakov, eds., 2008).

# The National Prosecutors' Consortium

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The National Prosecutors' Consortium (NPC) project is designed to collect information on innovative programs employed by prosecutor offices, to assist prosecutors in developing and deploying new programs, and to expand their research capabilities. The main areas of focus are the prevention of violent crime, community engagement, and encouraging victim/witness cooperation.

Many of the nation's prosecutors relish the opportunities presented by their expanded roles in the criminal justice system and have adopted innovative programs. However, the nature of their new initiatives is impacted by the size and resources of the organization. A large office with plentiful resources can implement multiple forward-thinking initiatives that impact a large segment of their population. Conversely, a smaller jurisdiction may only have the capacity to develop a smaller, yet still meaningful initiative.

Innovative programs described in this paper are newly developed initiatives undertaken by an office in keeping with its unique resources and the needs of its community. Ideas for new programs are freely shared amongst prosecutors and can nevertheless be innovative when they are introduced, implemented and customized to suit the needs of a particular office. For instance, a program that would be considered innovative in a smaller office, may be more common-place in a larger office. We seek to highlight those offices that are embracing their new role by working within their capacity to bring effective and proactive programs to their communities.

As part of the NPC project, a prosecutor survey was administered during 2019 at the county level across the United States on a state-by-state basis. The survey captures baseline information about prosecutor offices and collects information about the various evolving and non-traditional aspects of a prosecutor's office, such as alternatives to incarceration, preventing violent crime, community outreach, victim/witness support, and treatment programs.

## Overview of Connecticut Prosecutor Programs

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Connecticut prosecutor offices are relatively similar in size. Depending on their location, they serve large cities, suburban districts or rural areas. The prosecutors, referred to as State's Attorneys, are appointed by the Criminal Justice Commission; the members of that Commission are appointed by the Governor.

To their credit, all of the prosecutor offices in Connecticut participated in the NPC survey. The survey demonstrates that Connecticut's prosecutors embrace a wide variety of programs and initiatives. These programs include Domestic Violence courts, Victim/Witness Relocation, Conviction Review Units, Community Engagement programs, Co-Located Child Abuse programs, and Adult Education programs.

The survey found that 92% of Connecticut's prosecutors engage in problem solving courts or other programs that offer alternatives to incarceration. Most offices (85%) offered Victim/Witness Relocation, and some had Witness Assistance programs (38%) and Victim Assistance programs (31%). Slightly less than half of the offices surveyed (46%) had a Conviction Review Units. Community programs that prosecutors either run or participate in are also common. Connecticut prosecutors are involved with Community Engagement programs (69%), Co-Located Child Abuse programs (69%), Youth Education programs (62%) and Violence Reduction programs (62%). Slightly fewer offices reported participating in Co-Located Domestic Violence programs (46%), Sports programs (23%), and Re-entry programs (23%).

2. Solomon, S.E., Uchida, C.D., Connor, C., Swatt, M.L., Revier, L., Quigley, A. M., & Hock, S. (2019) *National Prosecutors' Consortium, Survey Highlights: Connecticut, Justice & Security Strategies*. The survey report is available from the State of Connecticut Division of Criminal Justice, Office of the Chief State's Attorney.

## Innovative Programs - Examples

To demonstrate the variety of innovative programs initiated by prosecutors, three offices are highlighted: Stamford/Norwalk, Waterbury, and New Britain.

The Waterbury program, which is a pilot for a statewide initiative, combines the expertise of prosecutors and resource counselors who screen low-level offenders to identify and address the underlying issues causing them to commit crime and to divert eligible offenders from the criminal courts. New Britain takes a collaborative approach to keeping the community apprised of the State's Attorney's efforts through the formation of its multidisciplinary Community Engagement Board. Finally, the Stamford/Norwalk program provides lectures to schools, parents, government agencies and other groups on safety considerations for the digital world.

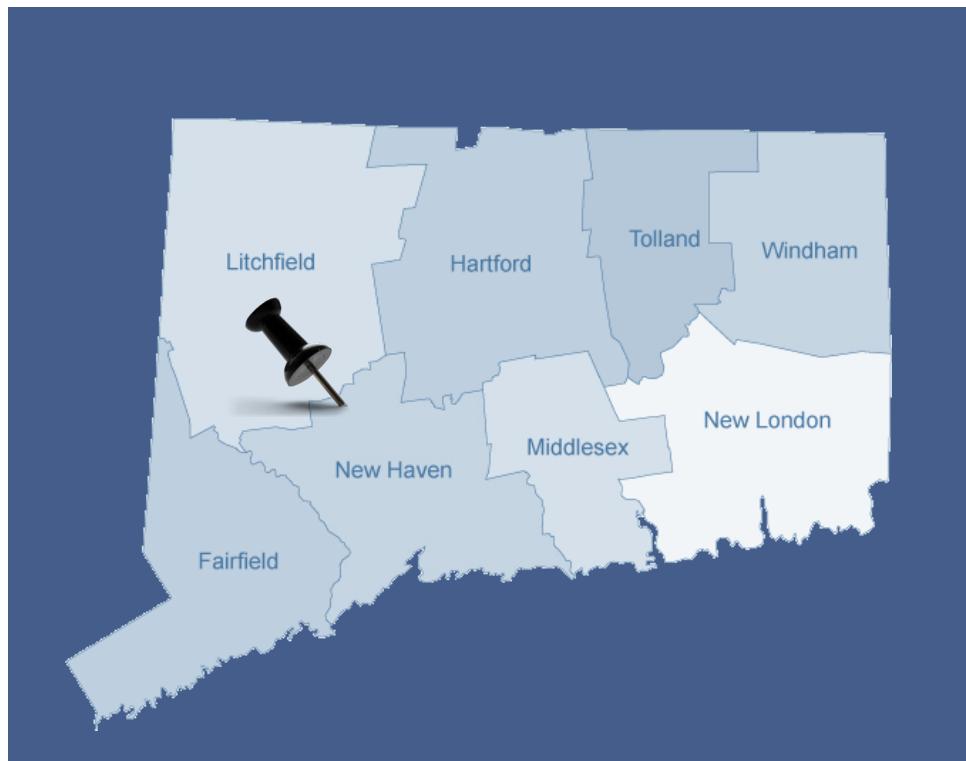
# State's Attorney's Office– Judicial District of Waterbury

**Population: 226,338**

**District Attorney Staff: 17 full-time prosecutors, 1 part-time prosecutor**

## Early Screening and Intervention Program (ESI)

Piloted in mid-2017, the Early Screening and Intervention Program (ESI) takes an important approach to reducing crime and improving outcomes for offenders by identifying and addressing the root cause of their criminal behavior.



ESI uses prosecutors and resource counselors to provide early screenings of low-level offenses to assess for underlying factors contributing to an offender's criminal behavior. Prosecutors and resource counselors collaboratively review files to ensure that cases are disposed with minimal court involvement, and cases presenting underlying social service needs receive assistance that will reduce future contact with the criminal justice system. Due to promising early results and additional funding support, the ESI program has quickly expanded to other Connecticut jurisdictions.

The complimentary roles of the dedicated prosecutor and resource counselor are key to the program's success. The prosecutor screens low-level offenses to determine if a case should be prosecuted and helps ensure that police departments and the diversionary network collaborate to provide the State's Attorney's Office with more accurate, complete, and timely offender information. This allows for better-informed and efficient charging decisions and dispositions for low

level offenses. Working in concert with the prosecutor, the resource counselor is a social worker provided under a contract with a local service provider. The counselors are familiar with community service resources and provide the prosecutor with vital information about each offender. The resource counselors develop service need assessments for each offender related to substance abuse and addiction, mental health challenges, and adverse personal circumstances such as homelessness. As appropriate, they also conduct offender interviews and provide referrals to services.

The program has both reduced the court system's workload and benefitted offenders with underlying issues. As of November 30, 2018, 1,658 cases were diverted and 89.1% of those diversions were successfully completed. Individuals with mental health, homelessness, and/or substance abuse issues were greatly impacted by the program, as ESI sites diverted over 450% more such persons than non-ESI sites. The program provided more targeted assessments and monitored treatment referrals more quickly – resulting in 350% fewer appearances before a judge. In addition, ESI sites enrolled individuals who required judicially-supervised diversionary programming into programs more quickly – often having eligible defendants ready for program application at their first court appearance.

It is estimated that if the program were expanded statewide, ESI prosecutors would annually divert 4,300 more cases than traditional non-ESI case processing. It is further estimated that a statewide ESI program would free up 4,500 hours of court time annually.



# State's Attorney's Office- Judicial District of New Britain

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**Population: 314,272**

**Number of Prosecutors: 16 full-time prosecutors, 2 part-time prosecutors**

## Community Engagement Board (CEB)

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The CEB is a formal mechanism by which the New Britain State's Attorney's Office regularly engages with the communities it serves and keeps community members abreast of developments in the jurisdiction. The CEB's diverse membership is comprised of individuals from the medical field, faith-based organizations, youth services, neighborhood revitalization groups, children's law center, registrar of voters, NAACP, and Central Connecticut State University (CCSU). The CEB's meetings, which involve a wide array of community stakeholders, have been extremely insightful for both the State's Attorney's Office and the community alike.



In order to maximize member availability and participation, the CEB holds meetings at night. The meetings are designed for all members to respectfully share their views and ideas on a particular topic and serve to strengthen the members' understanding of the State's Attorney's role in the criminal justice system. Topics have included juvenile justice reform, the opioid crisis, and the investigation of officer-involved uses of force. Future meetings will center on rehabilitation, the pardon and parole system, as well as marijuana decriminalization.

While the CEB does not set policy or dictate prosecutorial decisions, member input is welcome and considered when policy decisions are made. Community members and the State's Attorney's Office alike have provided each other with valuable insight into topics about which both parties were previously unaware.

For example, the State's Attorney's Office was able to share with the community members that it participates in the Heroin, Opioid, Prevention and Education, or HOPE Program, whose goal is to get addicts to the hospital to be assessed and then find them treatment and a recovery coach, as opposed to simply arresting them for petty crimes linked to their addiction.

In another example, the State's Attorney's Office had placed less emphasis on graffiti arrests and prosecutions due to the crime's nonviolent nature and other more pressing violent crime issues. However, community members sensitized the State's Attorney's Office to the issue by sharing how it makes them feel to wake up and see that a gang has tagged their wall. It prompted the State's Attorney's Office to see the issue in a much different light and to focus on the impact of gang graffiti.



# State's Attorney's Office– Judicial District of Stamford/Norwalk

**Population: 380,286**

**Number of Prosecutors: 14 full-time prosecutors**

## Living in a Digital World Lecture Series

Over the past decade, the Stamford/Norwalk State's Attorney's Office has conducted an ongoing series of lectures for community members on the perils and pitfalls of living passively in the digital world. There are crucial safety considerations everyone should be aware of when using technology. The State's Attorney's Office helps to ensure community members of all ages receive this necessary information.



The State's Attorney's Office has provided lectures for high schools, middle schools, parent groups, police departments, and other governmental agencies. Lectures have covered a broad range of topics related to youth safety and technology— avoiding hacking, improving parental awareness of risqué online behavior, sharing information on apps that are popular with young people, and explaining how youth access online spaces they should not access.

Such life-enhancing lectures on digital privacy, security and safety have been provided to over 30,000 kids, parents, and agency personnel since 2009.

