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Planning Assistance to the Connecticut  
Drug Prosecution Program

TECHNICAL ASSISTANCE REPORT

NCJRS

APR 4 1989

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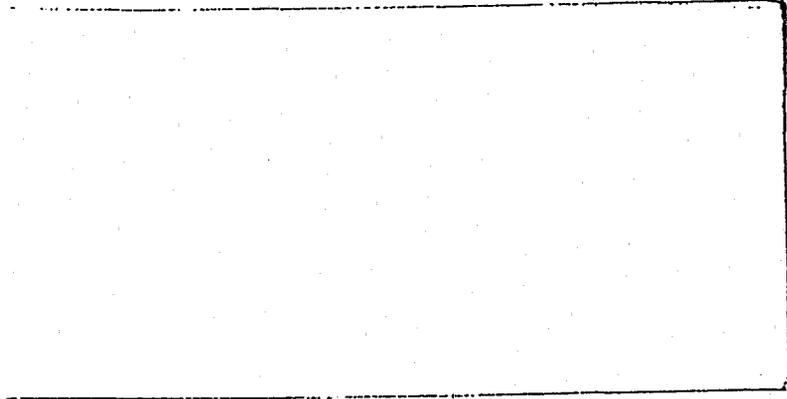


**Bureau of  
Justice  
Assistance**

ADJUDICATION TECHNICAL ASSISTANCE PROJECT

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ADJUDICATION TECHNICAL ASSISTANCE PROJECT  
Technical Assistance Assignment No. 107

Planning Assistance to the Connecticut  
Drug Prosecution Program

August 1988

Consultants:

Richard Beard  
Tom Collins

Prepared Under BJA Cooperative Agreement No. 87-DD-CX-K061

## ASSIGNMENT DATA SHEET

Technical Assistance No.: 107  
Requesting Jurisdiction: State of Connecticut  
Requesting Agency: Chief State's Attorney's Office  
Requesting Official: Chief State's Attorney  
Dates of On-Site Study: June 6,7,8, 1988  
Consultants Assigned: Richard Beard and Tom Collins  
Central Focus of Study: Statewide Drug Prosecution Program

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This report was prepared in conjunction with the EMT Adjudication Technical Assistance Project, under a Cooperative Agreement with the Bureau of Justice Assistance of the U.S. Department of Justice.

Organizations undertaking such projects under Federal Government sponsorship are encouraged to express their own judgment freely. Therefore, points of view or opinions stated in this report do not necessarily represent the official position of the Department of Justice. EMT is solely responsible for the factual accuracy of all material presented in this publication.

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## I. INTRODUCTION

### A. Background of the Study

Effective October 1, 1987, the Connecticut Division of Criminal Justice (SPA) provided funding through the Federal Anti-Drug Abuse Act of 1986 to the Chief State's Attorney of Connecticut to establish prosecution units in the five busiest metropolitan areas in the state in order to undertake a vertical prosecution strategy for serious drug cases. The purpose of the project was to provide additional prosecutorial resources in the designated offices so that an experienced prosecutor can concentrate on the most serious drug cases.

In August 1987, the Chief State's Attorney, John J. Kelly, requested assistance from BJA's Adjudication Technical Assistance Project at the EMT Group, Inc. to provide information on similar programs in other jurisdictions in advance of program implementation and to provide guidance regarding program operations once the program was implemented. Initial discussions with Mr. Kelly and others in his office, however, indicated that local officials felt it desirable to have the program fully staffed and operational before utilizing any on-site t/a and therefore requested that the t/a study be deferred until some program experience had been derived. Conduct of the site study was therefore scheduled for June, 1988, when the program had a number of months of operational history. The objectives of the site study were to review the reporting requirements of the program as well as its overall operation and the degree to which it was achieving its potential.

The consultants assigned by the ATAP to provide this assistance were Hon. Tom Collins, County Attorney for Maricopa County, (Phoenix) Arizona, and Richard Beard, Deputy District Attorney for Santa Clara County (San Jose), California in charge of drug prosecution.

### B. Grant Funding

Pursuant to the Federal Anti-Drug Abuse Act of 1986, during the summer of 1987, the Office of the Chief State's Attorney obtained a grant of \$235,437 which was matched by \$78,439 in State funds for a total drug prosecution grant of \$313,876. This funding was to provide for a position of drug prosecutor to vertically prosecute serious drug cases in the Judicial Districts of Hartford, New Haven, Fairfield-Bridgeport, Waterbury and Stamford-Norwalk. These Judicial districts have the largest volume of serious drug cases in the state. The funding also provided for four clerical assistants,

minimal equipment and funding for prosecution travel and training.

The program began on October 1, 1987. Five experienced prosecutors began immediately to exclusively handle drug cases in the five designated jurisdictions. These prosecutors could not handle all drug cases in each of the judicial districts. Over the first six months of operation, they began, as planned, to more selectively focus on the more serious and repeat offenders, especially those that sold drugs or possessed drugs with intent to sell or distribute them.

C. Jurisdiction

The jurisdiction of Connecticut is 5009 square miles with a population of approximately 3.1 million. The largest cities are Hartford, the Capital, and Bridgeport and New Haven. A significant element of Connecticut's anti-drug enforcement problem is its proximity to and location between the population centers of New York City and Boston which are both outside its jurisdiction and prolific sources of illegal drugs.

D. Prosecution Resources and Caseloads

One hundred seventy prosecutors located throughout the State in twelve Judicial Districts under the Chief State's Attorney's Office, handle over 4,500 serious felonies, 130,000 minor felonies and misdemeanor cases, and 530,000 motor vehicle cases per year. This case load has developed a legal culture of "moving business" wherein many matters which deserve serious attention can only be summarily processed through the system.

E. Study Methodology

1. Pre-site Work

Prior to the on-site project work, the consultants held phone conferences and reviewed the existing reporting forms which had been mailed to them. Each consultant also telephoned Mr. John Cronan, Assistant State's Attorney, who has been coordinating the Connecticut Drug Prosecution Program. The existing forms were compared to forms in use in the consultants' offices and research was done regarding upgrading data collection and collation through other available computer software. Reporting requirements in the three jurisdictions were compared.

2. Site Schedule

Mr. Beard arrived on June 6th and held a dinner meeting with Messrs. Kelly and Cronan. Mr. Collins arrived later that evening and held a brief meeting with Mr.

Beard. The next morning the consultants met in the Chief State's Attorney's Office in Wallingford with Kelly, Cronan and the five Assistant State's Attorneys assigned to the Drug Prosecution Program. Those five assistants and their respective cities of assignment were:

Jim Bernardi	-	Stamford-Norwalk
Marsha Smith	-	Waterbury
Robert Satti	-	Fairfield-Bridgeport
John Waddock	-	New Haven
Paul Murray	-	Hartford

During the afternoon of June 7, 1988, the consultants made a site visit to Hartford and met with Assistant State's Attorneys Paul Murray and John Cronan, Lt. Brian Kelly, Hartford Police Department Special Services (narcotics) supervisor, a Sergeant from Hartford Police Special Services, and Sergeant Kerry Butler, Connecticut State Police.

On June 8, 1988, a morning site visit was made to Bridgeport and a meeting was held with A.S.A. Robert Satti and then with Inspectors James Gallick and Jack Solomon of the States Attorney's Office, Vito Demarco and representatives of the Bureau of Alcohol, Tobacco and Firearms, the Connecticut State Police Statewide Task Force, and Lieutenant Roger Falcone of the Bridgeport Police Department.

In the afternoon of June 8, 1988, a site visit was performed in New Haven where the consultants met with Assistant State's Attorney, John Waddock, then with Lieutenant Rafael Garcia and Sergeant Richard Poulton of the New Haven Police Department. The consultants then met with Judge John Ronan who is the Chief Administrative Criminal Judge in the State of Connecticut, currently assigned to New Haven.

### 3. Reporting Forms

In addition to these site visits, the reporting forms currently utilized by the Connecticut State's Attorney's Office and by the consultants' jurisdictions, Phoenix, Maricopa County, Arizona, and San Jose, Santa Clara County, California, were reviewed and discussed. See Appendix B through F for forms. Discussion and recommendations follow.

## II. DRUG PROSECUTION PROGRAM DESCRIPTION

### A. Project Purpose

One of the original objectives of this Technical Assistance Project was to evaluate the pilot federally funded Drug Prosecution Program for purposes of requesting State funding to supersede the original federal funding. However, prior to the site visit, the state had decided to pick up funding and in addition will add three more drug prosecutors, effective October 1, 1988, with federal funds (\$100,000) plus state funds (\$33,000.00). Where and how these three additional personnel will be applied is still being evaluated.

### B. Drug Program Objectives

The objectives of this drug program were to:

1. Utilize experienced prosecutors to specialize in serious drug cases;
2. To maintain limited case loads so greater attention could be given to each file;
3. Adopt uniform pre-selected criteria for established case priorities;
4. Reduce time delays between court events for drug cases;
5. Adopt "vertical prosecution" for serious drug cases;
6. To strictly adhere to plea bargaining guidelines; and,
7. Improve communication and cooperation between the drug prosecutor and State and local law enforcement units within the jurisdiction.

### C. Prosecution Standards

Minimum standards were adopted by the Chief State's Attorney's Office for cases to be taken for the prosecution by the Assistant State's Attorney designated as the drug prosecutor. These standards were:

1. The drug prosecutor will take provable cases involving the sale of crack, cocaine or heroin to undercover police officers;
2. The drug prosecutor will take all cases falling within the perimeters of P.A. 87-373, sections 1-4. An Act Concerning the Penalties for the Sale or Possession of Controlled Substances.
3. The drug prosecutor will take provable cases involving possession with intent to sell or distribute crack, cocaine and heroin.

4. The drug prosecutor will take all cases involving the sale of any type of drugs to an undercover police officer by a person with a prior conviction for the sale of any type of drug and prosecute said person as a subsequent offender.

D. Drug Prosecution Units Expected Results

The drug prosecution units were expected to achieve and report the following results:

1. Increased police/prosecution cooperation and contact;
2. Reduction in the loss of cases through dismissals and nolle; and,
3. Recommendation by the prosecution for longer sentences for recommendation or enhanced sentences for repeat offenders by adoption of statewide standards for the prosecution of drug cases.

### III. FINDINGS

#### A. Anti-Drug Laws

##### 1. Electronic Surveillance

The prosecution effort in the State of Connecticut is shaped and significantly hampered by the lack of comprehensive supportive anti-drug laws. While Connecticut has a "one-man" (judge) grand jury system, State prosecutors lack electronic surveillance laws which are available to federal prosecutors and drug prosecutors in other states.

##### 2. Forfeitures

The anti-drug prosecution effort at the State level is also hampered by its Corrupt Organizations and Racketeering Act (C.O.R.A.), which is not as comprehensive as the federal Racketeering Influenced and Corrupt Organizations statute (RICO).

Connecticut should follow the model of the federal asset forfeiture statutes. The limitations of C.O.R.A. forces State and local authorities to rely on federal prosecutors to perform "RICO" and forfeiture cases they might otherwise pursue. Besides an unnecessary dependence on federal prosecutors, limited federal resources causes an artificially high threshold of when forfeiture actions will be taken in drug cases. The lack of this legal support structure restricts the focus of enforcement to smaller street-level dealers as it tends to prohibit pro-active targeting of larger dealers and major wide-spread conspiracies. It also causes taxpayers to support the enforcement system to the extent criminals' illegal gains could supplant tax dollars.

##### 3. Bail

Especially because of jail crowding, Connecticut should enact a statute with mandatory enhanced punishment when a defendant commits a crime while out on bail. An example is California Penal Code Section 12022.1. (A copy is attached hereto as Exhibit G).

##### 4. Fines

Connecticut also lacks mandatory drug penalties in the area of fines. A statutory scheme of significant mandatory fines would enable the State to fund its law enforcement and prosecution effort by shifting substantial portions of that financial burden from the taxpayers to the drug sellers and abusers. Connecticut could benefit its release programs by intensification of pre and post-trial urine testing programs for

released individuals. Such drug testing programs may allow creation of some jail space and would identify those who are more likely to fail to appear or commit crimes while released.

B. Police

1. Working Efficiency

The Connecticut Drug Prosecution Program received uniform high praise from police drug units at all levels. The police cited as a major advantage the ability to work with one prosecutor, to be able to contact that prosecutor day and night. They are able to work more efficiently because they have prior input from the prosecutor regarding definite prosecution standards which keep them from wasting police resources on cases which will not be filed. The specialized prosecution program appears to have motivated police officers to work harder on drug cases. These intangible savings were not measured but appear significant.

2. Coordination

Police cited favorably the fact that a specialized prosecutor began to know individual drug offenders and drug offending groups and therefore was able to coordinate prioritization of both enforcement and prosecution resources on the most important cases. Police stated that one prosecutor "develops a sense for all the players" and understands the nature of the ongoing criminal enterprise. Police reported that they could handle larger numbers of cases and could also decrease the number of "nolles", cases wherein the prosecutor declined charges. Police also reported that the closer working relationship with the prosecutor enhances their ability to develop informants.

3. Caseload and Suppression Effects

The New Haven drug squads are making 2,800 to 3,500 cases per year and even though they recognize a tremendous backlog of cases, they believe enforcement at this level is keeping offenders from "graduating" to more serious drug use and other offenses. The police are overwhelmed with cases and are trying to screen and prioritize in conjunction with the designated prosecutors. Police believe that if small dealers are not pursued at street level, they will become more difficult to pursue because their income, organizations, and support networks will grow.

#### 4. Trends and Public Pressure

Police are worried about the resurgence of heroin and that more and more dealers are no longer dealing just to support their habit. Police feel considerable pressure from citizens concerned with open drug dealing on the streets of particular neighborhoods and have responded by conducting reverse stings which have resulted in arrests of significant numbers of persons from outside the jurisdiction who come to Connecticut to purchase small amounts of drugs from street dealers. Police expressed that reversed stings decreased out of town purchasers but the tactic is less used in cities other than New Haven because of the lightness of the sentences meted out to the purchasers. (Typically, accelerated rehabilitation and charity donations with community service but no fine.) Police perceive that drugs are increasing as real penalties (actual time served) are decreasing. Police state unequivocally that more jail space is needed.

### C. Prosecution

#### 1. Funding Share

Prosecution is utilizing a very small amount of the anti-drug abuse funds. The \$313,000 allocated to the Chief State's Attorney's Office is a proportionally very small amount of money given the population of Connecticut and the level of the drug problem and caseloads within the State. (For example, prosecution in Maricopa County, Arizona, which has a population of 1.9 million, receives one million dollars in funding to operate a twelve attorney anti-drug prosecution unit.)

#### 2. Work Distribution

The kinds of sale cases pursued by prosecution efforts are limited because of lack of statutory powers as set forth above. Prosecutors are prosecuting more cases.

In some jurisdictions drug cases make up forty percent of the offices' caseload and not all drug cases are being handled by the five assigned drug prosecutors. The assigned drug prosecutors are handling the most important drug cases and are working almost exclusively in the "A" Courts. Prosecutors believe that the drug unit is having a deterrent effect and that the message is beginning to reach the defense bar and drug dealers that "you will go to jail."

#### 3. Perceived Effects

The grant prosecutors also point out that prior to the start-up of the grant, small-time dealers often received no jail time after they pleaded guilty. That situation

has now changed. Whether that increase in sentence imposed is exclusively attributable to the grant prosecutors' efforts is not entirely clear. As Judge Ronan noted, the increase in penalties imposed also reflects a judicial response to a concurrent outcry from the community at large for heavier drug sentences. A significant indicator that the specialized prosecuting effort is in fact working effectively is the achievement of a sentence of incarceration in over 80 percent of the drug cases handled by the grant prosecutors.

#### 4. Delay Reduction

Because of specialization, delay has decreased to some degree while penalties have increased. The fact that the prisons are over-crowded induces defendants who are incarcerated pre-trial to plead quickly because post-sentencing they will only be held a few months as a first offender, and then find themselves subject to an early release. Because punishments are increasing, repeat and serious offenders fight harder and the time to disposition for these defendants is being drawn out.

#### 5. Support Functions

The function of inspector to assist the prosecutor is spread very thin. This position has been very helpful to the drug prosecution effort but these inspectors are now being swamped with paperwork and their time to assist the prosecutor is diminishing. Because of the heavy work load, inspectors spend significant amounts of time and effort to push matters which should be routine, such as lab tests. Prosecutors would like to go after more serious offenders but the time spent on the existing work load inhibits their ability to target offenders and become pro-active. Prosecution is also delayed because of the time required to obtain chemical analysis of seized narcotics.

#### 6. Vertical Prosecution

An original project goal was to achieve vertical prosecution in serious drug offenses. However, with only one designated prosecutor per jurisdiction, a modified form of vertical prosecution has been developed wherein the prosecutor handles every significant stage of each serious drug offense when he/she is available. Given the large number of cases in the "A" and "B" Court system, the true vertical prosecution cannot be continuously met. The prosecutors do appear to be making the best effort possible toward achieving the goal of vertical prosecution.

## 7. Uniform Standards

During the start-up phase, at least one of the judicial district's prosecutors accepted a caseload that was clearly too large for a single attorney to manage. Consultants note that is a fairly common occurrence in newly created vertical prosecution units. As with other jurisdictions, the district subsequently adequately pared back its caseload by restricting its intake criteria. This serves as an example of the probable shortcoming of attempting to set statewide overly-specific criteria for the acceptance of grant cases. Given the variety of drug problem situations that exist in different jurisdictions within Connecticut, any pre-set criteria would probably be found to be too restrictive in some districts and too general in others. Each jurisdiction should, with approval of the Chief State Attorney's Office, have the option of modifying the criteria based upon the situations that exist locally.

## 8. Reporting System

The existing prosecutor reporting system is adequate and due to the fact that State funding has taken over from Federal funding the existing reporting system can actually be reduced. (See appendix B, C and D for the forms currently in use in the Connecticut State's Attorney's Office, and Recommendation A1.)

## D. Courts

### 1. Organization

The Connecticut court system is divided into an "A" and "B" level with the more serious cases being assigned to "A" courts at the prosecutor's discretion. The specialized drug prosecutors in this program are working almost exclusively in the "A" courts. Connecticut judges rotate courts every six months although there are some exceptions. Judges are aware of the increased prosecution effort and the system is finding that dealers who were not receiving jail sentences prior to the program are now going to jail.

### 2. Judge Perception

Judge John Ronan, Chief Administrative Criminal Judge for the State of Connecticut, currently assigned to New Haven, thought that prosecutors might need to cycle in and out of the special drug prosecution unit because he thought that the prosecutor assigned only to the drug unit gave too much priority to drug cases. In his communication with other judges he had received the impression that in some areas

judges thought that prosecutors were being so tough that drug cases were not moving through the system fast enough.

### 3. Caseloads

The overwhelming criminal workload on the prosecutors and the courts fostered the attitude at all levels that there was a priority on moving cases through the system. It appeared this overload was so severe that this priority had escalated disproportionately to the normal need to expedite cases. The judge was under the impression that the prosecution effort had spread to what he characterized as a number of "casual one packet sales" by people without prior records. Prosecutors believe judges reduced penalties in order to move cases. The prosecution did create the favorable impression of doing a better job on drug cases by focusing on this specialized area.

## E. Corrections

### 1. Crowding

The fact that the State of Connecticut suffers from severe prison overcrowding is having a highly detrimental effect on the drug prosecution effort. Defendants who are convicted of selling drugs and are sentenced to do two years in prison with a three year subsequent parole are in fact only serving a few months in prison.

### 2. Construction Program

A \$325,000,000 bond issue has been approved to construct additional jails and prisons by 1991. The State of Connecticut has approximately 45,000 people on probation and only 5337 serving jail or prison terms and approximately 1,800 held in lieu of bond. This is disproportionately low for the State population. Because of the growth potential in this offender population, the case activity, the number of recidivists that exists in such a large unincarcerated criminal population, by the time these prisons are constructed they will do little, if anything, to alleviate the crowding problem as it currently exists. The prison system will do well to run hard enough to stay in the same place.

### 3. Reduced Deterrence

The crowded prison situation causes individuals to be quickly put back in the neighborhoods from where they were arrested, thereby decreasing the deterrent impact of arrest and conviction and teaching potential dealers that there is a small price to pay

even if apprehended. Early releases demonstrate to other dealers that they have minimal risk even if apprehended and convicted. This revolving door syndrome has also caused expressions of concern by local neighborhood groups and has increased pressure on the police to "do something" about visible street dealers in these neighborhoods.

## IV. RECOMMENDATIONS

### A. The Reporting System

#### 1. Current Forms

It is recommended, and generally agreed to by the participating Connecticut prosecutors, that the weekly activity log and weekly summary forms (Appendix B and C) no longer need be utilized as the reporting requirement has changed. At present, filling out those forms uses up valuable and limited prosecutor time. The individual defendant reporting form (See Appendix D) should be retained and is sufficient for the Chief State's Attorney's Office computer statistics program to analyze performance and to compile data for the State Legislature.

#### 2. Optional Forms

The Maricopa County, Arizona, reporting form is attached as Appendix E. This reporting form and the Santa Clara County, California form (Appendix F) are more checklist type of forms. The Maricopa County, Arizona form feeds a computer program designed to build an intelligence system for law enforcement defendant targeting. This form provides the data for entry onto the "Info" Data General database development tool. This relational data management system will eventually provide such information as cases in specific geographic areas. Such a detailed data base would augment an intelligence system and allow local prosecutors to target larger, more serious drug offenders, but could only be an effective tool with additional enforcement and prosecution resources and changes in the legal structure.

### B. Prosecution

#### 1. Prosecutor Coordination

The assigned drug prosecutors should attend regular coordinating meetings. Now that there has been an initial "shake-down" period for the program, more uniform charging and disposition procedures are naturally evolving. This is inherently difficult because of differences in the five jurisdiction. The individual prosecutors should schedule regular meetings to refine their procedures as this would also enhance credibility with the courts.

## 2. Guidelines

If the prosecution program can develop the legal tools and personnel resources to target offenders, then they should expand their guidelines for types of cases handled and they should focus on drug offenders and not limit themselves to drug offenses. For example, if a known major drug offender committed any offense which could be used to incarcerate him, then he should be specially prosecuted by drug prosecutors in order to remove him from society and to end his ability to deal drugs, much as bootlegger Al Capone was actually prosecuted for tax offenses.

## 3. Expansion

The Chief State's Attorney's Office will add three additional prosecutors to the five in existence, effective October 1, 1988. The decision is pending as to how to apply this additional manpower and consultants did not study this issue. It was reported that a significant part of Connecticut's drug problem is caused by the proximity to New York City and the availability of drugs (which are even sold pre-packaged for retail resale) in that population center and, to a lesser degree, in Boston. Some enforcement resources should, if possible, focus on the drugs transported into Connecticut's inner-cities from New York. The police, with legal assistance from the Chief State's Attorney's Office, should be encouraged to develop lawful interdiction techniques such as "drug vehicle profiling". These new grant prosecutors are certain to be quickly overloaded with drug cases wherever they are assigned given the tremendous volume of drug cases in the system. More prosecutors are needed in each jurisdiction in order for the specialized drug prosecutors to just handle all drug cases in the office. The grant should expand to cover the lower "B" courts and should allow the prosecutor adequate manpower to target more serious offenders.

## 4. Coordination With Police

Coordination with police has been substantially increased in all jurisdictions. In Bridgeport, the practice of accepting only reports that are completely case-ready should be re-evaluated. The local prosecutor should meet with police administrators and establish procedures that more fully recognize and exploit the specialized drug prosecutors ability to save police resources by consulting with officers on cases at earlier stages of investigation and enforcement. Police drug units heavily utilize search warrants in their enforcement efforts. Prosecutors and police can both benefit by computerization of the search warrant forms.

C. Computerization of Search Warrants

1. Database

Computerization of search warrants would consist of creating a database containing frequently used search warrant and search warrant affidavit components. As an example, the expertise and background information on all potential officer affiants could be readily retrievable. The benefits would clearly include the availability of more immediate search warrants. Such availability itself encourages the greater use of warrants when time restrictions might otherwise be prohibitive.

2. Manual Copy Forwarded

Consultants have provided Assistant State's Attorney, John Cronan, a copy of a computerized search warrant manual currently being used in Santa Clara County, California.

## V. SUMMARY

The purpose of this Technical Assistance Project was to review the Connecticut State's Attorney's Drug Prosecution Program and to determine to what degree it had achieved the goals set out in its grant application. The purpose was also to review and suggest improvements on the reporting system and to make suggestions to generally improve the drug prosecution effort.

Since the program went into effect on October 1, 1987, staffed with five experienced prosecutors, in the judicial districts of Fairfield, Hartford-New Britain, New Haven, Stamford-Norwalk, and Waterbury, the general goals of the program have been achieved. The program has received a very favorable response especially from police narcotics officers and has enhanced prosecution and sentencing of drug dealers. The State has picked up the funding and three more prosecutors will be added to the program.

Uniformity in prosecution has not been perfectly achieved during the start-up phase, but that is attributable to the different community and judicial environments confronting the prosecutors in each Judicial District. Although case acceptance criteria and plea bargaining standards tended to vary, the absence of strict uniformity was defended as being more practical and successful. Charging and disposition standards are becoming more uniform as the program matures.

While at least one jurisdiction began by accepting an overly large caseload, experience and natural pressures have resulted in all jurisdictions developing more restrictive standards for accepting cases. Likewise, due to staffing limitations, a modified form of pure vertical prosecution has been implemented.

After review of the primary reporting forms currently being used, it was generally agreed that some of the existing forms had lost their usefulness and would be discontinued.

It was apparent to the consultants that the State's Attorney's Office is generally under staffed and remains under staffed in the fight against drug dealers. There is an overload of drug and other cases both in the State's Attorney's Office and in the court and corrections systems that fosters with the courts a preoccupation with "moving cases".

It appears that the location of Connecticut, interposed between the major urban centers of New York City and Boston presents a major difficulty for the State and its drug prosecutors. It is apparent that the prosecution effort lacks major supportive

legislation in the areas of asset forfeiture laws, electronic surveillance laws, and mandatory fines and fees for probationers and parolees. Effective enforcement and prosecution is severely undermined by a lack of prison and jail space.

The five prosecutors and other State's Attorneys personnel assigned to the special drug effort appear highly dedicated and motivated and as effective as they can be given the shortcomings of the rest of the system. They are doing a very good job considering the work load and the very poor strategic environment in which they struggle. The prosecutors in Connecticut are putting up a noble, motivated and efficient fight, but they are so out-numbered as to surely be over-whelmed. The people of Connecticut need to rally the Connecticut legislature around this effort and give anti-drug enforcement the legal tools and resources to proactively strike drug offenders instead of continuing the holding action which they are locked into by the current system.

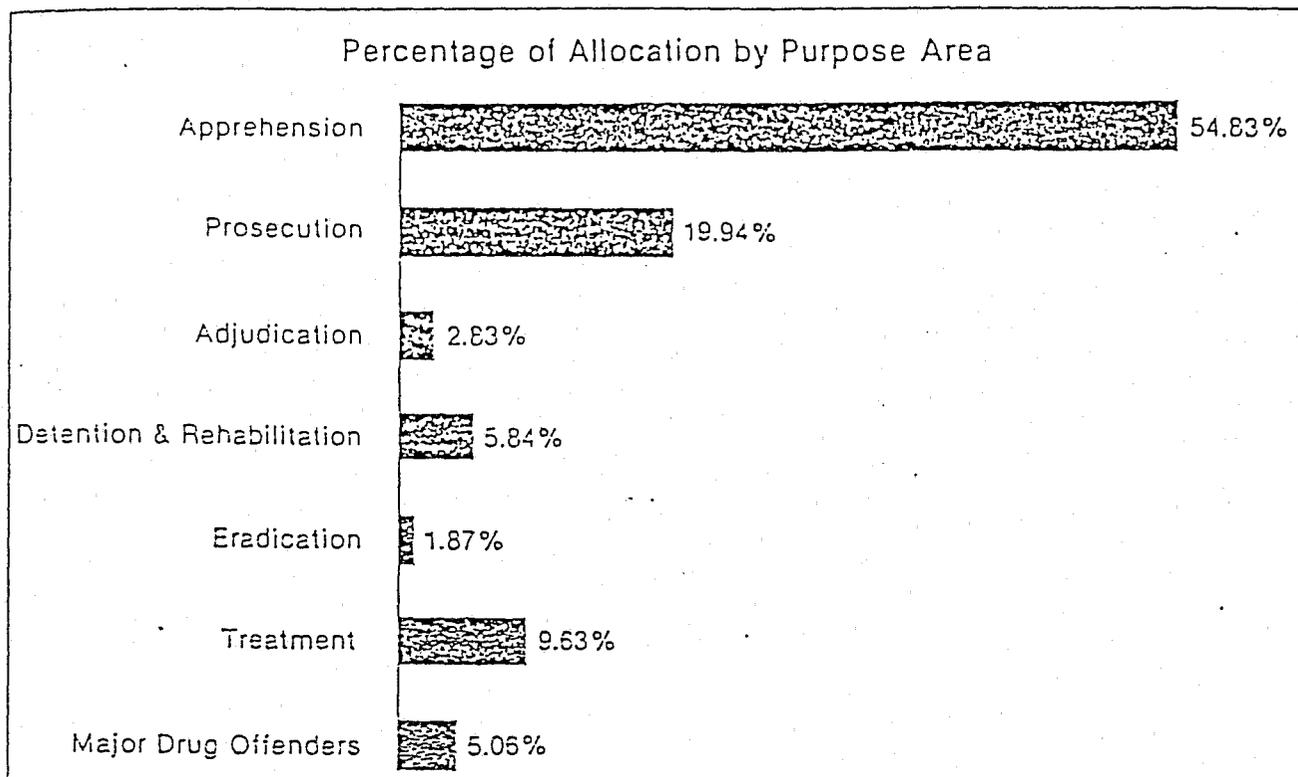
#### IV. APPENDICES

A. Anti-Drug Abuse Enforcement Formula Grant Program

# Appendix A

## Anti-Drug Abuse Enforcement Formula Grant Program

The states have allocated over 1/2 of their Anti-Drug Abuse Enforcement Formula Grant funds for programs which enhance the capability of state and local law enforcement agencies to apprehend drug offenders.



B. Connecticut Drug Prosecution Unit Activity Log

ACTIVITY LOG

DRUG PROSECUTION UNIT

JUDICIAL DISTRICT OF \_\_\_\_\_

ASSISTANT STATE'S ATTORNEY \_\_\_\_\_

WEEK OF \_\_\_\_\_

MONDAY

--

TUESDAY

--

WEDNESDAY

--

THURSDAY

--

FRIDAY

--

C. Connecticut Drug Prosecution Unit Weekly Summary

*WEEKLY*  
S U M M A R Y

CASES ADDED:

CASES DISPOSED:

WARRANTS SIGNED:

POLICE CONTACTS:

OTHER RELEVANT ACTIVITY:

Distribution to:  
Original - Chief State's Attorney  
Copy - File

D. Connecticut Office of the Chief State's Attorney: Drug  
Prosecutor's Case Disposition Report



OFFICE OF THE CHIEF STATE'S ATTORNEY  
DRUG PROSECUTOR'S CASE DISPOSITION REPORT

DEFENDANT \_\_\_\_\_

DOCKET # \_\_\_\_\_

DATE OF ARREST \_\_\_\_\_

ORIGINAL CHARGE(S) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHARGE(S) PLED TO OR CONVICTED OF AFTER TRIAL \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROSECUTOR'S SENTENCING RECOMMENDATION(S) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SENTENCING DATE \_\_\_\_\_

SENTENCING JUDGE \_\_\_\_\_

SENTENCE \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Location)

Distribution to:  
Original - Chief State's Attorney  
Copy - File

E. Maricopa County, Arizona Narcotics Unit Case Reporting Form:  
General Information

NARCOTIC UNIT - CASE REPORTING FORM  
GENERAL INFORMATION

Name \_\_\_\_\_ SS# \_\_\_\_\_ DOB \_\_\_\_\_  
 (First) (Middle) (Last)  
 Link-up DR'S \_\_\_\_\_ Sub Date \_\_\_\_\_ Reopen Y/N Conc Date \_\_\_\_\_  
 ors Y/N DCA \_\_\_\_\_ Agency \_\_\_\_\_ A/O \_\_\_\_\_ Bdg# \_\_\_\_\_

Circle primary drug offense) OFFENSES (Indicate # of Counts)  
 Conspiracy \_\_\_\_\_ Sale \_\_\_\_\_ Possession \_\_\_\_\_  
 Manufacture \_\_\_\_\_ Offer to Sell/Transport \_\_\_\_\_ Other \_\_\_\_\_  
 Import/Transport \_\_\_\_\_ Possession for Sale \_\_\_\_\_

TYPE OF DRUGS

	<u>Quantity</u>		<u>Quantity</u>
Codeine	_____	Amphetamine	_____
Heroin	_____	Lysergic Acid (LSD)	_____
Opiates/Other	_____	Methamphetamine	_____
Cocaine	_____	Phencyclidine (PCP)	_____
Crack	_____	Dangerous/Other	_____
Narcotic/Other	_____	Percodan	_____
Marijuana	_____	Valium	_____
Hashish	_____	Prescription/Other	_____
Precursor Chemicals	_____		

DISPOSITION

Convicted/Plea \_\_\_\_\_ Tasc \_\_\_\_\_ Declined \_\_\_\_\_  
 Convicted/Jury \_\_\_\_\_ Acquitted \_\_\_\_\_ Other \_\_\_\_\_  
 Convicted/Court \_\_\_\_\_ Dismissed \_\_\_\_\_

SENTENCE

Prison \_\_\_\_\_ Years \_\_\_\_\_ Comm. Service \_\_\_\_\_ Hours \_\_\_\_\_ Restitution \_\_\_\_\_ Amt \_\_\_\_\_  
 Jail \_\_\_\_\_ Months \_\_\_\_\_ Fine/Drug Acc \_\_\_\_\_ Amt. \_\_\_\_\_ Vict/Witness \_\_\_\_\_ Amt \_\_\_\_\_  
 Prob. \_\_\_\_\_ Years \_\_\_\_\_ Fine/Other \_\_\_\_\_ Amt. \_\_\_\_\_ Other \_\_\_\_\_  
 IntProb \_\_\_\_\_ Years \_\_\_\_\_

AGGRAVATING CIRCUMSTANCES

Charged With:

Convicted of:

_____ Serious Drug Offender	_____ Serious Drug Offender
_____ Involves Minor	_____ Involves Minor
_____ School Grounds	_____ School Grounds
_____ Mandatory Life Sentence	_____ Mandatory Life Sentence
_____ Dangerous Weapons	_____ Dangerous Weapons

FORFEITURES

<u>Type</u>	<u># of Seizures</u>	<u>Total \$ Amt</u>	<u>County Attorney \$ Amount</u>
_____ Vehicles	_____	_____	_____
_____ Vessels	_____	_____	_____
_____ Aircraft	_____	_____	_____
_____ Currency	_____	_____	_____
_____ Other Financial Instruments	_____	_____	_____
_____ Precious Metals	_____	_____	_____
_____ Jewelry	_____	_____	_____
_____ Weapons	_____	_____	_____
_____ Real Property (Residential)	_____	_____	_____
_____ Real Property (Other)	_____	_____	_____
_____ Other	_____	_____	_____

F. Santa Clara County (San Jose), California Defendant Data Form



G. California Penal Code Section 12022.1: Enhancement for Offenses  
Committed while Released on Bail

§12022.1. Enhancement for Offenses  
Committed While Released on Bail.

(a) For the purposes of this section only:

(1) "Primary offense" means a felony offense for which a person has been released from custody on bail or on his or her own recognizance prior to the judgment becoming final, including the disposition of any appeal, or for which release on bail or his or her own recognizance has been revoked.

(2) "Secondary offense" means a felony offense alleged to have been committed while the person is released from custody for a primary offense.

(b) Any person arrested for a secondary offense which was alleged to have been committed while that person was released from custody on a primary offense shall be subject to a penalty enhancement of an additional two years in state prison which shall be served consecutive to any other term imposed by the court.

(c) The enhancement allegation provided in subdivision (b) shall be pleaded in the information or indictment which alleges the secondary offense and shall be proved as provided by law. The enhancement allegation may be pleaded in a complaint but need not be proved at the preliminary hearing for the secondary offense.

(d) Whenever there is a conviction for the secondary offense and the enhancement is proved, and the person is sentenced on the secondary offense prior to the conviction of the primary offense, the imposition of the enhancement shall be stayed pending imposition of the sentence for the primary offense. The stay shall be lifted by the court hearing the primary offense at the time of sentencing for that offense and shall be recorded in the abstract of judgment. If the person is acquitted of the primary offense the stay shall be permanent.

(e) If the person is convicted of a felony for the primary offense, is sentenced to state prison for the primary offense, and is convicted of a felony for the secondary offense, any state prison sentence for the secondary offense shall be consecutive to the primary sentence.

(f) If the person is convicted of a felony for the primary offense, is granted probation for the primary offense, and is convicted of a felony for the secondary offense, any state prison sentence for the secondary offense shall be enhanced as provided in subdivision (b).

(g) If the primary offense conviction is reversed on appeal, the enhancement shall be suspended pending retrial of that felony. Upon retrial and reconviction, the enhancement shall be reimposed. If the person is no longer in custody for the secondary offense upon reconviction of the primary offense, the court may, at its discretion, reimpose the enhancement and order him or her recommitted to custody. Leg.H. 1982 ch. 1551, 1985 ch. 533.

Ref.: Cal. Crim. Def. Prac., Ch. 91, "Sentencing."