

Office of Northwestern District Attorney  
David E. Sullivan

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2012 Annual Report



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### ***Message from District Attorney David E. Sullivan***

It's been another successful year for the Office of the Northwestern District Attorney. We continue to strengthen our community prosecution efforts with smart and fair prosecutions and progressive prevention initiatives. Strong collaborations with our law enforcement and community partners have helped us build safer communities throughout Hampshire and Franklin counties and the town of Athol.

Some of this year's highlights include the following accomplishments and initiatives:

- Our office has embraced a **Community Prosecution Model** and assigned prosecutors to specific geographic areas and specialized areas of prosecution, such as domestic violence and child abuse. This continuity of advocacy has made a real difference for victims and community safety. Almost all our victim-related cases had an individual prosecutor and victim witness advocate helping victims achieve justice throughout the entire court process.
- Our new **Child Sexual Predator Task Force** is funded by a Department of Justice COPS grant. The task force has worked tirelessly to hold child sexual predators accountable through investigations, prosecutions, and probation home audits and violations. The task force introduced **Text-a-Tip**, an initiative allowing citizens to anonymously text tips about child sexual exploitation and general crimes.
- **The Northwestern Children's Advocacy Center (CAC)**, a non-profit affiliated with the Northwestern District Attorney's Office (NWDAO), received national accreditation following an intensive review by the National Children's Alliance. The CAC, along with our staff and prosecutors, interviewed and assisted hundreds of physically and sexually abused children over the past year.
- A federal Edward Byrne JAG grant has allowed the NWDAO to establish a **Domestic Violence and Sexual Assault Unit**. ADA Jen Suhl leads this unit to give additional resources and focus on the successful prosecution of these cases. The grant provides our office with the needed resources to have a specialized victim advocate and to establish a comprehensive campaign to reduce domestic violence and sexual assaults on our college campuses. Our domestic and sexual violence prevention and prosecution efforts have never been stronger.
- Our office was once again a key partner in the region's **White Ribbon Campaign** to end violence against women and girls. In addition to our domestic violence task force initiatives, we sponsored a **student video contest to promote the White Ribbon Campaign**. The contest resulted in some moving and creative submissions from area high school and college students.
- **The Northwestern Law Enforcement Assistance Program (LEAP)** was involved in professional development trainings for law enforcement in such areas as eyewitness identification, search and seizure law, cellphone technology and investigation, digital forensics, and legal updates.

- We launched the **1st Annual Youth Conference on Preventing Underage Drinking**. In April 2012, more than 150 middle, high school students, educators, and community partners attended this conference hosted by Greenfield Community College to learn strategies to educate their peers about the risks and consequences of underage drinking.
- The NWDAO co-sponsored **"It's Your Call,"** a September 2012 conference for college student leaders on changing the culture of destructive drinking. The conference helped develop active bystander skills with students to help prevent destructive drinking and abuse. Through prosecution and prevention efforts, the NWDAO has taken on a greater role in addressing the public safety and quality of life issues impacted by alcohol and substance abuse.
- Our **1st Annual Safe School Summit** was held at Smith College in November 2012. Nationally recognized experts, Dr. Chris Overtree and Rachel Simmons, were among those who presented workshops to educators, administrators, and counselors on how to improve school climate and create healthy school learning environments.
- The NWDAO, local police, and community partners held two **National Prescription Drug Take Back Days**, collected and properly disposed of over 2 tons of unwanted or outdated prescription and non-prescription drugs. Getting unwanted drugs out of medicine cabinets helps the environment and keeps them away from children and drug abusers. Our awareness program also warns families and communities about the dangers of opiate prescription drug abuse. In 2013, our office will help **locate 15 permanent collection boxes** in our area police stations.

These are just some of the many justice initiatives our dedicated prosecutors and staff have worked on in the past year. We cannot accomplish our public safety and justice missions alone. I am thankful to the hundreds of community partners, law enforcement professionals, and public servants that help us protect and serve citizens in our 47 communities. I hope you find our 2012 Annual Report informative.

I remain deeply grateful for the opportunity to serve as District Attorney for the people of the Northwestern District. I look forward to working with you and many other community members in the coming year.

Sincerely,



District Attorney

## STAFF and ORGANIZATION

### Senior Management Team

District Attorney David E. Sullivan  
Deputy District Attorney Janice Healy  
First Assistant District Attorney Steven Gagne  
Director of Operations Martha Murphy Kane  
Chief Financial Officer Donna Dudkiewicz

### Superior Court

First Assistant DA Steven Gagne  
Chief Trial Counsel ADA Jeremy Bucci  
ADA Michael McHale  
ADA Jayme Parent  
ADA Matthew Thomas  
ADA Christine Tetreault, COPS Grant  
David Rist, Criminal List Manager  
Bob Harrison, Forensic Investigator/Fraud Examiner  
Mary-Elizabeth Connly, Superior Court Support

### Child Abuse Unit

ADA Linda Pisano, Chief  
ADA Carrie Russell  
Jane Chevalier, CAU Coordinator/Advocate  
Suzanne Koch, Forensic Interviewer  
Kathy Bengtson, Family Service Advocate  
Deb Kierstead, Family Service Advocate  
Sidney Reavey, Family Service Advocate  
Linda Rogers, Family Service Advocate  
Heather Hubbard, Unit Administrator

### Elders & Persons with Disabilities Unit

ADA Jayme Parent, Chief  
Chris Geffin, EPD Unit & TRIAD Coordinator

### Domestic Violence & Sexual Assault Unit

ADA Jennifer Suhl, Chief  
ADA Susan Loehn, Safety Audit Coordinator  
Mary Kociela, Director of DV Projects  
Cassie Carter, High Risk Team Coordinator  
Elizabeth Finn, AWARE/DVIP Coordinator  
Karen Sheehy, Administrative Assistant

### Appellate Unit

ADA Thomas Townsend, Chief  
ADA Steven Greenbaum  
ADA Cynthia Pepyne

### District Court

ADA Rosemary Tarantino, Chief  
ADA Jeffrey Bengtson, (AIC\*) Greenfield  
ADA Kristen Brandt, Eastern Hampshire  
ADA Joella Fortier, (AIC) Eastern Hampshire  
ADA Stephen Jacobson, Hampshire  
ADA Beth Lux, (AIC) Orange  
ADA Becky Michaels, Hampshire  
ADA Richard Morse, Franklin  
ADA Bob Opsitnick, Eastern Hampshire  
ADA Liz Priest, Orange  
ADA Scott Rathbun, Hampshire  
ADA Michael Russo, (AIC) Northampton  
ADA Janine Simonian, Franklin  
ADA Stephen Sloan, Hampshire  
Mary Bates, Administrative Assistant  
Jamie Chew, Administrative Assistant  
Gemma DeJackome, Administrative Assistant  
Noreen Grogan, Administrative Assistant  
Donna Jackson, Administrative Assistant  
Debra Jacques, Administrative Assistant  
Ann Metzger, Administrative Supervisor

\*AIC=Attorney-In -Charge

**Juvenile Justice**

ADA Yvonne Pesce, Chief  
ADA Elizabeth Mulcahy  
ADA Caitlyn Rock  
Luisa Cruz, Administrative Assistant

**Victim Witness Assistance**

Jackie Gaw, Director  
Bonnie Press, Deputy Director  
Lori Roy, Supervisor  
Wendy Adams, Advocate  
Kate Clogston, Advocate  
Heather Darling, Advocate  
Karen Fitzpatrick, Advocate  
Janice Francis, Advocate  
Margaret Laselle, Advocate  
Melissa Lizardi, Advocate  
Lauren McGee, Advocate  
Karyn Miller, Advocate  
Jennifer Pise, Advocate  
Nancy Webb, Advocate  
Erin O'Brien, Administrative Assistant

**Consumer Protection**

Janice Garrett, Chief  
Caroline Smith, Case Coordinator

**Outreach and Education**

Jana McClure, Director

**Civil Rights Review Team**

Deputy DA Janice Healy - Co-Chair  
ADA Rosemary Tarantino - Co-Chair  
Jana McClure – Director, Community Outreach  
& Education

**Communications**

Mary Carey, Director

**IT Department**

Bruce Fieldman, Director  
Nathan Foote, IT Support Specialist

**State Police Detective Unit**

Detective Lt. Robin Whitney, Unit Commander  
Sgt. John Cummings, Executive Officer  
Sgt. Christopher Ray, Narcotics Unit  
Vicky Novotny, Administrative Assistant  
13 State Police Troopers

**Support Staff**

Jean Bryant, Hampshire Office Manager  
Roberta Reardon, Franklin Office Manager  
Michelle Richotte, Executive Assistant  
Sue Snyder, Executive Assistant  
Pat Matusiewicz, Supervisor

**Fiscal**

Donna Dudkiewicz, CFO  
Higy Chan, Fiscal Assistant  
Jessie Diemand, Fiscal/Administrative Assistant



## SUPERIOR COURT

The Superior Court Unit is responsible for prosecuting some of the most serious cases in the District Attorney's Office, including murders, robberies, sexual and physical assaults, drug dealing, embezzlement and vehicular crimes. Depending on the nature of the case and the criminal history of the offender, sentences in Superior Court can range from probation to life in prison.

There are eight prosecutors who are assigned full-time to the Superior Court Unit, prosecuting cases in Hampshire Superior Court (located in Northampton) and Franklin Superior Court (located in Greenfield).



**First Assistant District Attorney Steven E. Gagne**  
**Daily Hampshire Gazette photo**

First Assistant District Attorney Steven E. Gagne is the head of the Superior Court Unit. He approves cases for indictment, assigns indicted cases to prosecutors, prosecutes his own caseload of felonies, and oversees the work of the Child Abuse Unit, Elders and Persons with Disabilities Unit, Domestic Violence and Sexual Assault Unit, Appellate Unit, Financial Crimes Unit and the Child Sexual Predator Project. He is assisted in his supervisory responsibilities by Chief Trial Counsel Jeremy Bucci, who specializes in narcotics prosecutions, homicides, search warrants, and asset forfeiture.

### **Among the more notable cases prosecuted in 2012 were:**

***Commonwealth v. Anthony Baye*** (*Hampshire Superior Court*) – after the defendant's admission to setting a string of fires in Northampton in December 2009 was suppressed, the Northwestern District Attorney's Office returned to the Grand Jury and obtained new indictments against the defendant, charging him with setting 15 separate fires in the early-morning hours of December 27, 2009 (one of which claimed two lives), and 11 additional fires between January 2007 and November 2009. Scheduled for trial in May 2013, the case is being prosecuted by Special Assistant District Attorney Brett J. Vottero.

***Commonwealth v. Ernest Bobilin*** (*Franklin Superior Court*) – in this case, a domestic violence survivor's brave testimony was the key to a successful prosecution of her boyfriend. A jury convicted the defendant of assault and battery and vandalism, for which the Court sentenced him to three years in state prison. Prosecuted by Assistant District Attorney Beth Lux.

***Commonwealth v. Steven Morse*** (*Hampshire Superior Court*) – in a tragic case in which the defendant struck and killed a young boy who was kayaking with his father on Lake Norwich in Huntington, a jury convicted the defendant of negligent homicide by vessel and lying to the authorities, for which he is currently serving a 5-year sentence in the House of Correction. Prosecuted by Assistant District Attorney Matthew Thomas.

***Commonwealth v. Jose Antonio Cruz*** (*Hampshire Superior Court*) – the defendant, a previously convicted drug dealer, was again convicted of trafficking in cocaine, distribution of cocaine, conspiracy to violate the controlled substances act, and intimidation of a witness for which the Court sentenced him to 8-10 years in state prison. Prosecuted by Assistant District Attorney Jeremy Bucci, Chief Trial Counsel.

***Commonwealth v. Jake O'Connor & William Flood*** (Franklin Superior Court) – a jury convicted two members of the Longriders Motorcycle Club of viciously beating a man outside a bar in Orange in December 2011. O'Connor was sentenced to not less than two and not more than five years in state prison, and Flood was sentenced to two and one-half years in the House of Correction. Prosecuted by Assistant District Attorney Michael McHale.

***Commonwealth v. Steven Fay*** (Franklin Superior Court) – the defendant pled guilty to an indictment charging him with involuntary manslaughter in connection with a plane crash near the Orange Municipal Airport in January 2011, which resulted in the death of his passenger. Fay was not properly licensed or qualified to be flying the dual-engine Cessna, and had specifically been warned not to fly the aircraft without an instructor on board. His disregarding of that warning constituted reckless conduct, giving rise to the involuntary manslaughter charge. At the joint request of the parties, the Court placed the defendant on probation for one year, and prohibited him from reapplying for his pilot's license. Prosecuted by First Assistant District Attorney Steven Gagne.

**In 2012, the NWDAO**

- Resolved 218 felony cases in Superior Court, obtaining convictions or admissions of guilty in nearly three-quarter of these cases
- 132 new cases were indicted

**Economic Crimes Unit**

In July 2012, the District Attorney established an Economic Crimes Unit (ECU) to meet the significant need for investigation and prosecution of "white collar crime". The ECU is comprised of First Assistant District Attorney Steve Gagne, Bob Harrison, Forensic Investigator and Certified Fraud Examiner and ADA Jayme Parent. The ECU focuses its resources, expertise, and energies toward the investigation and prosecution of economic crimes committed by bookkeepers, bank tellers, cashiers, caretakers, and other offenders who use their trust position to victimize elders, disabled persons, or employers. In 2012, economic crimes exceeding \$1 million were under review or being prosecuted. Two notable cases prosecuted in 2012 were:

***Commonwealth v. Elizabeth Walsh*** (Hampshire Superior Court) – the defendant pled guilty to embezzling over \$100,000 from the Amherst-Pelham Education Association and was placed on probation for five years with an order of restitution. Prosecuted by Assistant District Attorney Jayme Parent.

***Commonwealth v. Amy Wing*** (Hampshire Superior Court) - the defendant pled guilty to embezzling \$191,000 from Myers Information Systems. The defendant was sentenced to 2 years to the House of Corrections with 90 days direct and the balance suspended. She was placed on probation for 10 years with an order of restitution.



**Bob Harrison joined the NWDAO's  
new Economic Crimes Unit**



## CHILD ABUSE UNIT



Several Members of the Child Abuse Unit

The Northwestern District Attorney's Child Abuse Unit's (CAU) mission is to investigate and prosecute child abuse cases, to protect children and to keep children and families safe, healthy and strong. The CAU team includes Unit Chief Linda Pisano, ADA Carrie Russell, family service advocates, child interview specialists and staff, all of whom work closely with law enforcement and child protective services workers to provide a multi-disciplinary approach to responding to child abuse.



CAU Chief Linda Pisano  
Springfield Republican photo

### Significant Case Highlights:

***Commonwealth v. David Oppenheim*** (*Hampshire Superior Court*) – the defendant, the former director of the Pioneer Arts Center of Easthampton, was convicted of raping an underage girl who participated in a theatre group at the arts center. He was sentenced to 5-7 years in state prison. Prosecuted by CAU Chief Linda Pisano.

***Commonwealth v. Glenn Cooke*** (*Hampshire Superior Court*) – the defendant, the former coach of the Hopkins Academy women's softball team, admitted to engaging in an inappropriate sexual relationship with a female member of the team. The defendant was placed on probation for five years, during which time he must undergo sex offender counseling and is prohibited from coaching in any capacity. Prosecuted by Assistant District Attorney Carrie Russell.

***Commonwealth v. Aaron and Mackenzie Tarjick*** (*Hampshire Superior Court*)- The Northwestern and Berkshire County District Attorney's offices partnered to prosecute this multi-jurisdictional case involving the rape of an underage girl. Aaron Tarjick received a sentence of 19-25 years in state prison followed by 10 years probation for the rapes and his wife Mackenzie Tarjick, received a 2 year House of Correction sentence for reckless endangerment of the child. Prosecuted by CAU Chief Linda Pisano.

- In 2012, 325 cases were referred to the Child Abuse Unit for Investigation, involving 443 victims.
- Of these 325 cases, 117 CAU cases were charged.
- A total 89 cases were resolved or otherwise completed.



**Northwestern Children's Advocacy Center**

**The Northwestern Children's Advocacy Center (CAC)** provides a child-friendly house where physically and sexually abused children receive the services that they need via a coordinated, multi-disciplinary response.

The CAC is supported by the Northwestern Children's Advocacy Project, a non-profit organization, in collaboration with Cooley Dickinson Hospital and local business and community supporters.

Our Child Abuse Unit works collaboratively with the CAC, in screening, interviewing and helping abused children. **In 2012, over 180 children were served at the CAC.** These services include:

- Forensically sound interviews conducted by a qualified forensic interviewer, as part of a multidisciplinary Sexual Assault Intervention Network (S.A.I.N.) approach;
- Medical Intervention;
- Therapeutic Intervention;
- Victim and family support services.



## **National Accreditation**

A high priority in 2012 was to obtain national accreditation for the Children's Advocacy Center. On August 27, 2012, a site review team from the National Children's Alliance conducted a site visit of the CAC Advocacy Center and reviewed all policies and procedures in place for both the Child Abuse Unit and the CAC.

In October 2012, our Children's Advocacy Center was awarded national accreditation. As part of receiving national accreditation, the CAU also established monthly multi-disciplinary case reviews with representatives from Department of Children and Families, medical professionals, law enforcement and a mental health professional. The CAU also initiated an Interagency Oversight Team (I.O.T.) which met quarterly with administrators from the three (3) state Department of Children and Families (DCF) offices to discuss multi-disciplinary team issues.



**2012 Child Abuse Awareness Week Kick-off Breakfast speaker Donna Jenson, CAC Director Susan Loehn and Champion for Children award winner State Rep. Ellen Story**

## **2012 Highlights for the Child Abuse Unit and the Children's Advocacy Center included:**

- CAU hosted 4 Northwestern District's Child Fatality Review Team meetings;
- CAU initiated and held monthly case reviews involving representatives from the Department of Children and Families, medical professionals, law enforcement and a mental health professional;
- In April, the CAC sponsored the 12<sup>th</sup> Annual Child Abuse Awareness month breakfast which was attended by 310 law enforcement and community members;
- In September, the CAU hosted an advanced 3 day Forensic Interview Training at Greenfield Community College. This was the second part of a training, which started in October 2011. This two-part training is the first of its kind in Massachusetts and was attended by staff from several District Attorney's Offices and law enforcement agencies. As a result of this training, the NWDAO now has access to 6 additional forensic interviewers.

## **ELDERS AND PERSONS WITH DISABILITIES UNIT**

The Elders and Persons with Disabilities Unit (EPDU) investigates and prosecutes crimes in which elders and persons with disabilities have been victimized. EPDU also provides education and training to vulnerable populations and local law enforcement agencies in areas of prevention and effective investigation of financial exploitation, physical and sexual abuse and caretaker neglect. The Unit works with state civil agencies including adult protective services agencies and human resource agencies on joint investigations where there are

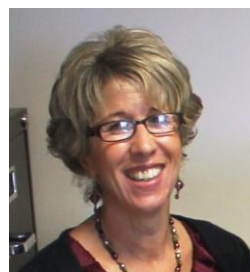
allegations of abuse or neglect by caretakers or others.

The Unit is led by Assistant District Attorney Jayme Parent and Unit Coordinator Chris Geffin. EPDU has a dedicated victim/witness advocate, Margaret Laselle, who is available to assist individuals who have been victimized.

Cases are referred to the Unit by the Disabled Persons Protection Commission (DPPC), adult protective service agencies, local and state law enforcement agencies and private citizens.

In July of 2012, Chris Geffin was recognized by Highland Valley Elders Services as part of World Elder Abuse Awareness Day.

- In 2012, the Elders and Persons with Disabilities Protection Unit investigated and/or prosecuted over 90 cases in which elders or persons with disabilities were victims.



**Victim Witness Advocate Margaret Laselle,  
ADA Jayme Parent, Unit Coordinator Chris Geffin**

## **EPDU 2012 Case Highlights:**

### **Commonwealth v. Ryan Lusco**

The Defendant pled guilty to breaking into the homes of four elders between the ages of 62 and 87 in his neighborhood and stealing family heirlooms including jewelry which was never recovered. The Defendant was sentenced to 2-4 years in the State Prison followed by 5 years probation. Prosecuted by Assistant District Attorney Jayme Parent.

### **Commonwealth v. Joseph Dziadek**

The Defendant pled guilty to stealing debit cards from his grandmother and great aunt who were 86 and 81 respectfully, and using the cards to steal a total of almost \$2,000 from their checking accounts. The Defendant was sentenced to 3 years in State Prison. Prosecuted by Assistant District Attorney Jayme Parent.

### **Commonwealth v. Pamela Purdy**

The Defendant, a caregiver for an 80 year old gentleman, stole in excess of \$13,000.00 from the man's bank account and used it for her own purposes. During the investigation, the elder passed away. Assistant District Attorney Janine Simonian successfully prosecuted the case without the victim, resulting in the Defendant being placed on probation for 5 years and ordered to pay restitution to the deceased's estate.

## **2012 Special Initiatives:**

### **2012 Drug Take Back Campaign**

The April 28, 2012 Drug Take Back collection yielded the highest amount of unwanted medicine in Western Massachusetts with a total of 3,144 pounds (or 1.5 tons).

The second day of collection on September 27, 2012 yielded 1,847 pounds of unwanted medication.

**In total our Drug Take Back sites have collected 9,500 lbs. of unused medication.**



**Getting prescription drugs out of the wrong hands with Drug Take Back Day**

In 2012, we began discussion with local police departments to establish a permanent drug disposal program. Funds were secured from the Department of Health, Bureau of Substance Abuses Services in the amount of \$6,500. Covanta Energy Solutions, based in New Jersey, agreed to allow us to burn the collected drugs, free of charge, at their Agawam site through their community incentive program, providing us with a \$6,000 savings. A total of 15 permanent boxes will be in place in early 2013.

## **Senior Outreach and Education:**

### **The TRIAD Program**

As part of the EPDU, the TRIAD program plays a major role in building community partnerships to better serve seniors. TRIAD is a community policing initiative of seniors, law enforcement and service providers which is focused on increasing safety through education and crime prevention. Its goals are:

- To reduce criminal activity which targets seniors;
- To alleviate seniors' fears of victimization, build confidence and improve their quality of life;
- To enhance the delivery of law enforcement services to seniors.

TRIAD is anchored by the Northwestern District's three top law enforcement officials: District Attorney David E. Sullivan, Hampshire County Sheriff Robert Garvey, and Franklin County Sheriff Christopher Donelan.





### TRIAD Activities for 2012

Numerous community education and outreach projects took place with our TRIAD program in 2012:

- 25 Educational programs on Elder Protection;
- Emergency Preparedness Programs with over 1,000 elders receiving Emergency Grab and Go bags;
- 5 Health and Safety Fairs;
- House Numbering program continues and has numbered over 10,000 homes in the jurisdiction;
- Presentation at 3 conferences on the TRIAD initiative and Drug Take Back, DPH Annual conference, Mass Council on Aging Annual meeting and Western Mass Chapter of Council on Aging Directors;
- 3 Community Shredding Events;
- Continued to work with the following communities to implement the TRIAD Program: Amherst, Belchertown, Hadley, Deerfield, Granby, South Hadley, Southampton, Westhampton, Ware, Greenfield, Whatley, Worthington, Montague, and Northampton.



Triad Summer 2012 picnic in Hatfield



Domestic Violence and Sexual Assault Unit  
Chief Jennifer Suhl  
Daily Hampshire Gazette photo

### DOMESTIC VIOLENCE & SEXUAL ASSAULT UNIT

The Chief of the Domestic Violence & Sexual Assault Unit is ADA Jennifer Handel Suhl. The Unit also includes five highly trained and experienced staff members: Mary Kociela, Director of DV Projects; Cassie Carter, High Risk Team Coordinator; Elizabeth Finn, DVIP/AWARE Project Coordinator; Susan Loehn, DV Prosecutor Liaison; and Karin Sheehy, Administrative Assistant.

The Unit is responsible for overseeing the prosecution of all domestic violence and adult sexual assault cases in the Northwestern District.

The large majority of DV cases in 2012 were handled in the District Courts. In order to provide comprehensive and consistent treatment of domestic violence cases at the District Court level, the District Attorney designated a specialized domestic violence prosecutor in each of the four district courts: Janine Simonian in Greenfield, Beth Lux in Orange, Michael Russo in Northampton and Joella Fortier in Belchertown.

The Unit also collaborated with our community partners to provide special trainings to improve prosecution of DV cases.

- Some 12 percent of total cases prosecuted in the Northwestern District were domestic violence cases for a total of **1312** cases.
- In 2012, grand jury indictments were obtained in 22 domestic violence cases which were prosecuted in Superior Court.
- Two cases involving domestic violence homicides will be tried in 2013.
- There were a total of 94 adult sexual assault cases; 77 at the District Court level and 17 in Superior Court.

The Unit also coordinated numerous prevention and intervention initiatives aimed at strengthening victim safety and offender accountability and continued to facilitate a task force of over 100 community and law enforcement members. DV roundtables were also organized as needed in each of the four courts in the district.



**The Domestic Violence and Sexual Assault Unit**



**Getting ready for the 2013 White Ribbon Campaign student video contest**

### **District Attorney's Task Force on Domestic and Sexual Violence**

The District Attorney's Task Force on Domestic and Sexual Violence is made up of members of law enforcement and community advocates and leaders. The Task Force met monthly and offered training and networking opportunities for people working to end domestic and sexual violence. In 2012, meetings included updated information and trainings on topics such as cyber stalking, supporting LGBTQ survivors, engaging men to end violence against women, the new sexual predator program and project updates from local community programs.

### **White Ribbon Campaign**

In 2012, the Task Force organized the 5<sup>th</sup> annual White Ribbon Campaign to involve men in the movement working to end violence against women. The Task Force garnered participation from four colleges and nine high schools that held events in their schools. Some 4,190 white ribbons were distributed and over one thousand students and staff took an official pledge to end violence against women. A particular highlight of the campaign is the video contest for area high schools. In 2012, Ware High School was selected as the winner. All video submissions may be viewed on our webpage.





**DA Sullivan presents award to Ware High School for White Ribbon video - Springfield Republican photo**

### **DVIP/AWARE Project**

The NWDAO continued its work through the Domestic Violence Intervention Project (DVIP) which is funded through a Massachusetts Executive Office of Public Safety and Security STOP Grant. The DVIP is an early intervention program designed to coordinate the efforts of police, advocates, court personnel and batterer's intervention programs. Specially trained advocates from local battered women's programs (NELCWIT & Safe Passage) are immediately available following a domestic violence incident. Police departments, in Franklin and Hampshire County and the Town of Athol, contact an on-call advocate who in turn contacts the victim. Advocates offer victims immediate support, safety information and referrals for counseling, shelter and/or legal advocacy. Representatives from the local batterer's intervention program (Moving Forward) are also available to meet with offenders in court at the time of arraignment. Offenders receive information about their responsibilities under the law and available batterer's intervention groups. Quarterly DVIP partnership meetings were held for police, dispatchers and advocates. Training topics included technology and stalking, elder abuse and working with survivors with disabilities. The project also installed nine new locks for victims of abuse.

Additionally, the AWARE (Abused Women's Active Response Emergency) project provided victims of domestic violence with in-home personal safety alarms. Identified participants were given a silent alarm pendant allowing them priority police response in a domestic violence emergency. Due to economic restrictions, the unit was recently informed by ADT Security that they are no longer able to install new alarms free of cost. ADT will continue to monitor existing alarms and they are working on a plan to offer alarms at a reduced cost in the future. Currently, there are thirty-eight alarms in service. Recipients of these alarms continue to receive follow-up support and intervention by the Project Coordinator.

A new addition to the DVIP in 2012 was our increased collaboration with the Center for New Americans (CFNA). This included the creation of a booklet for immigrant victims of abuse. The booklet was translated and printed in eight languages and will be distributed to CFNA students.

The DVIP also initiated a DV law enforcement newsletter. The first edition was in June, 2012 and featured articles about stalking, evidence-based prosecution and assisting victims with 209A affidavits. The second edition was in September and included information on the new animal abuse law, strangulation investigation and signs to look for in elder abuse cases. Both newsletters included a FAQ section for dispatchers and police officers.



**WHMP taped a live forum at Sylvester's Restaurant on domestic violence and the law. Participants included moderator and Attorney Bill Newman, DA Sullivan, Judge Michael Ryan, Safe Passage Director Marianne Winters, Public Defender Thomas Estes and Attorney Bonnie Allen.**

With grant funding, we were able to purchase digital cameras for each police department. Equipment for downloading cell phone information was also purchased to improve police investigations. Law enforcement training on preserving and retrieving evidence from digital devices in domestic violence cases will take place in the spring of 2013.

#### **Domestic Violence High Risk Team Project**

In an effort to reduce domestic violence homicides and to identify the most serious, repeat offenders, high risk teams in each county were established in 2010. Evidence based research has identified a set standard of high risk behaviors that can substantially increase the level of risk for victims. By identifying high risk behaviors and sharing case information, the teams made recommendations that maximized offender accountability and safety for victims. The purpose of the project is to identify and closely monitor high risk offenders in order to prevent further incidents of abuse and homicide.

In October 2012, funding for the high risk project was renewed for an additional two years. Grant funds in the amount of \$300,000 support the project and staffing that includes a full time project coordinator, full time victim witness advocate and a part time prosecutor to

provide ongoing training for police. Teams collaborated with representations from Probation Department, Houses of Correction, Parole Board, police, 911 dispatchers, NWDAO prosecutors, Department of Children and Families and community advocates. Once an offender is identified as high risk, detailed information regarding that offender as well as his/her victim(s) is distributed to dispatchers, police, probation, prosecutors, and other agencies to ensure a coordinated, comprehensive, and consistent response to future incidents involving the offender.

Over 50 police officers attended training on domestic violence and strangulation with Lt. Jon Tiplady. Officers learned about stalking, high risk assessment and the importance of documenting strangulation in police reports. District Court prosecutors also participated in a training focused on evidence-based prosecution and options for going forward with a case when the victim is unavailable. The High Risk Team Advisory Board also updated the high risk brochure for first responders.

#### **Sexual Assault Response Team (SART)**

The SART is a coordinated, multi-disciplinary team of people, including Domestic Violence and Sexual Assault Unit Chief Jennifer Suhl, ADA Susan Loehn, and Victim-Witness Unit Chief Jackie Gaw, who respond to sexual assault. The Center for Women & Community coordinates the SART, which includes representatives of: Law Enforcement, Health Care, Forensic Sexual Assault Nurse Examiners, Prosecutors, Victim/Survivor Advocates. The Hampshire County SART reviews best practice models in responding to sexual assault that are victim centered and increase the chances of effective prosecution. SART members share these models within their own department and develop and implement cross training opportunities.



**Sexual Assault Response Training team**

### **Community Education**

Each Year, the Unit sponsors several training and outreach programs. In 2012, this included programs for middle school and high school students, first responders, health professionals, police officers, social workers and community advocates.



**With funding from an Edward Byrne Memorial Justice Assistance Grant, the office launched a Sexual Assault Prevention Media Campaign.**

Verdant Multicultural Media and Reel Communications were hired to create a message, logo and PSA's directed at college students in the area's five colleges and Greenfield Community College. Students have participated in several meetings to develop the logo and PSA scripts in such a way as to be attractive to students on campus. The completed logo and PSA's will be presented at a Sexual Assault Awareness and Prevention conference in the spring of 2013.

## **APPELLATE UNIT**



**ADA Cindy Pepyne, of the Appellate Unit was honored by the Massachusetts District Attorneys Association with the 2012 Spotlight Award**

The Appellate Unit is comprised of ADAs Thomas Townsend (Chief), Cynthia Pepyne, and Steven Greenbaum. The three members of the Appellate Unit represent the NWDAO before the Massachusetts appellate courts. When a defendant is convicted of a crime, he or she may challenge that conviction by filing a legal brief outlining any purported errors that may have occurred at trial. Upon receipt of the defendant's brief, an appellate prosecutor is assigned to respond with an opposing brief and then to argue the merits of the appeal before a panel of judges in Boston.

The Unit also supports all ADA's through legal updates and advice.

- 2012 was a record-setting year for the Appellate Unit. Its members filed 38 briefs -- the most briefs in NWDAO's history. And the Appellate caseload shows no signs of abating.
- There were 44 new cases entered in the Massachusetts Appeals Court in 2012, a 33% increase over 2011 and a 100% increase over 2010.
- The NWDAO also has several cases in the Massachusetts Supreme Judicial Court, including four first-degree murder convictions.

- Commonwealth v. Shevren Henderson, in which a divided Appeals Court upheld the defendant's probation revocation where there was sufficiently reliable evidence that he had beaten his girlfriend.
- Commonwealth v. William Jones, in which the SJC held that the defendant didn't have a right to take a breathalyzer test after initially refusing to take one. Both Henderson and Jones were published decisions, meaning that they may serve as precedent for future cases.
- Commonwealth v. David Jefferson, in which the Appeals Court affirmed the defendant's convictions for armed robbery and kidnapping.

The Appellate Unit also responds to motions for a new trial, which can be filed at the trial level before or after an appeal.

- In 2012, a total of 22 motions for a new trial were filed.

In addition, the Appellate Unit oversees parole hearings for those serving life sentences but who are eligible for parole. There was one parole hearing in 2012, and a decision is expected sometime in 2013.

## Sexually Dangerous Persons Unit

The Sexually Dangerous Person (SDP) Unit is responsible for reviewing cases in which an individual is completing any sentence after being convicted of a sex offense. The purpose of the review is to determine whether or not the

individual meets the criteria of a Sexually Dangerous Person as outlined in the statute, G.L. ch. 123A. It is not the intention of the law to retry the inmate on his sex offense, but to determine if he poses a risk to the safety of the public at the present time if not confined to a secure facility.

### SDP Unit Staff:

Two seasoned prosecutors, Jayme Parent and Steve Greenbaum handle all of the SDP cases for the Office. Sue Snyder supports the Unit as our SDP Coordinator.

In calendar year 2012, the Northwestern District Attorney's Office **reviewed thirty-five (35) inmates** under G.L. ch. 123A, the Sexually Dangerous Persons (SDP) statute. None of these inmates met the criteria of the SDP statute; therefore, no new SDP petitions were filed during 2012. Of the thirty-five inmates, three were sent to experts for review after an initial review by members of the SDP Unit. Also during 2012, three previously filed petitions were resolved.



Old Courthouse, Northampton





District Court ADAs Becky Michaels and Steve Sloan

## DISTRICT COURT

The District Court is the gateway to the criminal justice system. It is where the vast majority of criminal cases are prosecuted. The District Courts in the Northwestern District are located in Northampton, Belchertown, Greenfield and Orange. These courts have jurisdiction over all misdemeanors, including drug offenses, weapon offenses and motor vehicle offenses. The District Courts also have jurisdiction over those felonies that are punishable by imprisonment in the state prison for not more than 5 years.

Rosemary Tarantino is the Chief of the District Court. She supervises the eleven ADAs who are assigned to the four district courts. There were several staff changes in 2012, with three new ADAs hired. Steve Jacobson, Becky Michaels and Richard Morse joined the district court team.

In addition to designating a senior ADA as "Attorney in Charge" (AIC) in each of the four District Courts, DA Sullivan also designated ADAs in each of these courts as "Domestic Violence" (DV) prosecutors.

- The Assistant District Attorneys in District Court prosecuted over **11,000** cases in 2012.

### New Initiative:

#### Restorative Justice Project

A pilot program, modeled after the highly successful Restorative Probation Program in Greenfield District Court, was launched in the Eastern Hampshire District Court in 2012. The principles of restorative justice recognize that criminal behavior harms both individuals and the community as a whole. Restorative justice principles also hold that offenders have an obligation to understand the harm that they have caused, accept responsibility for their actions and actively participate in making amends.

Lucinda Brown, a pioneer in Restorative Justice, trained community members, probation officers and DA staff to establish and implement a program in Hampshire County.



Lucinda Brown at a Restorative Justice forum

## JUVENILE JUSTICE UNIT

The Juvenile Justice Unit aims to reduce youth violence and crime using a coordinated community approach that includes early intervention and prevention. In addition, the Unit handles those serious juvenile cases where the juveniles are indicted as Youthful Offenders, thus making them open to adult criminal prosecution.



The Juvenile Justice Unit

The Juvenile Justice Unit team is led by ADA Yvonne Pesce and includes ADA Caitlyn Rock and ADA Elizabeth Mulcahy, who serves as the Unit's Community Prosecutor and Diversion Program Coordinator.

### Delinquency Cases

- In 2012, the Northwestern District Attorney's Office handled 852 delinquency cases.
- The Franklin County Juvenile Unit handled 355 delinquency cases.
- The Hampshire County Unit handled 497 delinquency cases.

Many of the delinquency cases handled by the Unit in 2012 were complex cases which involved extensive investigative work and required collaboration between the District Attorney's Office, school administrators, local law enforcement and State Police detectives.

The Juvenile Unit's goal is to balance legal work in the form of prosecuting delinquency cases, with school and community-based prevention and education efforts. To achieve this goal the Unit coordinates the following programs and initiatives:

### Juvenile Diversion Program

The Northwestern District Attorney's Office's Juvenile Diversion Program offers an alternative to formal prosecution in the juvenile court to certain eligible offenders under the age of 17. Utilizing a pre-arraignment model, the diversion program is designed to protect participating youth from having a juvenile record. Juveniles in the program are given the opportunity to attend and complete counseling/education and remedial programs, perform community service and, when applicable, pay restitution, in lieu of prosecution. An important goal of the diversion program is to address the underlying causes of juvenile delinquency in order to enable the juvenile to be held accountable while at the same time addressing his or her individual needs.

- In 2012, 172 juvenile cases were handled through our DA Diversion Program, 117 in Hampshire County and 55 in Franklin County.
- These cases represent a 12 percent increase from 2011.



Franklin-Hampshire Juvenile Court, Hadley





**ADA Elizabeth Mulcahy is our Coordinator for both the Juvenile Diversion Program and the School Is Where It's At Truancy Prevention Program.**

### **School Is Where It's At Truancy Prevention Program**

Truancy is a problem that has long-term effects on children, families and the community. The recognition of the significant correlation between a failed school experience and delinquent behavior has been well documented. The "School Is Where It's At" prevention program is a two-step process involving measures to improve students' attendance.

In 2012, more than 150 students were referred by schools to the School Is Where It's At Truancy Prevention Program.

### **Community Based Justice Meetings**

The Community Based Justice Program (CBJ) is a statutorily mandated school-based initiative designed to establish and coordinate a partnership between schools, police, and state agencies to address school violence and violence prevention. CBJ meetings are convened by a Juvenile Unit ADA throughout the school year and provide a forum to share information regarding violent and at-risk youth, as well as individual students whose conduct has raised concerns about their health, safety or well-being. These meetings also serve to provide a means to build relationships and foster communication between the district attorney's office, local law enforcement agencies, schools, and state service agencies.

One of the central goals of CBJ meetings is to develop proactive ways to intervene in the lives of at-risk youth in a coordinated way before their conduct leads to negative consequences.

### **Safe Schools Response Team**

District Attorney Sullivan established a Safe School's Response Team to enable the Northwestern District Attorney's Office to review and promptly respond to complaints and referrals involving harassment, bullying, and civil rights violations occurring in schools. Additional goals of the initiative are to assist local schools in their response to bullying and harassing behavior targeting students and to serve as a resource to schools, parents and victims.

Members of the Safe School Response Team include Deputy District Attorney Janice Healy, Juvenile Justice Unit Chief ADA Yvonne Pesce, Assistant District Attorneys Caitlyn Rock and Liz Mulcahy, Victim-Witness Advocates Janice Francis and Heather Darling, Director of Community Outreach & Education Jana McClure and Administrative Assistant Sue Snyder.

During 2012, the Safe Schools Response Team reviewed 27 referrals and complaints. Issues reviewed and investigated included complaints concerning civil rights, threats, cyber bullying, bomb threats, assaults, and bullying.

### **Outreach and Education**

During 2012, the Juvenile Unit was actively involved in the development and implementation of numerous conferences and outreach programs aimed at youth, school personnel, and parents.

The Juvenile Unit applied for and received a \$10,000 grant from the Executive Office of Public Safety and Security - Highway Safety Division which enabled the District Attorney's Office to host two conferences aimed at preventing underage drinking and changing the culture of destructive youth drinking. Our 1<sup>st</sup>

Annual Youth Conference on Preventing Underage Drinking was held at Greenfield Community College on April 12, 2012. Over 150 area middle, high school students and school staff attended this interactive conference which encouraged them to “Start Something” within their schools and communities by learning how to organize and promote initiatives to change the culture of underage and risky drinking among teens.



**DA Sullivan with students at NWDAO's 1<sup>st</sup> Annual Youth Conference on Preventing Underage Drinking**

Juvenile Unit staff also participated in numerous trainings and public forums at the request of school communities in both Hampshire and Franklin counties regarding Social Host Liability, Legal Repercussions of Bullying, and Internet and Online Safety. ADA Caitlyn Rock served as the coach for the Granby Junior-Senior High School's Mock Trial Team as part of the Massachusetts Bar Association's 28<sup>th</sup> Annual Mock Trial Program.



**ADA Caitlyn Rock's 2012 Granby High School Mock Trial Team**

## **NOFIRES**

Northwestern Juvenile Fire Intervention  
Response, Education and Safety Partnership

*A Community Response to Youth-Set Fires*

### **NoFIRES Program**

National statistics have shown that half of all persons arrested for arson are juveniles.

The Northwestern District Attorney's Office worked with community partners to develop the Northwestern Juvenile Fire Intervention Response, Education and Safety Partnership (NoFIRES) to serve as an educational and prevention initiative aimed at reducing youth-set fires in the home, school and community. In 2012, the NoFIRES Partnership received a \$47,000 Commonwealth of Massachusetts Community Incentive Challenge (CIC) grant to formally launch the program.

A collaboration of fire, law enforcement, mental health providers, and social service agencies, NoFIRES is committed to providing a coordinated and appropriate response to youth ages 5 through 16, who set fires or engage in fire-related behavior. The components of this approach include: screening, intervention, education and prevention, and referrals for clinical treatment and counseling and/or services. Depending upon the circumstances, the response could also include a juvenile court prosecution, diversion or other court action.

## Victim Witness Assistance Unit

In 2012, the Victim Witness Assistance (VWA) Unit of the Northwestern District Attorney's Office continued to provide outstanding service to crime victims, witnesses, and family members. Compassion and dedicated service to victims and survivors has been the cornerstone of the VWA Unit for many years.

- In 2012, advocates were assigned to 2,377 cases. This included services to 2,850 victims, 1,598 witnesses and 15 family members.
- In Hampshire County, our advocates were assigned to 1,277 cases and assisted 1,549 victims, 1,022 witnesses and 9 family members.
- In Franklin County, advocates were assigned to 1,100 cases, assisted 1,301 victims, 576 witnesses and 6 family members.

In addition, advocates assisted prosecutors with open investigations regarding reported homicides, sexual assaults, and motor vehicle fatalities. In these cases, the advocates provided important information and guidance to victims and family members about their rights and services available to them including their right to victim compensation funds. Over the course of 2012, our staff filed 221 approved Victim Notification applications, an increase of 20% from 2011. Some of these applications were for Offender Release Information and some were for CORI certification and Board of Probation offender information.

### Staff Changes

In 2012, the VWA Unit had several staff changes. A seasoned advocate, Nancy Webb,

retired after 16 years of dedicated service. Jen Pise was promoted from the Administrative Assistant position to a full time advocate. New Unit members included Karyn Miller and Kim Devine as advocates and Erin O'Brien as our new Administrative Assistant.



2012 National Victims' Rights Week, Greenfield

### Victim Witness Advocate Trainings

In 2012, our advocates either participated in or attended a number of community or professional training opportunities. Our trainings included the following:

- Victim Services and Department of Youth Services - Strangulation and Domestic Violence
- Safe Plan Overview
- MOVA Symposium for Victims of Crime
- Statewide Victim Rights Conference
- A View from the Bench

In April, in recognition of National Crime Victims' Week, the VWA Unit and the NWDAO collaborated on several projects to promote awareness and prevention of Domestic Violence and Sexual Assault victimization. Clothesline Projects occurred in Greenfield and Northampton in partnership with NELCWIT and the Center for Women and Community. The NWDAO and a number of community agencies were present with table displays and promotions of their services for Domestic Violence victims and survivors.





**Taping a roundtable discussion at GCTV to mark National Victims' Rights Awareness Week**

Several advocates, namely, Deb Kierstead, Karen Fitzpatrick and Heather Darling, participated with Jana McClure in the National Night Out Against Crime which was held in August in Franklin County.

Two public service roundtables were filmed at Greenfield Community Television (GCTV) for broadcast in Hampshire and Franklin Counties. DA Sullivan moderated a discussion of victim services available in our communities. Representatives from NELCWIT, Safe Passage, Community Crisis Intervention, Center for Women and Community, MOVA and the NWDAO all shared a variety of perspectives on understanding the Domestic Violence issues and the collaborative journey to intervention, prevention, and prosecution.

Our victim witness advocates also served on numerous special task forces and committees to address sexual assault, domestic violence and child abuse in our communities.



**Victim Witness Advocate Jennifer Pise, Pat Matusiewicz and Beth Connly**



**Victim Witness Advocate Nancy Webb (left with ADA Jennifer Suhl, Chief of the Domestic Violence and Sexual Assault Unit) was honored by NELCWIT**

### **Recognition**

Nancy Webb was specially honored in November by NELCWIT for her years of outstanding service and dedication to the many domestic violence victims she had worked with throughout her career. Nancy's commitment to seeking justice for all victims and ensuring that each had a voice was rightfully acknowledged.

### **Safe and Secure Waiting Areas**

Over the course of 2012, the Safe and Secure Waiting Area (SSWA) Task Force continued its mission and visited several court houses in the Northwestern District in order to designate safe and secure waiting areas for victims and witnesses. The VWA Unit had representatives at all these site visits to participate in the discussion of the needs of each specific court.

As a result of our office's advocacy, three official designations were made in 2012 for the Northwestern District by the Task Force. The Hadley Juvenile Court, the Eastern Hampshire District Court and the Orange District Court all received notice of the final determination of the SSWA for their court.

Each of these courts now has a safe and secure conference place for victim and witnesses to meet with the advocates and prosecutors.

## Other New Initiatives:

### Victim Witness Educational Video

A new educational video explaining the court process to victims and witnesses was produced. This video project was a collaboration of the Victim Witness Unit, Communications Unit and community partners. The video is available to victims and witnesses through the NWDAO website:

[http://www.youtube.com/watch?v=jG7S\\_0TeEQ&feature=youtu.be](http://www.youtube.com/watch?v=jG7S_0TeEQ&feature=youtu.be)

## CONSUMER PROTECTION UNIT



**Janice Garrett, Consumer Protection Unit  
Victims' Rights Week 2012**

The Northwestern District Attorney's office has been home to a local consumer program since 1973. The Consumer Protection Unit's Director, Janice Garrett, and Case Coordinator, Caroline Smith, are trained mediators who work to resolve consumer complaints through an informal mediation process. Unit staff not only provide resources and referrals to the public, but also provide education and outreach programs throughout both counties in order to give consumers the information they need to make informed decisions and protect themselves against scams and fraud.

The Consumer Protection Unit (CPU) works in cooperation with the Attorney General's Office (AGO). The CPU is one of eighteen programs throughout the state which receives a grant from the AGO to provide a local consumer program.

### 2012 Highlights

The Consumer Protection Unit expanded its outreach and education efforts in the past year to reach a greater number of consumers throughout the Northwestern District.



**Caroline Smith, Consumer Protection Unit at  
2012 Safety Fair, Northampton**

We have continued to produce consumer based public service announcements to air on our website and all of the community access channels in Hampshire and Franklin counties. We appeared regularly on local television tackling consumer issues. The resources and expertise of our Consumer Protection Unit was also highlighted in the Daily Hampshire Gazette and the Unit was featured in area newsletters with our contact information and consumer tips.

**In 2012, the Consumer Protection Unit received approximately 2,000 calls, opened 383 cases and recovered \$260,191.43 for consumers. Over the past six years, the CPU has helped recover over \$1,561,000.00.**

## **COMMUNITY OUTREACH AND EDUCATION UNIT**

The Community Outreach and Education (COE) Unit had a very productive year. Director, Jana McClure, continued to forge strong partnerships with community coalitions. She has engaged with schools and parents along with the Juvenile Justice team on planning conferences.

This year also brought new opportunities to join with other NWDAO units on projects helping to raise awareness of critical public safety issues affecting our communities. One main objective for the Unit was to define specific target goals that were achievable and measurable. A strategic plan was developed which enabled the Community Outreach and Education Unit to more effectively link our office to the 47 communities in the Northwestern District.

### **Programs & Projects of 2012**

#### **Youth Advisory Board (YAB)**

This year, the members of the Youth Advisory Board (YAB) implemented a rigorous schedule of presenting internet safety and prevention programs to elementary school-age youth. Between January and March of 2012, YAB presented at ten schools reaching out to some 787 students. All YAB students participated in the presentations which included the interactive portion with the NetSmartz “Clicky” character, a classroom discussion and an art project that depicted the elementary students’ Trusted Adult figure. The elementary and high school principals were very complimentary of the program and recognized the value of the mentoring aspect for the students all around. The high school students commented on their opportunity to be seen as leaders and role models to the younger students.

In addition to the presentations, the NWDAO’s Director of Communications, Mary Carey, coordinated media coverage for many of the

presentations which further expanded the reach of our programs and trainings.



**Director of Outreach & Education Jana McClure and Youth Advisory Board members**

#### **Internet Safety/On-line Child Sexual Predator Presentations**



**Jana McClure and ADA Christine Tetreault presenting on internet safety**

Also in 2012, there was an increase in the number of presentations to school administrators and parents to include On-line Child Sexual Predators, “Sexting” and Cyber Bullying. Jana McClure and ADA Christine Tetreault offered several presentations to parents and school administrators. These presentations informed them of the pitfalls youth find themselves in when engaging in risky behaviors and making bad choices on-line. Between February and December of 2012, there were 13 presentations reaching some 770 participants.





**District Attorney's Citizen Advisory Board**

### **Citizen Advisory Board (CAB)**

The mission of the Northwestern District Attorney's Citizen Advisory Board is to advise and assist the Office of the District Attorney in the areas of community outreach and education, crime prevention, community prosecution, civic engagement, social justice and civil rights issues concerning Hampshire and Franklin counties and the town of Athol.

2012 was a great year for the Citizen Advisory Board. On March 15, 2012, the Board conducted a Northwestern District Attorney Meet & Greet event that was well attended and highly publicized by local media. The goal of the event was to recruit additional members to the Board to ensure that the DA's Office hears from a diversity of constituents. The Board met on a regular basis and was actively involved in planning the Safe School Summit and Prescription Take Back among other projects.



**2012 Youth Conference on Preventing Underage Drinking held at Greenfield Community College**

## **Underage Drinking Prevention Conferences**

### **1<sup>st</sup> Annual Youth Conference on Preventing Underage Drinking**

A full-day Youth Conference on Preventing Underage Drinking was held on April 12, 2012 at Greenfield Community College and targeted middle and high school students. Following a lively, interactive presentation by Robert Hackenson on the dangers and consequences of underage drinking, 150 students in attendance broke into one of four workshops. The students learned to produce their own video public service announcements; created materials modeled on the national Above the Influence campaign; learned from their peers how to form a Students Against Destructive Decisions (SADD) group; and produced their own skits with help from the Not Ready for Bedtime Players of the University of Massachusetts.

### **"It's Your Call" – Underage and Destructive Drinking Prevention Conference for Student Leaders**

This conference was held on September 19, 2012 at the University of Massachusetts-Amherst and focused on active bystander training and preventing underage drinking for area college students. Some 120 students and staff attended from the University of Massachusetts, Hampshire College, Mount Holyoke College and Smith College. The workshops were aimed at equipping students with active bystander skills. In a January 3, 2013 editorial, The Daily Hampshire Gazette praised the college conference, writing, "[w]e applaud Northwestern District Attorney David E. Sullivan's office for taking a central role in an anti-binge drinking conference at UMass in September that focused on bystander training, in which students learned how to help their peers avoid bad decisions while drinking."



**Promoting the "It's Your Call" conference**

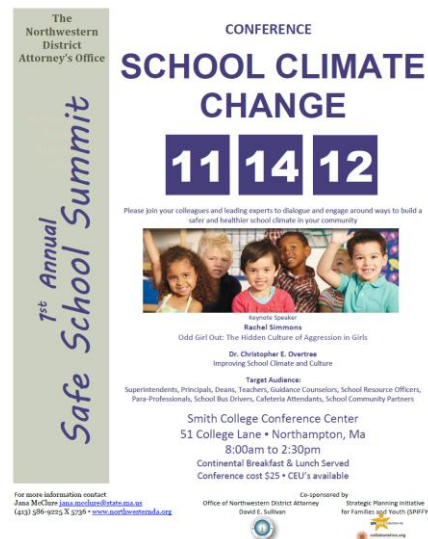
### Safe School Summit

The 1<sup>st</sup> Annual Safe School Summit was held on November 14, 2012 at Smith College in Northampton. About 125 school administrators, teachers, paraprofessionals and guidance counselors attended the sold-out event that featured keynote speaker Rachel Simmons who addressed the topic of girls and bullying. Simmons, a nationally known author of *Odd Girl Out* and a bullying expert, told the group about different ways girls process bullying behavior and how to address those behaviors.



**Safe School Summit panelists  
Daily Hampshire Gazette photo**

The event also featured Dr. Christopher Overtree, Director of the Psychological Services Center at the University of Massachusetts-Amherst, and a co-founder of the New Hampshire based Center for School Climate. His topic was the Dignity of Expertise – Using Youth Empowerment to Improve School Climate and Culture.



Dr. Overtree also facilitated a distinguished panel of educators who fielded questions on best practices to encourage climates of diversity within schools. The panel was made up of Anne Gilligan, Coordinator of the state's Safe and Drug Free Schools Program for the Department of Education and Secondary Education; Maru Gonzalez, co-founder of the Georgia Safe Schools Coalition; Dr. Charles Hopkins, director of Special Education at the Pioneer Valley Performing Arts Charter Public School in South Hadley; and Gina Kahn, director of the Safe Schools/Healthy Students program at Hampden-Wilbraham Regional Schools.



**Participants at 2012 Safe School Summit**





**Jana McClure with Katie Russavage, who made the video "Spark: A Story of Mentors and Achievement" with the NWDA, at the Amherst Block Party 2012**

#### **Additional Achievements in 2012:**

In collaboration with the U.S. Attorney's Office and community members, the NWDAO Outreach & Education Director coordinated a **Western Massachusetts BRIDGES** meeting. The purpose of the meeting was for local, state and federal government, law enforcement agencies and representatives of the Muslim, Arab and Sikh communities to discuss and resolve areas of mutual concern.

Another highlight included working closely with our Domestic Violence Projects Director on the White Ribbon Campaign, an international campaign to end violence against women. The COE Director also coordinated the NWDAO's participation in the National Night Out crime prevention project which was led by the North Quabbin Community Coalition.

The Community Outreach and Education Unit works closely with many other NWDAO units to ensure that the knowledge, expertise and resources of the DA's office reaches the citizens of our communities.

## **CIVIL RIGHTS REVIEW TEAM**

The protection of citizens' civil rights is a mission for the Northwestern District Attorney's Office. District Attorney Sullivan created the Civil Rights Review Team in 2011 to review and respond to alleged hate crimes and hate incidents in our communities, as well as civil rights complaints and referrals. Team members include Deputy District Attorney Janice Healy, District Court Chief Rosemary Tarantino and Outreach and Education Director Jana McClure. Having this team in place has allowed the NWDAO to respond in a prompt and effective way to civil rights incidents, complaints, referrals and community inquiries.



**DA Sullivan with UMass administrators Jean Kim and Enku Gelaye at the 2012 Amherst Block Party**



**Luisa Cruz and ADA Caitlyn Rock at 2012 Job Fair in Northampton**

## COMMUNICATIONS UNIT

The Communications Unit is vital in keeping the Northwestern District Attorney's Office accessible and responsive to the public and media. The Communications Unit is led by Director, Mary Carey who coordinates with prosecutors, staff, and law enforcement to get information out to the public in an timely, accurate and ethical way.



NorthwesternDA.org

In 2012, the Communications Unit continued to expand the Northwestern District Attorney's Office website. The website has become a key resource for our community by providing up-to-date information to the public on cases being prosecuted by our office, as well as access to information about the work of all of our units and community partners.

The Communications Unit worked with the IT Unit this year to create the special Law Enforcement Assistance Program (LEAP) portal on our website.

The two units collaborated to produce some two dozen instructional videos for law enforcement that are posted on the LEAP portal and will be made available to police departments throughout the district.

The Communications Unit also continues to work closely with all NWDAO units to plan, promote and document a wide range of events, trainings and educational programs. The Unit has been pivotal in producing numerous public service announcements and educational videos for our drug take back program, consumer and elder protection, outreach and education, and juvenile justice and safe school initiatives.

In addition to NWDAO's robust website at NorthwesternDA.org, the NWDAO has a Facebook page with more than 1,000 photos, links to news stories and videos.



Press conference on Northampton fires case  
(Commonwealth v Baye)

## INFORMATION TECHNOLOGY UNIT



**IT Director Bruce Fieldman**

The Information Technology (IT) Unit works in a critical behind-the-scenes role to support the work of all units within the NWDAO. Our IT Director, Bruce Fieldman and his staff are charged with procuring, installing, developing and supporting information technology hardware, software and applications for all of our offices in both Hampshire and Franklin counties. The IT Unit also actively assists our prosecutors with courtroom presentations and educational productions.

### 2012 Accomplishments:

- Installed a new Voice-over IP phone system in all NWDAOs;
- Installed a new server to provide improved document routing and conversion capabilities;
- Upgraded the NWDAO's website to allow for the creation of reserved areas with secure connections for use by law enforcement, NWDAO staff or other agencies;
- Carried out a major upgrade of computer workstations, and acquired additional computer and presentation equipment for all court offices;
- Began the process to overhaul and modernize the workstation domain infrastructure;
- Hired a new staff member focused on providing improved support to NWDAO staff and multimedia presentations;
- Established a ticketing system to track technical support requests and improve staff support services.

## MASSACHUSETTS STATE POLICE DETECTIVE AND NARCOTICS UNIT



**IT Specialist Nathan Foote**

The State Police Detective and Narcotics Unit (SPDU) is attached to the Northwestern District Attorney's Office and is led by dedicated law enforcement professionals. The SPDU Commander is Detective Lt. Robin Whitney and the Executive Officer is Sgt. John Cummings. There are an additional 13 Troopers assigned to the Detective and Narcotics Units. Troopers assigned to the Detective Unit investigate homicides, major felonies, and special investigations in the district. The Narcotics Unit works closely with the Detective Unit, local police departments, and federal law enforcement agencies to investigate and prosecute drug cases in the Northwestern



District. In 2012, over 400 SPDU cases were opened and investigated.

All unattended deaths in Franklin and Hampshire counties and the town of Athol are investigated by the State Police Detective Unit. There were 143 death investigations in 2012.



## ONGOING INITIATIVES AND PROJECTS

### Community Prosecution

The Community Prosecution model in the Northwestern District brings together the district attorney's office, law enforcement, the community, and public and private organizations. We are committed to a long-term, pro-active approach to solving problems, improving public safety and enhancing quality of life. Working with a wide range of community and law enforcement partners, the NWDAO identifies community- and region-specific concerns and prioritizes strategies for addressing them. We will be using an evidence-based approach that goes beyond the tallying of conviction rates, continuously adapting to the community's needs.

The main elements of community prosecution include:

- **Geographic target area-** A prosecutor focuses his or her efforts on a specific community.
- **Vertical Prosecution-** In District Court, a team of prosecutors handle a case from start to finish and in Superior Court, a single prosecutor is assigned to a case. This practice is more effective and more efficient than traditional "horizontal" prosecution where cases are passed from one attorney to another.
- **Partnerships-** Prosecutors team with law enforcement, reach out to the community, and work with other agencies to gather intelligence, educate, communicate, and address concerns. This integration within a community garners trust from local citizens by giving them a voice and by allowing them to prioritize strategies for addressing their unique concerns.
- **Emphasis on Action-** Community prosecution emphasizes a pro-active approach to public safety and quality-of-life issues.



NWDAO members and Northampton Police Lt. Jody Kasper addressing Ward 3 community members about neighborhood issues.





**Veterans Justice Partnership members**

### **Veterans Justice Partnership**

The Veterans Justice Partnership (VJP) is a collaboration of community and criminal justice partners with the goal of helping court-involved veterans and service members in need. The mission of the Veterans Justice Partnership is to provide veterans with access to information, resources and programs to help them make positive transitions and lead productive lives. The purpose of the partnership is to develop service and treatment options and, where appropriate in certain criminal prosecutions, alternatives to incarceration are explored and recommended. The partnership helps veterans also link with housing and benefit specialists to create stability and dignity in a veteran's life.

The Northwestern District Attorney's Office is a founding member of the Veterans Justice Partnership. In 2012, the Veterans Justice Partnership started working directly with court-involved veterans in Hampshire, Franklin and Hampden counties. Many members of the partnership advocated for the passage of the Valor Act, state legislation that will assist many court-involved veterans.

VJP is working to help veterans both during and after disposition of their cases. A Department of Mental Health initiative, Mission Direct Vet is working collaboratively with VJP, to help veterans get necessary mental health services to address and prevent criminal behavior. VJP has the direct involvement of Sheriffs Garvey, Donelan and Ashe to help incarcerated veterans with treatment and re-entry options.

## **Federal Grants Make a Difference for Public Safety**

Every year critical federal grants make a difference in fighting crime and helping vulnerable victims. Listed are some of the federal grants which have been awarded to the Northwestern District Attorney's Office with details as to how they assist prevention programs and victims of child abuse, domestic violence, sexual assaults and other major crimes. These are essential grants for safer communities and are not available from any other funding sources.

### **VOCA – Victims of Crime Act**

#### **Child Abuse Unit**

The Child Abuse Unit (CAU) provides support services and advocacy to child victims of physical and sexual abuse and to their families. Family service advocates within the CAU provide information and advocacy regarding the criminal justice process, crisis intervention, social service intervention and social service referrals. The VOCA grant funds are being used to support one family service advocate's position for the CAU.

### **Violence Against Women Act (VAWA) S.T.O.P. Grant**

#### **The DVIP/AWARE Project**

The Domestic Violence Intervention Project (DVIP) is funded by the Office on Violence Against Women, The S.T.O.P. (Services Training Officers Prosecutors) Grant. DVIP is an early intervention, collaborative program that combines the services of forty-five police departments, five state police barracks, two dispatch centers, three courts, two victim service providers and our local certified batterer's intervention program. This regional approach to domestic violence spans two counties and forty-seven towns. Advocates hired by the New England Learning Center for Women in Transition (NELCWIT) in Franklin County, and Safe Passage in Hampshire County, are available by cell phone to assist police in

providing an immediate response to victims of domestic abuse.

#### **Office on Violence Against Women-Grants to Encourage Arrest Program**

##### **Safety and Accountability Audit Project**

This project, funded by the Office on Violence Against Women, Grants to Encourage Arrest, began in 2002. The purpose of a Safety & Accountability Audit is to analyze your system response to domestic violence and identify ways to strengthen victim safety and offender accountability. The Northwestern District Attorney's Office has performed three safety audits over the past ten years resulting in many significant changes in our domestic violence response. Several products were created including a DV policy, "Domestic Violence Law Enforcement Policies and Procedures" that all departments now use and pocket cards to assist officers in writing accurate police reports. Each department also received digital cameras to improve scene investigation photographs.

#### **Office on Violence Against Women-Grants to Encourage Arrest Program**

##### **The Domestic Violence High Risk Team Project**

This project, funded by the Office on Violence Against Women, Grants to Encourage Arrest, began in 2009. The primary goal of the High Risk Team Project is to identify, closely monitor and hold accountable high risk offenders of domestic violence. There are two high risk teams, one in each county. The coordinator screens referrals from the courts and non-profit agencies, gathers information and presents cases to the team. Each team has county representation from police, the district attorney's office, probation, parole, sheriff's departments, batterer's intervention, victim service providers and the courts. Teams meet monthly to identify new high risk offenders, review and update the current list of offenders, and address any new offenses and/or safety concerns for victims. Recommendations are made for each high risk offender and communicated to police, probation and

prosecutors. Recommendations can include priority prosecution, police drive-by's and improved safety plan for victims.

#### **Edward Byrne Memorial Justice Assistance Grant (JAG)**

##### **Adult Sexual Assault Prosecutor and Sexual Assault Prevention Campaign**

The intent of this project is to provide a highly focused, coordinated response for victims of domestic violence (DV) and sexual assault (SA), with a trained prosecutor handling court cases from start to finish. A specialized Assistant District Attorney prosecutes cases in Franklin and Hampshire counties and initiates outreach in the community in order to further strengthen our prevention and intervention approaches to domestic violence and sexual assault. Victims of domestic violence and sexual assault benefit from a coordinated response, utilizing highly trained staff who see their case through from start to finish. With a dedicated prosecutor working exclusively with victims of abuse, the capacity to provide much needed safety planning and support services is increased.

Funds from this grant were also used to hire a victim witness advocate and a media consultant to launch a sexual assault awareness media campaign targeting college students and the larger community. The consultant assists in developing public service announcements, video clips, posters and other outreach materials. A conference will be held in April 2013 to launch the campaign and distribute outreach materials and videos. The project's awareness and prevention component, targeted at the college population in the district, further solidifies the DA Office's presence in the community and encourages better reporting and prevention.

#### **The Victims of Child Abuse Act**

The Victims of Child Abuse Act funds, in part, the National Children's Alliance (NCA). NCA administers these funds across the country through a competitive grant process. Last year, the Massachusetts Children's Alliance (MACA),

the statewide network of Children's Advocacy Centers (CACs), secured \$135,000 through this process. These federal funds support statewide programming for child victims of sexual assault; \$60,000 of which was administered directly to Massachusetts' six NCA accredited CACs, one of which is located in Northampton, Massachusetts and partners with the Northwestern District Attorney's Office.

The Northwestern District Attorney's CAC recently received its national accreditation and will receive funding for the first time. These funds offset salaries for direct care staff and critical training to professionals responding to allegations of child sexual assault.



Enlisting the public's help solving crimes with Text-a-Tip

### 2012 Internship Program

The NWDAO offers summer and academic year internships in the following areas: legal, administrative, communications, outreach, victim/witness services and consumer protection.

Law students selected to participate in the Northwestern District Attorney's Office Legal Internship Program assist prosecutors in the Juvenile, District, Superior, and Appellate courts, gaining experience in legal research, writing, and case preparation.

In the Consumer Protection Unit, interns are directly involved in consumer casework, fielding consumer calls, assessing problems, conveying information, sending correspondence, referring consumers to other agencies, and working on special projects as they may arise. Consumer Protection interns also mediate cases between businesses and consumers.



2012 Summer Interns with Jackie Gaw, DA Sullivan and Martie Murphy Kane

## FISCAL UNIT / CALENDAR YEAR 2012

The Fiscal Unit is led by Chief Financial Officer Donna Dudkiewicz. The Fiscal Unit oversees the Northwestern DA's Office budget which includes all grants awarded to the office from federal and state sources. The Unit is responsible for the management and allocation of state and federal funds received by the office and ensures that all our funds are expended in a fiscally responsible manner. In addition, the Unit coordinates with the Chief Trial Counsel Jeremy Bucci in tracking forfeiture funds recovered by the office through successful prosecution of narcotics cases. The Fiscal Unit also plays an integral role in the writing and administration of state and federal grants.

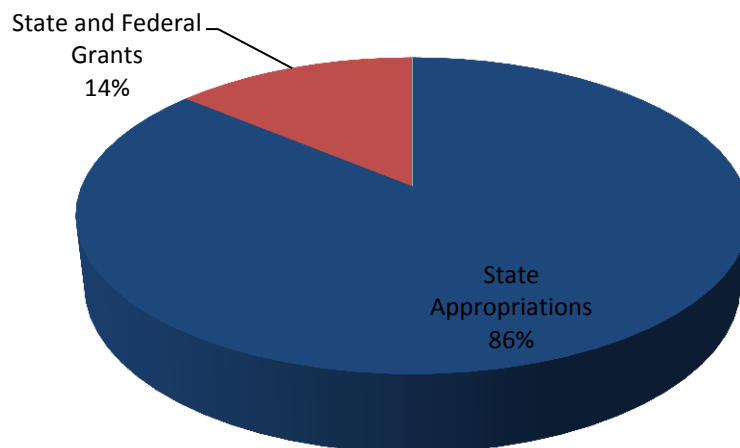


**The Fiscal Unit**  
**Higy Chan, Donna Dudkiewicz, Jess Diemand**

Calendar Year 2012 Funding.....	\$6,374,540.00
State Funding.....	\$5,484,012.00
State and Federal Grant Funding.....	\$ 890,528.00

## Budget

### District Attorney's Calendar Year 2012 Funding Sources





## NORTHWESTERN DISTRICT ATTORNEY'S OFFICE CONTACT INFORMATION



### **HAMPSHIRE COUNTY OFFICE**

One Gleason Plaza  
Northampton, MA 01060

**Phone:** (413) 586-9225

**Fax:** (413) 584-3635



### **FRANKLIN COUNTY OFFICE**

13 Conway Street  
Greenfield, MA 01301

**Phone:** (413) 774-3186

**Fax:** (413) 773-3278

### **EASTERN HAMPSHIRE DISTRICT COURT OFFICE**

205 State St.  
Belchertown, MA 01007

**Phone:** (413) 323-5275

**Fax:** (413) 323-5379

### **ORANGE DISTRICT COURT OFFICE**

One Court Square  
Orange, MA 01364

**Phone:** (978) 544-7376

**Fax:** (978) 544-7741

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[NorthwesternDA.org](http://NorthwesternDA.org)

at [NorthwesternDADaveSullivan](http://NorthwesternDADaveSullivan)

Thank you to Easthampton artist John Gnatek for permission to reproduce his painting  
on our annual report cover.

Special thanks to Mary Carey, Janice Healy, and Susan Snyder  
for their dedicated time and talent in producing our 2012 Annual Report.



### **Our Mission**

**To seek justice for all.** The Office of Northwestern District Attorney, in partnership with the communities we serve, is dedicated to the pursuit of truth and justice, protection of the innocent, and safety of the public.

### **Our Vision**

Our vision is to enhance public safety and quality of life for all citizens in the 47 Northwestern communities. We will be leaders in fair and effective prosecutions, and progressive prevention initiatives.

The Northwestern District Attorney's Office wishes to thank the Franklin County Sheriff's Department for the printing of this report.