



Office of Northwestern District Attorney David E. Sullivan

2018 Annual Report



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Message from District Attorney

I am pleased to share the Office of the Northwestern District Attorney 2018 Annual Report. We have worked to meet our mission of seeking justice for all. Our advocates, prosecutors, and staff fight every day for the victims of crime who may be a vulnerable senior, a young child, or a battered spouse. We are committed to addressing the challenges of substance abuse, child abuse, domestic violence and other serious matters impacting the safety and quality of life in our 47 Northwestern communities. Our 2018 Annual Report highlights the achievements of our DA office and our many community partners.

In 2018, there were many cases in which our prosecutors distinguished themselves in the courtroom to seek justice for victims of crime. Our victim advocates provided outstanding assistance to victims and survivors. We have highlighted some of these cases in this report.

I am proud of the many court matters and justice initiatives our dedicated prosecutors and staff have worked on in the past year. We continue to innovate and change to respond to the multitude of challenges we face every day.

We appreciate our state and federal legislators, community partners, and law enforcement professionals that support our mission and efforts. I am deeply honored and 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 future.

Sincerely,

A handwritten signature in black ink that reads "David P. Sullivan". The signature is written in a cursive, flowing style.

STAFF AND ORGANIZATION 2018

Senior Management Team

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

Superior Court

First Assistant DA Steven E. Gagne
Chief Trial Counsel Jeremy Bucci
ADA Jayme Parent
ADA Linda Pisano
ADA Jennifer Suhl
ADA Matthew Thomas
ADA Anne Yereniuk
ADA Caleb Weiner
Ann Metzger, Senior Case Administrator
Mary-Elizabeth Connly, Superior Court Administrator
Cassandra Jerome, Litigation Support

Economic Crimes Unit

Kenneth Lupien, Forensic Investigator

Child Abuse Unit

ADA Linda Pisano, Chief
ADA Caleb Weiner
ADA Deirdre Kelleher Grass
Kellie Beaulieu, Unit Coordinator/
Advocate/Forensic Interviewer
Kathy Bengtson, Family Service Advocate
Heather Hubbard, Unit Administrator
Deb Kierstead, Family Service Advocate
Suzanne Koch, Forensic Interviewer
Linda Rogers, Family Service Advocate
Sonia Serrazina, Forensic Interviewer/Advocate
Jamie Foster, Paralegal

Elders & Persons with Disabilities Unit

ADA Jayme Parent, Chief
Rachel Senecal, EPD Unit & TRIAD Coordinator

Domestic Violence & Sexual Assault Unit

ADA Jennifer Suhl, Chief
Mary Kociela, Director of DV Projects
Richard Aucoin, AWARE/DVIP Coordinator
Samantha Johnson, Administrative Assistant
Katie Rosewarne, High Risk Team Coordinator

Appellate Unit

ADA Thomas Townsend, Chief
ADA Steven Greenbaum
ADA Bethany Lynch
ADA Cynthia Von Flatern
Jamie Foster, Paralegal

District Court

ADA Michael Russo, Chief
ADA Marie Angers*
ADA Nicholas Atallah
ADA Dan Carey*
ADA Andrew Covington
ADA Jillian Handy
ADA Shaun McLean
ADA Lori Odierna
ADA Robert Opsitnick
ADA Sarah Pascal*
ADA Alexa Pascucci
ADA Elizabeth Swihart
ADA Matt Russo
ADA Ryan Scott
ADA Sara Swan
ADA Joseph Webber

Juvenile Justice Unit

ADA Elizabeth Mulcahy, Chief
ADA Bruce Patryn
ADA Caitlyn Rock
Naomi Bledsoe, Diversion Specialist

*Formerly held position

Victim/Witness Assistance Unit

Jackie Gaw, Director
Bonnie Press, Deputy Director (*Ret.*)
Lori Roy, Deputy Director
Wendy Adams, Advocate
Kate Clogston, Advocate
Heather Darling, Advocate
Kim Devine, Advocate
Carly Estrela, Advocate*
Janice Francis, Advocate
Karyn Miller, Advocate
Rebekah Nager, Advocate
Jennifer Reid, Advocate

Consumer Protection Unit

Janice Garrett, Director
Anita Wilson, Case Coordinator

Outreach and Education

Laurie Loisel, Director
Maria Sotolongo, Drug Diversion & Treatment Program
Lynn Ferro, Director of Opioid Research & Recovery Support Services *

Civil Rights Review Team

Deputy DA Janice Healy, Co-Chair
ADA Michael Russo, Co-Chair
ADA Elizabeth Mulcahy
Laurie Loisel, Director, Community Outreach & Education

Communications Unit

Mary Carey, Director

*Formerly held position

IT Department

Bruce Fieldman, Director
Nathan Foote, IT Systems Support Engineer

State Police Detective Unit

Detective Lt. Jeff Cahill, Unit Commander
Sgt. Peter Konstantakos, Executive Officer
Sgt. Christopher Baran, Narcotics Unit
Sgt. Tom Bakey
10 State Police Troopers

Administrative Staff

Donna Jackson, Franklin County Office Supervisor
Mary Bates, District Court Administrator
Ashley Benoit, District Court Administrator
Luisa Cruz, Juvenile Court Administrator*
Jamie Foster, Paralegal
Debra Jacques, District Court Administrator
Cameron Jerome, District Court Administrator
Cassandra Jerome, Litigation Support Specialist
Kelley Mason, Paralegal, DAMION Administrator
Pat Matusiewicz, Administrative Assistant
Vicky Novotny, SPDU Administrative Assistant*
Erin O'Brien, Administrative Assistant
Lauren O'Roark, District Court Administrator
Michelle Richotte, Executive Assistant
Sue Snyder, Executive Assistant
Alyssa Stankowski, District Court Administrator
Tara Wilson, District Court Administrator
Jean Zimmerman, Administrative Assistant

Fiscal

Donna Dudkiewicz, Chief Financial Officer
Higy Chan, Fiscal Assistant
Jess Diemand, Fiscal/Administrative Assistant



NWDA Senior Management Team left to right, Donna Dudkiewicz, Deputy DA Janice Healy, Director of Operations Martie Murphy Kane, DA Sullivan, First ADA Steve Gagne

SENIOR MANAGEMENT TEAM

The District Attorney relies on his senior management team to help him administer the Office and implement the goals, objectives and priorities of his administration. His senior managers – Deputy District Attorney Jan Healy, First Assistant Steve Gagne, Director of Operations Martie Murphy Kane and Chief Financial Officer Donna Dudkiewicz, ensure that the underlying policies, infrastructure and finances of the Northwestern District Attorney’s Office fully support the DA’s priorities and the critical work that the Office does on behalf of the residents of the 47 communities in our District.

SUPERIOR COURT

Criminal cases involving adult defendants are prosecuted in the four District Courts and the two Superior Courts located in Hampshire and Franklin Counties. Certain felonies, due to their seriousness, can only be prosecuted in Superior Court, such as murder, manslaughter, rape, robbery, drug trafficking, and home invasion. Other crimes that could be prosecuted in District Court are sometimes prosecuted in Superior Court instead, due to the severity of the crime, the defendant’s record and other

aggravating factors. Examples include repeat drunk drivers, high-risk domestic abusers, and defendants who qualify as “habitual offenders” due to their lengthy criminal records.

In Superior Court, cases are tried to 12-person juries, as opposed to 6-person juries in District Court. The Commonwealth’s standard of proof at trial, however, remains the same: a person cannot be convicted unless all jurors unanimously agree, beyond a reasonable doubt, that the defendant is guilty. This is a bedrock constitutional principle that helps guard against wrongful convictions.

There are eight Assistant District Attorneys who primarily prosecute cases in Superior Court, covering crimes that occur in all 47 cities and towns within the Northwestern District. Prosecutors from our District Courts often assist with Superior Court cases by “second-seating” the lead prosecutors on the case, which provides a valuable mentoring experience.

In 2018, Superior Court prosecutors obtained indictments in **156 new cases in the Hampshire and Franklin Superior Courts**. During the year, 134 cases were resolved by way of trial, plea, or other disposition. Convictions or admissions of guilt were obtained in 80% of all cases resolved in 2018.



**The Franklin County Justice Center
Greenfield, Massachusetts**

Grand Jury

When a person commits a crime and is arrested by the police, he or she is normally brought to the District Court for arraignment upon a criminal complaint. But if the decision is made to prosecute the case in Superior Court, it must first be presented to the Grand Jury for indictment. The Grand Jury consists of 23 citizens who, during their three-month term of service, hear a variety of cases and determine whether there is probable cause to believe a crime has been committed. "Probable cause" means reasonable grounds to believe that a particular person committed a crime, and is a much lower standard of proof than is required to convict a defendant at trial.

When presenting a case to the Grand Jury, an Assistant District Attorney must disclose any significant exculpatory or mitigating evidence that might seriously affect the Grand Jury's decision to indict. This ethical requirement ensures that the integrity of the Grand Jury process is preserved, and that indictments are based on trustworthy and reliable evidence.

Defendants in Superior Court can challenge their indictments by alleging either that the Grand Jury heard insufficient evidence to support the charges, or that the Grand Jury presentation was unfair or misleading. In deciding these motions, Superior Court judges can review the transcripts of the Grand Jury presentations, which are otherwise kept confidential. Following a Supreme Judicial Court decision in 2017, the entire Grand Jury presentation is transcribed by a stenographer, including any legal instructions provided by the Assistant District Attorney.

Early Partnership

Often times, the earliest stages of a criminal investigation are the most critical. That is why our Superior Court Assistant District Attorneys volunteer for a 24/7 "on-call" rotation, ensuring that a prosecutor is always available to assist

when a major crime and/or suspicious death occurs. These cases are often investigated by the Massachusetts State Police Detective Unit, with teams of Troopers assigned to Hampshire and Franklin Counties. In cases involving serious or fatal motor vehicle crashes, the prosecutors also work closely with the Massachusetts State Police Collision Analysis and Reconstruction Section (CARS), who provides an in-depth analysis of the crash scene. The on-call prosecutor is available to answer any legal questions that may arise, review search warrant applications, weigh in on the appropriate charges to file, and even respond to the scene. Once involved in a case from its earliest stages, the prosecutor will likely handle the case as it makes its way through the court system.



First Assistant District Attorney Steve Gagne (right) leaving court with State Police Lt. Joe Ballou (Photo by Paul Franz of the Greenfield Recorder)

CASES

The following are some of the more notable cases that were resolved in 2018:

Commonwealth v. Brittany Smith and Joshua Hart (Franklin Superior Court) – These codefendants were tried separately for first degree murder and related charges in connection with an October 2016 home invasion in Orange that left an elderly couple dead. After the crime, the boyfriend/girlfriend duo stole the victims' car and drove to Virginia,

where they were caught. Each was convicted of first degree murder and is now serving a life sentence in state prison. Their convictions will automatically be appealed to the Supreme Judicial Court, who reviews all first-degree murder convictions. The cases were tried by Chief Trial Counsel Jeremy Bucci, with assistance from Victim Witness Advocate Heather Darling.

Bradley Deflumeri (Franklin Superior Court) –

The defendant was convicted of multiple counts of home invasion, assault for the purpose of intimidation, and civil rights violations after he barged into his neighbors’ apartment and threatened them with a tire iron. The defendant admitted that he was motivated, in part, by the victims’ nationality. The defendant was convicted by a Franklin Superior Court jury, and is currently serving a sentence in the House of Correction, after which he will be on probation with strict conditions for three years. The case was prosecuted by Assistant District Attorney Anne Yereniuk, with assistance from Victim Witness Advocate Heather Darling.

Commonwealth v. Edgardo Rivera (Hampshire Superior Court) -

The defendant acted together with two other people to rob a bank in South Hadley, and another bank in Ware, in the spring of 2016. After being convicted at trial, the defendant was sentenced to serve 8-10 years in state prison. The case was prosecuted by Assistant District Attorney Jennifer Suhl, with assistance from Victim Witness Advocate Kate Clogston.



Franklin County Justice Center



ADA Jeremy Bucci and investigators outside the Franklin County Justice Center

Economic Crimes & Insurance Fraud

The Northwestern District Attorney’s Office investigates and prosecutes a wide array of economic crimes, most of which involve complex fraud schemes and/or exploitation. The majority of these crimes are committed by individuals who abuse the trust of employers or family members, such as bookkeepers, bank tellers, cashiers, and caretakers. Since its inception in 2012, the Economic Crimes Unit has investigated and prosecuted crimes involving millions of dollars in documented losses.

In 2016, the Supreme Judicial Court decided a case (*Commonwealth v. Henry*) that significantly limited prosecutors’ ability to recoup restitution for victims of financial crimes. Even when defendants are ordered to pay restitution, the payments often come slowly and fall well short of the total amount stolen. The unfortunate reality is that victims must often pursue civil lawsuits to hold offenders financially accountable.

The Office also partners with the Insurance Fraud Bureau of Massachusetts (IFB), to identify and prosecute instances of insurance fraud. The IFB was authorized by an Act of the Massachusetts Legislature and signed into law in 1990, and conducts criminal investigations and refers appropriate cases for criminal prosecution. The majority of insurance fraud

prosecutions handled by the Northwestern District Attorney's Office involve automobile insurance fraud, a common example of which involves a driver colliding with something (often times a guardrail or other stationary object) and then trying to blame it on a fictitious "hit and run" driver. Forensic examination of the damage can often disprove the driver's claim, and results in felony charges against the driver.



Recent examples of economic and insurance fraud prosecutions include:

Commonwealth v. Kathleen McGovern (Hampshire Superior Court) – The defendant, a Licensed Independent Clinical Social Worker (LICSW) based in Easthampton, billed a health insurance company for \$130,000 in counseling sessions that never took place. The Insurance Fraud Bureau identified 38 individuals whose health insurance information was fraudulently used to bill the company for hundreds of supposed counseling sessions that never happened. The defendant was indicted and ultimately pleaded guilty to felony larceny and insurance fraud. The Court sentenced the defendant to three years of supervised probation, and she was stripped of her license to practice. The case was prosecuted by First Assistant District Attorney Steven Gagne, with Chief Victim Witness Advocate Jackie Gaw.

Commonwealth v. William Schroeder (Orange District Court) – One day after he called his insurance company to increase his policy coverage, the defendant called the company back to report that he had just been involved in a crash with a guardrail. The investigation into

this case revealed that the defendant had actually struck the guardrail two days earlier, *before* he called his insurance company to expand his coverage. This was proven in large part by the body camera footage of the Erving Police Officer who responded to the initial crash. Facing the possibility of a felony conviction, the defendant instead admitted what he had done and was placed on probation for six months.

CHILD ABUSE UNIT (CAU)

The mission of the Northwestern District Attorney's Child Abuse Unit (CAU) is to investigate and prosecute child abuse cases in order to protect and keep children safe. The CAU team, led by CAU Chief Linda Pisano, works closely with law enforcement, child protective services (Department of Children and Families) staff and the Children's Advocacy Centers of Hampshire County and of Franklin County and North Quabbin Region to provide a multi-disciplinary approach to responding to child abuse.



Some CAU Team members

Back Row, left-to-right: Suzanne Koch, Sonia Serrazina, Caleb Weiner, Heather Hubbard;
Middle row: Jamie Foster, Linda Pisano, Deirdre Kelleher, Kellie Beaulieu, Linda Rogers; **Front row:** Anne Yereniuk, Lori Odierna, Deb Kierstead and Kathy Bengtson



Kellie Beaulieu
CAU Coordinator / Forensic Interviewer

- Mass Trial Court Officer Academy
- Mandated Reporter Training
Northampton Parks & Recreation
- Mass. Office of Victim Assistance New
Advocate Roundtable
- Mandated Reporter Training,
Community Action
- Mandated Reporter Training, Pioneer
Valley Regional High School
- Mandated Reporter Training, Regional
School Nurse Leaders
- Child Abuse & Mandated Reporter
Training, UMASS Psych Dept.



CAU Chief, ADA Linda Pisano
Daily Hampshire Gazette photo

CAU TRAININGS ATTENDED:

- International Conference on Child &
Family Maltreatment
- Countering Suggestibility Arguments in
a Forensic Interview
- Annual Massachusetts Children's
Alliance Conference
- Interviewer Training, NICHD, "Coding
for Peer Review"
- Discrimination and Harassment Training
- Commercially Sexually Exploited
Children Training, "My Life, My Choice"
Parts 1 & 2

- In 2018, **453 cases** were referred to the CAU for investigation, involving **554 victims**, which resulted in **226 offenders** being charged with offenses against children. This represents an 11% increase in referrals to the CAU from 2017.
- In 2018, **210 child victims** were interviewed at the Children Advocacy Centers in Hampshire and Franklin Counties
- In 2018, **226 CAU defendants** were arraigned, 18 of which were in the Superior Court, representing an 11% increase from 2011.
- There were **185 child abuse cases** resolved in 2018, representing a 25% increase from 2017.

CAU TRAININGS OFFERED BY THE CAU:

- Mandated Reporter Training, South
Hadley High School



ADA Caleb Weiner
Daily Hampshire Gazette photo

The CAU added a full time and a part time Assistant District Attorney to the Unit in 2018. ADA Lori Odierna, transferred into the CAU as the District Court CAU Supervisor. Lori is responsible for the oversight of all CAU cases in the District Court. ADA Deirdre Kelleher-Grass works part-time assisting with the investigation of CAU cases.



ADA Lori Odierna
District Court CAU Supervisor



ADA Linda Pisano and Kellie Beaulieu
speaking to a UMass class



ADA Deirdre Kelleher Grass

Significant Cases Resolved:

Commonwealth v. Jeremy Currier: (Franklin Superior Court)- This case involved the sexual abuse of a 13 year old child. After trial, the defendant received 10 years in State Prison. Prosecuted by Assistant District Attorney Linda

Pisano with assistance from Victim Witness Advocate Deb Kierstead.

Commonwealth v. Robert LaFoe (Hampshire Superior Court) – The defendant was charged with Aggravated Rapes and other sexual assaults involving three minor children. The defendant received 18 – 20 years in State Prison. Prosecuted by Assistant District Attorney Linda Pisano with assistance from Victim Witness Advocate Kathy Bengtson.

Commonwealth v. Eric Lacoste (Hampshire Superior Court) – The defendant was charged with posing and exhibiting multiple children in a state of nudity. The Court sentenced the defendant to State Prison for 7 – 10 years. Prosecuted by Assistant District Attorney Caleb Weiner with assistance from Victim Witness Advocate Kathy Bengtson.

Commonwealth v. Scott Merritt (Franklin Superior Court) – The Defendant was convicted of rape of 15 year old child. Defendant received 4 year prison sentence. Prosecuted by Assistant District Attorney Caleb Weiner with assistance from Victim Witness Advocate Heather Darling.

Child Sexual Predator Task Force

In 2012, the NWDA formed a Child Sexual Predator Task Force with the help of a Department of Justice COPS Grant. The work of this Task Force continues under the leadership of ADA Anne Yereniuk and Massachusetts State Police Detective Sgt. Tom Bakey.

The protection of children has been the core mission of this Task Force which works to hold child sexual predators accountable through investigations, prosecutions, probation and parole home audits.

Members include NWDA prosecutors, Mass. State Police detectives, United States Marshals Service, United States Attorney's Office, local law enforcement, and state and federal probation and parole departments.

The Children's Advocacy Center of Hampshire County *and* Children's Advocacy Center of Franklin and North Quabbin Region



The Northwestern District Attorney's Child Abuse Unit works collaboratively with The Children's Advocacy Centers (CACs) of Hampshire County and Franklin County and the North Quabbin Region. The CACs are non-profit organizations that provide a child-friendly, safe place in which law enforcement, District Attorney personnel, the Department of Children and Families and medical personnel can provide a host of services to include: conducting and observing forensic interviews with children and providing medical services and mental health referrals and support to children who are victims of crimes and their non-offending family members. Together, these two advocacy centers provide vital assistance to the children in Hampshire and Franklin Counties and the North Quabbin Region.

In 2018, **210 children** were served by the Children's Advocacy Center of Hampshire County and the Children's Advocacy Center of Franklin County and North Quabbin Region.

The goals of the Children's Advocacy Centers are:

- To minimize the trauma experienced by children and adolescents who are victims of abuse.
- To improve the investigation and prosecution of sexual and physical abuse cases from the point of intervention through treatment.
- To promote interagency collaboration and effective management in sexual and physical abuse cases.
- To prevent further abuse of victims.
- To provide quality training for professionals in the investigation, prosecution and provision of services for sexually and physically abused children and their non-offending caretakers.

Services Offered by the Children Advocacy Centers include:

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



**CHILDREN'S ADVOCACY CENTER OF
HAMPSHIRE COUNTY**
Susan Loehn, Executive Director

The Children's Advocacy Center (CAC) of Hampshire County, located in Northampton, is the non-profit organization which serves all of Hampshire County. In collaboration with the

Northwestern District Attorney's Office and the Cooley Dickinson Hospital, it provides a child-friendly house where physically and sexually abused children and their families can receive the support and services that they need through a coordinated, multi-disciplinary response.

- In October 2012, following a rigorous review process, the CAC for Hampshire County was awarded national accreditation by the National Children's Alliance.



CHILDREN'S ADVOCACY CENTER OF FRANKLIN COUNTY AND NORTH QUABBIN REGION
Irene Woods, Executive Director

The Children's Advocacy Center (CAC) of Franklin County and the North Quabbin Region, located in Greenfield, is a non-profit organization that serves Franklin County and the North Quabbin Region. Shortly after District Attorney Sullivan first took Office in 2011, he announced that one of his top priorities was to establish a Children's Advocacy Center for the children of Franklin County and the North Quabbin region. Soon thereafter, a leadership team was assembled and a Board of Directors put in place. In February 2016, the doors to the Children's Advocacy Center of Franklin County and North Quabbin Region officially opened its doors. The CAC is led by Executive Director Irene Woods. In 2016, the CAC received a grant that enabled the hiring of two additional staff members, Stacey Longknecht and Samantha Staleans. Thanks to its collaboration with NWDA and Baystate

Health, it offers the same level of services that the CAC of Hampshire County provides.



CAC Hampshire Board Member Lisa Rhoades and Dr. Ray Conway at the CAC's 2018 Kentucky Derby fundraiser



CAC for Hampshire County Director Susan Loehn, speaker Lisa Fontes and DA Sullivan at 2018 Child Abuse Awareness Breakfast



CAC of Franklin and North Quabbin Region staff Stacey Longknecht and Samantha Staleans and Director Irene Woods



DA Sullivan presenting at a training on the Commercial Sexual Exploitation of Children

2018 Highlights for the Child Abuse Unit and the Children's Advocacy Centers:

- The CAC for Hampshire County sponsored the 19th Annual Child Abuse Awareness Month breakfast;
- CAU hosted Northwestern District Child Fatality Review Team meetings, reviewing child deaths and making recommendations to the State for improved child safety;
- CAU held monthly case review meetings in Hampshire and Franklin Counties involving representatives from the Department of Children and Families, medical professionals, law enforcement and a mental health professional;
- Comprehensive trainings for mandatory reporters of child abuse were held at various locations. The attendees included teachers, principals, nurses, doctors, mental health providers and an array of other "Mandated Reporters."

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. 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. The Unit is led by Assistant District Attorney Jayme Parent who is assisted by Unit Coordinator Rachel Senecal.

In 2018, the Elders and Persons with Disabilities Protection Unit investigated and/or prosecuted **223 cases** in which elders or persons with disabilities were victims.



EPDU Chief ADA Jayme Parent

2018 EPDU Case Highlights:

- ***Commonwealth v. Kyle Decell (Hampshire Superior Court)*** - The defendant, broke into the home of an elder couple while the wife was home alone. The defendant displayed a knife and directed the elder through her home as he stole items. He fled the home, was tracked by a K9 and was located by local police and taken into custody a short time later. The defendant pleaded guilty to Home Invasion, Armed Assault in a Dwelling, Armed Assault to Rob, Person 60 or over and Intimidation of a Witness. He was sentenced to 8-10 years in State Prison followed by a 6 year probationary period.
- ***Commonwealth v. Shawn Coleman (Franklin Superior Court)*** - The defendant entered the home of an elder disabled Veteran using a ruse and stole items from him which included cash, prescription medication and a firearm. The defendant pleaded guilty to Larceny Over \$250 from a Person, 60 or over and Disabled, Larceny of a Controlled Substance and Larceny of a Firearm and was sentenced to 18 months in the Franklin County House of Correction followed by a 3 year probationary period.



EPDU Coordinator Rachel Senecal

EPDU Initiatives 2018

Outreach and Education

The EPDU collaborates with counsels on aging, senior center representatives, media outlets, local businesses and organizations, credit unions, police departments, and the senior population to form community alliances. The goals of the alliances are to:

- Reduce the occurrence of all types of abuse of elders and persons with disabilities through education.
- Raise awareness about common circumstances surrounding criminal abuse of vulnerable adults.
- Ensure that instances of possible abuse are identified, reported, and responded to quickly and correctly.

In 2018, the EPDU took part in 6 health/safety fairs and conducted 8 community talks to provide seniors with information about the EPDU and crimes against elders, and answer questions from concerned citizens.

The EPDU collaborated with the Consumer Protection Unit at the NWDA to create the “Senior Savvy Showdown” trivia game, a fun, interactive way for seniors to learn important safety information. Topics include senior safety, elder law, credit reporting, and senior scams.

The EPDU participated in 6 “Senior Savvy Showdown” trivia game presentations in 2018.



Dan Carey and Rachel Senecal promote Drug Take Back Day at WHMP

National Prescription Drug Take Back Day

The Northwestern District Attorney's Office is committed to keeping prescription drugs out of the wrong hands and out of the environment by participating in the Drug Enforcement Agency's National Prescription Take Back Day. In 2018, the EPDU served as coordinator of the participating Hampshire and Franklin County Police Departments in two drug take back day events. The NWDA has previously partnered with local police departments across Hampshire and Franklin County, as well as the Worcester town of Athol, to provide permanent, safe and convenient kiosks for disposal of medications that are available to community members at any time.

Due to the combined efforts of area law enforcement agencies, **7,688 pounds** of unwanted drugs were collected and disposed of in 2018. Approximately **49,680 pounds** of drugs have been collected from the district and disposed of since the NWDA's drug take back program began in 2011.

Blankets for Kids Project



Blankets for Kids deliveries around Hampshire/Franklin Counties

The Elder and Persons with Disabilities Unit teamed up with the Greater Boston Chapter of Project Linus and the Hampshire Sheriff's Office TRIAD Unit to provide hand-made blankets to children who have experienced trauma that has

resulted from violence, criminal activity, or exposure to drug addiction. Fun, brightly colored blankets were made and donated to the NWDA by senior citizens and knitting groups throughout both Hampshire and Franklin Counties. The donations were distributed to Police and Fire Departments around the district to have on hand should they encounter a child going through a traumatic event. The blankets help provide comfort to children who are in the midst of very traumatic experiences. The love, patience, and dedication that go into each one of the blankets can truly be felt.

In its first year, the project collected and distributed 126 hand-made blanket donations to first responders.

The TRIAD Program

As part of the EPDU, the TRIAD program plays a major role in building community partnerships in order 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 and 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 Sullivan, Hampshire County Sheriff Patrick Cahillane, and Franklin County Sheriff Christopher Donelan. Rachel Senecal serves as the NWDA TRIAD Coordinator.





**Franklin County Sheriff's Office
TRIAD Community Picnic**

TRIAD Activities for 2018:

5 Community Shredding Events: TRIAD groups in both Hampshire and Franklin Counties held community shredding events free of charge to seniors in an effort to prevent identity theft.

Lock Box Program: A small secure lock box is installed directly on a senior's home. The box contains a spare house key and is accessed by a 4-digit code shared with local emergency responders. When an emergency call comes in, the responding fire fighter or paramedic can open the lock box and gain quick and safe access to the home to offer assistance.

Sand for Seniors: Falls are a major concern for seniors, even more so when winter brings icy conditions. TRIAD is addressing the issue with its Sand for Seniors project. Buckets of a sand and salt mixture are delivered by TRIAD to seniors with mobility issues. Coming out of its pilot year in 2017, 12 communities participated in Sand for Seniors in 2018 with nearly 20,000 pounds of sand delivered.

TRIAD Volunteer Appreciation Networking Picnic: Held in October, this event brought together TRIAD members from across the district for an afternoon of food, networking, and law enforcement demonstrations. The purpose of the event was to acknowledge the hard work of all the dedicated TRIAD participants.

DOMESTIC VIOLENCE & SEXUAL ASSAULT UNIT



DVSAU members Richard Aucoin, Katie Rosewarne, Mary Kociela, Samantha Johnson and Jennifer Suhl

The Chief of the Domestic Violence & Sexual Assault Unit (DVSAU) is ADA Jennifer Suhl. The Unit also includes several highly trained and experienced staff members: Mary Kociela, Director of Domestic & Sexual Violence Projects; Katie Rosewarne, High Risk Team Coordinator; Richard Aucoin, DVIP Coordinator; and Samantha Johnson, Administrative Assistant.

The DVSAU is responsible for overseeing the prosecution of all domestic violence and sexual assault cases in the Northwestern District in which the victim is eighteen years of age or older. The majority of domestic violence (DV) cases in 2018 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 has designated a specialized domestic violence prosecutor in each of the four district courts: Joe Webber in Greenfield, Ryan Scott in Orange, Andy Covington in Northampton and Nick Atallah in Belchertown.

The DVSAU collaborates with numerous community and law enforcement partners to deliver coordinated, best-practice prosecution of all domestic and sexual violence cases. These collaborations, along with effective training and consistent prosecution, continue to result in successful prosecution of domestic violence and sexual assault cases in our district.

- The office handled **1329 domestic violence cases** in 2018: 19 in Superior Court, 37 in Juvenile Court, and 1273 in District Court.
- There were **73 adult sexual assault cases**, 34% of which were prosecuted in the Superior Court.

2018 Superior Court Case Highlights:

Commonwealth v. Christopher Hoime – The defendant was convicted by a jury of drugging and raping a 31-year-old woman in a hotel room in Northampton while she was largely unconscious following a night out downtown in July 2014. He was sentenced to 4 to 6 years in prison. This case was prosecuted by ADA Jennifer Suhl, with assistance from Victim-Witness Advocate Jennifer Reid.

Commonwealth v. Tyler J. Beam – The defendant pled guilty to sixteen charges including kidnapping, mayhem, assault and battery with a dangerous weapon, assault and battery causing serious bodily injury, and intimidation of a witness related to a vicious assault on his 27-year-old girlfriend at her home in Greenfield in September 2017. During the assault, he held her against her will, punched and kicked her repeatedly, burned her, and beat her body with a metal rod. Beam was sentenced to five to seven years in state prison followed by three years of probation. This case was prosecuted by ADA Jennifer Suhl, with assistance from Victim-Witness Advocate Lori Roy.

Commonwealth v. Alberto Sanchez – The defendant was convicted by a jury of raping a 26-year-old female co-worker at his apartment in Amherst in May 2016. Sanchez was sentenced to five to seven years in state prison. This case was prosecuted by ADA Jennifer Suhl, with assistance from Victim-Witness Advocate Karyn Miller.

Commonwealth v. Michael F. McCaffrey – The defendant pled guilty to strangulation, assault and battery causing serious bodily injury, and assault and battery on a family or household member. These convictions arose from an incident in December of 2016 at the home of McCaffrey's 34-year-old girlfriend. McCaffrey struck her repeatedly in the head causing hearing loss and repeatedly strangled her to the point of unconsciousness on a public street, ultimately leaving her to be found by her young daughter. He was sentenced to three to four years in state prison followed by four years of probation. This case was prosecuted by ADA Jennifer Suhl, with assistance from Victim-Witness Advocate Lori Roy.

Commonwealth v. William D. Os – The defendant pled guilty to raping an intoxicated and unconscious 24-year-old female acquaintance at a house party in Granby in April 2017. Os was sentenced to three years in state prison. This case was prosecuted by ADA Jennifer Suhl, with assistance from Victim-Witness Advocate Karyn Miller.



DVSAU Chief Jennifer Suhl flanked by State Police Trooper Daniel Paras (left) and Northampton Police Detective Peter Fappiano (right) during a press conference

Domestic Violence & Sexual Assault Unit Initiatives

The primary goal of the DVSAU is to provide best practice intervention strategies, in collaboration with our community and law enforcement partners, aimed at holding offenders accountable and keeping victims safe. The Unit coordinates numerous prevention and intervention initiatives designed to meet this goal.



DVSAU Chief Jennifer Suhl and Greenfield Police Deputy Chief Mark Williams during a regional DV training

District Attorney's Task Force on Domestic and Sexual Violence

District Attorney Sullivan's Task Force on Domestic and Sexual Violence is comprised of members representing law enforcement, victim services and community programs. The Task Force offers training and networking opportunities for people working to end domestic and sexual violence. In 2018, meetings included current information and training on various topics with presenters from the Victim Rights Law Center and Clinical & Support Options, Addiction and Recovery Services. Task Force members also learned about the Safe Bar Initiative and the Massachusetts Sexual Assault Evidence Collection Kit and viewed the documentary film "Resilience -The Biology of Stress and the Science of Hope." Finally, local legislators were contacted regarding the impending expiration of the Violence Against

Women Act (VAWA). Legislators were sent a list of talking points outlining the positive impact VAWA has had on the Northwestern District Attorney's Office and many of our task force member groups including Safe Passage, NELCWIT and The Center for Women and Community at UMASS over the past 20 years.

Domestic Violence Intervention Project (DVIP)

The Domestic Violence Intervention Project (DVIP) is funded through a Massachusetts Executive Office of Public Safety and Security S.T.O.P. Grant. The DVIP is an early intervention program for victims of DV designed to coordinate the efforts of police and community advocates. Specially trained advocates from local DV programs, NELCWIT & Safe Passage, are immediately available following a domestic violence incident. Police officers, in Franklin and Hampshire Counties 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.

DVIP Partnership meetings are held twice per year for police, dispatchers, advocates and all project partners. Partnership members received training from the Department of Children and Families on mandated reporting in DV cases and discussed positive ways to communicate with children at the scene.

A DV law enforcement newsletter was also published and distributed to law enforcement and first responders. Articles included information on non-fatal strangulation, how utilizing the strangulation worksheet can positively affect prosecution and help victims, the importance of DV risk assessments at the scene and the new Pets and Women Safety (PAWS) Act which "aims to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence

or threats of violence against their pets.” The newsletter also features a FAQ section and an “Advocate Spotlight” to help familiarize officers with DVIP Advocates.



DA Sullivan, Katie Rosewarne and Samantha Johnson in Greenfield, raising awareness of domestic violence

2017 was an open bid year for funding under the Violence Against Women S.T.O.P. Grant Program. The Northwestern District Attorney’s Office was awarded full funding to continue the DVIP for another year, with the option to re-apply for three additional years. In 2018, the application for year two was fully funded. The funds have allowed us to reinstate evening visits by DVIP Advocates to police departments, which provides a great opportunity for advocates to meet patrol officers face to face and to build a stronger understanding of the advocate’s role.

DVIP Advocates provided immediate crisis support for **197 victims of abuse** in 2018. Additionally, **45% of referrals to the DV High Risk Team come from DVIP Advocates.**

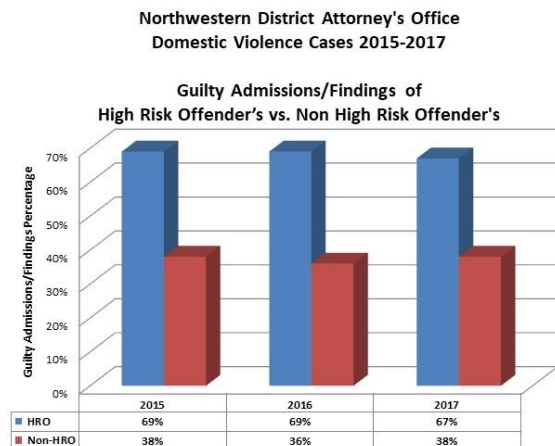
DVIP Advocates routinely make risk assessment part of their safety planning with victims and assist officers in obtaining important information regarding threats to kill, past abuse, etc., illustrating the importance of the linkage of these two programs.

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 (HRT) in Franklin and Hampshire Counties 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 make recommendations to maximize offender accountability and safety for victims. The purpose of the project is to identify and closely monitor high risk offenders (HRO) in order to prevent further incidents of abuse and homicide. Teams are comprised of representatives from Probation Departments, Houses of Correction, Parole Board, Police Departments, 911 Dispatchers, District Attorney’s Office, Department of Children and Families, Batterer’s Intervention and Community Victim Advocates. Once an offender is identified as high risk, detailed information regarding that offender and victim(s) is distributed to all partners to ensure a coordinated, comprehensive, and consistent response to any future incidents involving the offender.

In 2018, there were 29 new DV offenders identified as high risk in Franklin and Hampshire Counties. Currently, there is a total of 231 DV offenders identified as high risk and an additional 73 who are in “watch” status, meaning the coordinator will bring the case back to the team if there are any further charges. In an effort to measure our success at containing HROs, we compared conviction rates of non-HROs to HROs in 2015, 2016 and 2017. As the chart below illustrates, the rate of guilty findings or admissions of guilt was nearly double for HROs than for non-HROs in all three years.

This graph indicates that the identification of a DV offender as high risk does increase our ability to hold that offender accountable, thereby increasing safety for the victim.



In 2017, an application was submitted to renew funding of the High Risk Team Project. The office was awarded the full amount allowed of \$450,000 over three years to continue the project. The funds have allowed us to reinstate the Coordinator position to full time, increase support and follow-up for victims of strangulation and provide training for EMS responders and dispatchers. The project is currently funded through September 30, 2020.

Regional DV Trainings for Police Officers and Dispatchers



**Mary Kociela, Greenfield Police Deputy Chief
Mark Williams, Richard Aucoin
and ADA Anne Yereniuk**

In 2006, the DVSAU created and distributed the "Police Guide for Charging in Domestic Violence Cases" to assist officers in charging DV cases. The guide was recently updated to include the 2014 changes in the DV law. The guide is comprehensive and outlines DV and SA charges including the elements of each crime. It is meant to be used as an easy reference for officers to assist in determining which charges to bring in a particular case. Updates were also made to the original "Dispatch Checklist for Domestic Violence Incidents" with a new section dedicated to non-fatal strangulation response.

In order to distribute the updated products and to offer training for police officers and dispatchers, eight trainings were offered in locations throughout the district. Over 100 officers and dispatchers attended. A team of trainers presented a review of charging options in DV and SA cases including strangulation and stalking. Officers also learned about the new Risk Assessment Worksheet developed by the Governor's Council on Domestic & Sexual Violence and how to ask questions in a trauma informed way at the scene. Dispatchers received the updated checklist and learned how to identify signs of non-fatal strangulation and best practice response. As follow-up to the trainings, all police chiefs, state police station commanders and dispatcher supervisors received an electronic version of all products.



Mary Kociela presents at a DV training

The changes in domestic violence law, enacted in 2014, included language to establish a state domestic violence (DV) Fatality Review Team headed by the Massachusetts Executive Office of Public Safety and Security (EOPSS) with local review teams in each of the 11 districts to be chaired by the District Attorney of that particular district. As a result, our office was asked to convene a local DV Fatality Review Team to review a DV murder-suicide case.

As stated in the EOPSS report, "The State Fatality Review Team is not looking to single out individuals or agencies as bearing responsibility for the deaths. Rather, members will seek to identify systemic failures stemming from shortfalls and inefficiencies in the local and state responses and then recommend the appropriate solutions. In addition, the reviews will help to identify needs related to public awareness and education. Team recommendations are to be issued in general terms so as not to infringe upon the confidentiality of those involved in each case." Information was gathered on the identified case including police reports, witness statements, criminal histories and other case history. From this information, the review team created a timeline of events and discussed our system response at the time of the homicide. Recommendations from the review will be included in a statewide report to be released in 2019.



Members of the DV Fatality Review Team

In May 2018, the DVSAU and the Franklin County Bar Association sponsored a Judges

Panel entitled, "Domestic Violence: A View from the Bench - Risk & Lethality Assessment in Domestic Violence Cases." The panelists included the Honorable William F. Mazanec III, First Justice, Greenfield District Court; the Honorable Beth A. Crawford, First Justice, Franklin Probate and Family Court; and the Honorable Maureen E. Walsh, First Justice, Holyoke District Court & Regional Administrative Judge, District Court Region 6.

The event was moderated by District Attorney Sullivan with 85 law enforcement, court personnel and community members in attendance. It focused attention on high risk and lethality in DV cases and how the court can work to contain offenders and protect victims.



DA Sullivan and Mary Kociela with students from Northampton High School

DVSAU Community Outreach and Education

Each year, the DVSAU sponsors and participates in various training and outreach programs. In 2018, this included programs for middle school and high school students, community advocates, court personnel, first responders, 911 dispatchers and police officers. In addition, ADA Jennifer Suhl and Mary Kociela had the pleasure of presenting a training entitled "High Risk and Lethality Assessment in Domestic Violence Cases" at both the Regional Social Work Conference on May 23, 2018, at Western New England University and at the Western Massachusetts EMS Conference on October 18,

2018, at the MassMutual Center. Staff also worked with the Mayor of Greenfield's DV Task Force and the Franklin County Child Advocacy Center to coordinate flag raising events commemorating April as Child Abuse Awareness Month.

White Ribbon Campaign



The White Ribbon Campaign (WRC) was founded and launched in Canada, two years after the Montréal Massacre in which 14 women students at the École Polytechnique were systematically killed, and 13 other students wounded, by a lone gunman on December 6, 1989. 100,000 men wore white ribbons across Canada that first year. Today, the WRC is a worldwide campaign in 60 countries and growing.

White Ribbon Pledge

"From this day forward I pledge to be part of the solution in ending gender based violence and to never commit, condone or remain silent about violence against women and girls."

In 2018, we continued the opportunity for students to apply to become a Student White Ribbon Ambassador. Student ambassadors are students who recognize the importance of taking responsibility and playing a leadership role in preventing violence against women. Student ambassadors receive a Certificate of Appreciation from District Attorney Sullivan and have the opportunity to organize an event in their own school. One example of this was student ambassador, Sylvia Shread, from Northampton High School. Sylvia and other student leaders created a virtual reality, interactive video on domestic violence awareness and formed a social justice club within their school. Students then organized an

event in March featuring Mayor of Northampton, David Narkewicz, District Attorney David Sullivan, staff from Safe Passage and members of the MA statewide organization Jane Doe, Inc. Sylvia facilitated an interactive exercise and led students in taking the white ribbon pledge.

Another highlight in 2018 was a conference sponsored by Ware High School to teach students in surrounding high schools about their efforts to reduce teen dating violence. The students from Ware High School and their Advisor, Dan Orszulak, also attended a DA's Task Force meeting and presented the work they are doing to task force members.



Mary Kociela with students and teachers from Ware High School



UMass Community Liaison Eric Beal; ADA Matt Russo, a member of the UMass Campus and Community Coalition; DA Sullivan and Amherst PD Community Liaison Officer Bill Laramée

Sexual Assault Prevention Media Campaign



The sexual assault media campaign originally started in 2012 with funding from an Edward Byrne Memorial Justice Grant. In 2016, with funds acquired by the Five College Consortium, a new public service announcement was created focusing on sexual assault in the LGBTQ/T community. Over fifty students representing LGBTQ/T student focus groups on the local five college campuses and Greenfield Community College (GCC), reviewed the script and gave feedback and ideas for improvements. Each college media department received the posters in an editable format allowing them to add their own logo and messaging. In 2017, the PSA and posters were distributed to LGBTQ/T student groups on the five college campuses and GCC. The response was very positive and the PSA and posters continue to be utilized as training tools for dormitory Resident Assistant's and student peer leaders. All posters and PSA's are available on our website:

<https://northwesternda.org/consent-difference-between-sex-and-rape-ending-sexual-assaults-campuses>



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 and Victim-Witness Unit Director Jackie Gaw, who respond to sexual assaults. The Center for Women & Community (CWC) coordinates the SART, which includes representatives of Law Enforcement, Health Care, Forensic Sexual Assault Nurse Examiners, Prosecutors, and Victim/Survivor Advocates. The SART reviews best practice models in responding to sexual assault that are victim centered and trauma informed, and increase the chances of effective prosecution. SART members share these models within their own department and develop and implement cross training opportunities. The team meets monthly at the District Attorney's Office.

In 2018, the SART hosted a number of trainings designed to educate the team as well as our community partners regarding issues related to effectively working with and supporting survivors of sexual assault. These trainings included a training conducted by attorneys from the Victim Rights Law Center regarding services they provide to sexual assault survivors, a training conducted by attorneys from Community Legal Aid discussing immigration options for undocumented sexual assault survivors, a training conducted by the Director of Shelter and Housing Services for Hampshire County at ServiceNet about working with homeless sexual assault survivors, and a training by Highland Valley Elder Services and

members of the Elder and Persons with Disabilities Unit at the DA's Office surrounding the reporting of elder abuse and the administrative complaint and investigation process when elder abuse is reported.

The SART also worked on educating the team and our local agencies on a number of developments and initiatives regarding the system's response to sexual assault. This included changes in the law as part of the sweeping criminal justice reform bill signed by the Governor in April 2018 regarding the testing, retention, storage, and tracking of sexual assault evidence collection kits including a victim's access to information about their kit. Also included, were specific provisions of the Adult Sexual Assault Law Enforcement Guidelines published by the Commonwealth's Executive Office of Public Safety and Security including the interplay of a criminal investigation and a university's Title IX investigation for sexual assaults occurring on college campuses.

APPELLATE UNIT

The Appellate Unit is comprised of ADAs Thomas Townsend (Chief), Cynthia Von Flatern, Steven Greenbaum, and its newest member, Bethany Lynch. The four members of the Appellate Unit represent the NWDA before the Massachusetts Supreme Judicial Court and the Massachusetts Appeals Court.

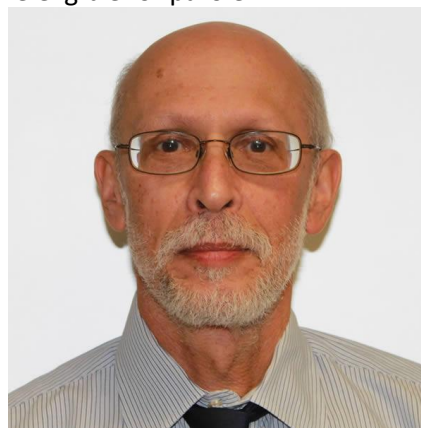


**Appellate Chief Thomas Townsend argues
before the Supreme Judicial Court**

When a defendant is convicted of a crime, he or she may challenge that conviction by filing a legal brief outlining any alleged 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 Appellate Unit also responds to motions for a new trial and supports all ADAs through legal updates and advice.

In addition, the Appellate Unit oversees parole hearings for those serving life sentences but who are eligible for parole.



Appellate ADA Steve Greenbaum

Highlights from 2018:

In July, the Appellate Unit welcomed its newest member, Bethany Lynch, who has over 20 years of appellate prosecutorial experience. ADA Lynch was formerly Deputy Chief of Appeals for the Hampden County District Attorney's Office.



Appellate ADA Bethany Lynch

In September, Appellate Chief Thomas Townsend argued a case in the Supreme Judicial Court on the power of sentencing judges.

ADA Cynthia Von Flatern won two cases in the Supreme Judicial Court (see *Kennedy* and *Lastowski*, below).



Appellate ADA Cynthia Von Flatern

Notable appellate decisions from 2018:

Commonwealth v. Christopher Kennedy, in which the Supreme Judicial Court affirmed the sexual-assault and indecent-exposure convictions of a Massachusetts State Police trooper.

Commonwealth v. Aaron Lastowski, in which the Supreme Judicial Court agreed with the NWDA that there was

no basis to reverse the defendant's sexual-assault convictions.

Commonwealth v. Heather Whitley, in which the Appeals Court affirmed the defendant's larceny convictions for thefts from investors in an Easthampton housing development.

The NWDA Appellate Unit is the most experienced Appeals Unit in the Commonwealth. Each member has at least 20 years of experience in appellate prosecution.

There were 30 new cases entered in the Massachusetts Appeals Court in 2018 (an increase over 2017), most of which will be briefed and argued this year.

The NWDA also has several cases pending in the Massachusetts Supreme Judicial Court, including five 1st-degree murder convictions.

In 2018, the NWDA responded to 24 motions for a new trial.



Appellate ADAs Tom Townsend and Cindy Von Flatern

SEXUALLY DANGEROUS PERSONS UNIT

The Sexually Dangerous Person (SDP) Unit is responsible for reviewing cases in which an individual who has been convicted of a sexual offense is due to be released from incarceration. The purpose of the review is to determine whether or not the individual meets the criteria for civil commitment as a Sexually Dangerous Person, as outlined in the statute, G.L. c. 123A. If those criteria are met, a petition for commitment is filed and a trial may be conducted to decide whether that person will be committed as a Sexually Dangerous Person. Two seasoned prosecutors, Jayme Parent and Steve Greenbaum, handle all of the SDP cases for the Office. Sue Snyder supports the Unit as the SDP Coordinator.

SDP Cases handled in 2018

In Calendar Year 2018, the Northwestern District Attorney's Office reviewed the histories of 31 inmates who were due for release. The Office determined that 23 of these inmates did not meet the criteria for SDP commitment; records and reports regarding the remaining 8 inmates were sent to experts for review. After review by experts, 7 out of the 8 inmates were determined to not meet the criteria for commitment under the SDP statute. One inmate was determined to meet the criteria for commitment under the statute. A petition for commitment was filed on this inmate (now referred to as the Respondent). After two independent court-appointed Qualified Examiners evaluated the Respondent, they found that he did not meet the SDP commitment criteria. The Commonwealth withdrew its petition and the Respondent was released from custody. In January of 2018 a petition which had been filed on another inmate in 2015, was tried before a jury.

The jury found that the Respondent was not sexually dangerous and the Respondent was released.



**Superior and District Court ADAs at the
Franklin County Justice Center**

DISTRICT COURT 2018

The District Court serves as the gateway to the criminal justice system. The vast majority of criminal cases are prosecuted there. 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, public order 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, which include, but are not limited to, certain weapon-related offenses and property crimes.



District Court Unit Chief Mike Russo

Mike Russo is the Chief of the District Court Unit. He supervises the ten ADAs who are assigned to the four District Courts.

A senior ADA is designated as the "Attorney in Charge" (AIC) in each of the four District Courts. The AICs are: Andrew Covington (Northampton District Court); Matthew Russo (Eastern Hampshire District Court); Elizabeth Swihart (Orange District Court); and Joseph Webber (Greenfield District Court). In addition, experienced ADAs in each of these courts are designated as "Domestic Violence" (DV) prosecutors and/or as Child Abuse (CAU) prosecutors.



ADA Elizabeth Swihart

There were several staff-related changes in 2018. The former AIC of Northampton District Court Marie Angers was selected for an Assistant Clerkship position in the Orange District Court. ADA Lori Odierna transitioned into a full-time position with the Child Abuse Unit. ADA Dan Carey departed the office when he was elected Representative for the 2nd Hampshire District. ADAs Alexa Pascucci, Sara Swan, Jillian Handy and Shaun McLean joined the District Court staff.



ADA Andrew Covington serves in the military's Judge Advocate General (JAG) division



Drug Diversion & Treatment Program Director Maria Sotolongo participating in the court's Cultural Diversity Appreciation celebration

Assistant District Attorneys in the 4 District Courts handled **19,215 charges** in 2018. Some **6,295** were new arraignments.



District Court ADA Sarah Swan

NWDA Training Committee

The Training Committee hosted 11 trainings for staff members on a variety of topics including Working with Victims of Sexual Assault and Closing Arguments. The office also hosted guest speakers, including Dr. Ruth Potee, who gave a presentation on the Physiology of Addiction. The office continued its partnership with the Western New England University School of Law's Criminal Law Clinic by hosting a law school student intern. Under Massachusetts Student Practice Rule 3:03 this student was able to develop his skills by handling arraignments, motions to suppress and trials.



District Court ADA Shaun McLean

JUVENILE JUSTICE

The Juvenile Justice Unit aims to reduce youth violence and crime through the use of a coordinated community approach that includes early intervention and prevention. The Juvenile Court has jurisdiction over delinquency matters; youthful offenders; and the adult criminal complaints of contributing to the delinquency of a minor and failure to send a child to school. With the exception of Youthful Offender cases, juvenile court proceedings are closed to the public.



Juvenile Justice Unit Chief Liz Mulcahy



Juvenile Justice ADA Caitlyn Rock and Franklin Bar Association's Christine Baronas at Franklin County Law Day event



Juvenile Justice ADA Bruce Patryn

Following the retirement of Yvonne Pesce as Chief of the Juvenile Unit in December, 2017, ADA Liz Mulcahy was appointed by the District Attorney to head the Unit. In addition to her new role as Chief, Liz will continue to serve as the Program Coordinator for the Unit's Juvenile Diversion Program. Naomi Bledsoe joined the Juvenile Justice Unit in 2018, where she has worked as an Administrative Assistant and a Diversion Specialist. ADA Caitlyn Rock is responsible for handling juvenile matters in Franklin County. ADA Bruce Patryn joined the Juvenile Justice Unit in November, 2017 and serves as a senior litigation counsel. Two victim witness advocates, Janice Francis and Heather Darling, are also assigned to the Juvenile Justice Unit. The Unit handles cases in the four juvenile courts located in Hampshire and Franklin counties. In addition, as needed, the Juvenile Unit prosecutes cases in Superior Court and District Court.

In 2018, the Juvenile Unit **handled 186 delinquency cases in Hampshire County**, out of both the Hadley and Belchertown Juvenile sessions.

In Franklin County and the Town of Athol, the Juvenile Unit handled **131 delinquency cases out of the Greenfield and Orange Juvenile Courts**.



Victim Witness Advocate Heather Darling assisting at a conference for youth

The types of delinquency cases prosecuted by the Juvenile Unit in 2018 ranged from offenses such as disorderly conduct up to extremely serious cases involving sexual assault and armed robbery.

For serious crimes, the District Attorney may elect to prosecute a juvenile as a Youthful Offender which allows a judge to sentence the individual as a juvenile or as an adult. In order for a juvenile case to be prosecuted as a Youthful Offender, the case must be presented to a Grand Jury for indictment. If an indictment is returned, the case may proceed in Juvenile Court.

Many of the delinquency cases, in both counties, required additional investigative assistance, which may involve collaboration between the juvenile prosecutors, school administrators, local law enforcement and State Police detectives.



**DA Sullivan and students at
2018 Youth Conference**

Safe Schools Response Team

District Attorney Sullivan established a Safe Schools Response Team (SSRT) to enable the Northwestern District Attorney's Office to promptly review and respond to complaints and referrals involving threats, harassment, bullying, and civil rights violations occurring in schools. Additional goals of the SSRT 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 Schools Response Team include Deputy District Attorney Janice Healy, Juvenile Justice Unit Chief Liz Mulcahy, Assistant District Attorneys Caitlyn Rock and Bruce Patryn, and Administrative Assistant Sue Snyder.



2018 Youth Conference peer leaders

Juvenile Justice Unit Outreach and Education

During 2018, the Juvenile Justice Unit collaborated with the NWDA's Community Outreach & Education Unit and community partners on the development of conferences and outreach work and programming for youth, parents, school personnel and school resource officers.



School Resource Officer training

Juvenile Diversion Program

The Northwestern District Attorney's Office's Juvenile Diversion Program (NWD-JDP) offers an alternative to formal prosecution in the juvenile court to certain eligible offenders under the age of 18. Utilizing a pre-arraignment model, the diversion program is designed to protect participating youth from further court involvement and from having a criminal offender record. An important goal of the NWDA-JDP 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. Juveniles' diversion plans may include restorative practices, counseling and educational programs, community service and, when applicable, the payment of restitution.



2018 Youth Conference

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 District Attorney's Office to address school violence and violence prevention and assist schools in providing a safe, secure, violence-free, and supportive environment for learning. CBJ meetings are convened regularly by a Juvenile Unit ADA in each county 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 NWDA, local law enforcement agencies, schools, and state service agencies.



NWDA's Laurie Loisel and youth substance use prevention coalition members in Washington D.C. with U.S. Rep. Jim McGovern

VICTIM WITNESS ASSISTANCE UNIT



Our Victim Witness Advocates

The purpose of the Victim/Witness Assistance Unit within the Northwestern District Attorney's Office is to provide information, support and advocacy services for victims, witnesses and survivors throughout the criminal justice process by ensuring the delivery of mandated rights enumerated in M.G.L Chapter 258B. The advocates work with the Assistant District Attorneys throughout the criminal case in an effort to provide the best teamwork approach to a successful resolution of their cases. The advocates strive to prevent secondary victimization within the court system by trying to ensure a victim's safety and to make sure each victim has a voice in the process.

In Hampshire County, our advocates were assigned to **1,069 cases**.

They assisted **1,244 victims**,
744 witnesses and **8 family members**.

In Franklin County, our advocates were assigned to **803 cases**. They assisted **1,012 victims**,
529 witnesses and **36 family members**.

Advocates from both counties assisted prosecutors with open investigations regarding reported sexual assaults and motor vehicle crashes that resulted in death. In these instances, the advocates provided much needed

information and guidance to a victim or family member about their rights and services available to them such as Victim Compensation. Also, referrals were made to outside agencies where appropriate, such as the Center for Women and Community, the Drunk Driving Trust Fund program, the Center for Community Resilience after Trauma (formerly the Community Crisis Response Team) and the Homicide Bereavement Program.



CAC for Hampshire County Board Member Nancy LaPointe and Victim Witness Assistance Unit Chief Jackie Gaw

Over the course of 2018, our staff filed **248 approved applications to the Victim Notification Registry** for either Offender Release Information or CORI certification for access to documents and offender Board of Probation records. This is a 5.5% increase from 2017.

Statewide, in comparison with other larger, more urban District Attorney's Offices, the NWDA Victim/Witness Assistance Unit is highly competitive in total accepted applications. This reflects not only the success in prosecutions of offenders for victim-centered crimes, but also reveals the attention of the advocates to providing post-conviction services to victims, witnesses and family members.



VW Advocate Lori Roy

Training and Outreach



Forensic Interviewer/Advocate Sonia Serrazina and VW Advocate Deb Kierstead at a training

In 2018, our advocates participated in and attended a number of professional development opportunities locally. They included:

- Domestic Violence: A View from the Bench presented by the District Attorney's Task Force On Domestic and Sexual Violence
- Beyond Conviction- An In-Depth Review of Sentencing, Probation and Parole sponsored by Massachusetts Office of Victim Assistance (MOVA)
- MOVA Annual Victim Rights Conference
- Training Active Bystanders, a conference for students
- Accessing Affordable Housing presented by the Department of Public Health

- Military and Civilian Advocacy Together: Stronger Together presented by the Governor's Council to Address Sexual Assault and Domestic Violence.

In addition, we were fortunate to be able to send one advocate, Heather Darling, to a national conference titled Advanced Domestic Violence sponsored by the National Institute of Crime Prevention.

All of the above trainings and conferences were centered on victim-involved issues that the advocates encounter every day.



AG Maura Healey, DA Sullivan, Northampton Mayor David Narkewicz and others at 2018 opening of MOVA office in Northampton

Awards and Staff Changes

In 2018, two staff members were recognized by MOVA for their commitment to serving victims by receiving their Length of Service Awards. Lori Roy has served for 25 years and Deb Kierstead for 20 years. Their dedication to ensuring victims and survivors are heard and cared for in the criminal justice system is to be congratulated and recognized. They are a testament to the type of staff the NWDAO is fortunate to have.

In 2018, we saw the departure of two advocates we will miss. Carly Estrela, an advocate in our Franklin office, left to pursue personal and professional opportunities. Carly was a tremendous advocate for victims and a great colleague.



VW Advocates Bonnie Press and Wendy Adams and Administrators Debra Jacques and Donna Jackson at a training

Bonnie Press, the Deputy Director, retired after 35 years of public service. Bonnie is a steadfast, committed professional who oversaw the Franklin office. She is a great leader and always ready to mentor and advise newer advocates. Her case work and abilities are second to none and she worked extremely hard to provide the rights and attention all victims deserve. Best of luck to her in a well-earned retirement.

Cases of Note:

Commonwealth v Domingo-Banks-Burgos- This case involves charges of Strangulation, Intimidation of a Witness, Violation of Restraining Order (multiple counts) and Assault and Battery of a Household /Family Member. Lori Roy worked with the victim in this case who endured constant contact and intimidations from the defendant as he was held at the House of Correction. This matter was disposed of by way of guilty pleas and resulted in a state prison sentence and on and after probation.

Commonwealth v Joshua Hart and Brittany Smith - By far the most complex trial our staff handled this year involved the homicides of two elderly victims. Heather Darling worked on this case with ADA Jeremy Bucci from its inception in October 2016 and through the two trials, both held in 2018. This case involved the home invasion and murder of an elderly married couple in Orange, MA. The defendants were tried separately. They were both convicted of

First Degree Murder and received consecutive life sentences.

Heather Darling worked tirelessly with the surviving family members of both of the victims and also assisted in the coordinating of the many diverse, far flung witnesses this case required. The logistics, coordination and collaboration required to present both cases were tremendous. The entire prosecution team and supporting staff deserve the well-earned congratulations from the community. They were able to bring the families of the victims some justice for what they suffered and did so by treating their loss with respect and professionalism.



VW Advocate Janice Francis and Deputy District Attorney Jan Healy

CONSUMER PROTECTION UNIT

The Northwestern District Attorney's Office has been home to a local consumer protection program since 1973. The Consumer Protection Unit's Director, Janice Garrett, and Case Coordinator, Anita Wilson, are trained consumer specialists who work to resolve consumer complaints through a volunteer consumer advocacy program and also provide resources and referrals to the public. They deliver education and outreach programs throughout both counties, giving consumers the information they need to make informed decisions and protect themselves against scams and fraud.



CPU Coordinator Anita Wilson and Director Janice Garrett

The Consumer Protection Unit (CPU) works in cooperation with the Attorney General's Office (AGO). We are one of 18 programs throughout the state which receive a grant from the AGO to provide a local consumer program. In addition to the coverage area of Hampshire and Franklin counties, the Consumer Protection Unit's coverage area includes 17 Worcester County communities. The CPU provides needed consumer protection services to all of our communities.



DA Sullivan, TRIAD Coordinator Rachel Senecal and CPU Coordinator Anita Wilson at the Northampton Senior Center's Safety Fair

2018 CPU Highlights

Last year, the Consumer Protection Unit developed a computerized, interactive game board to teach financial literacy to high school students, while this year we worked with our

Elders and Persons with Disabilities Unit to adapt the game for seniors.

“The Senior Savvy Showdown” consists of four categories:

- Credit Reporting
- Senior Scams
- Elder Law
- Senior Safety

We also developed another version of the game called “Financial Literacy Throw Down” for the Career Centers in Franklin and Hampshire Counties (Masshire) with these four categories:

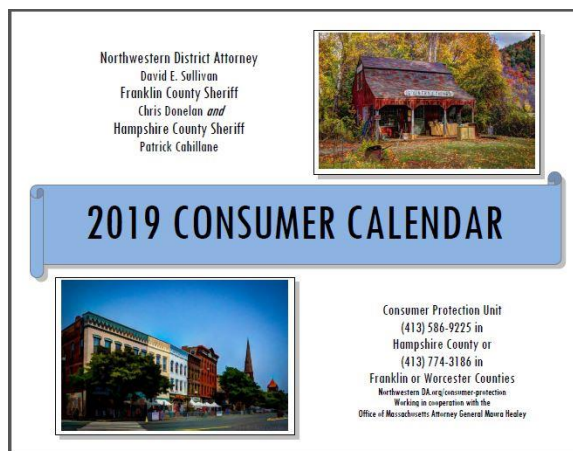
- Landlord/Tenant Rights
- Managing Credit & Debt
- Credit History-Credit Score
- Rebuilding Credit

Our goal is to teach financial literacy in a fun, competitive, pressure-free environment. We have also used a tri-fold version of the game board with question cards to make our “tabling” events more interactive.

We participated in the Greenfield Community College Reality Fair attended by more than 400 high school students from various communities. This two-day, four-hour event was a thoroughly interactive, hands-on experience in the basics of budgeting. Our goal was to teach students to maintain a budget while developing practical money management habits.

The CPU also developed a four-part lecture series for our consumers who have been homeless, recovering from addiction or have been incarcerated and working on rebuilding their financial lives.

We continue to do other presentations for our senior population. We have developed a presentation on the three ways that scams target seniors by using the mail, the telephone, and the internet. We also attend many senior health fairs and picnics, and have designed and developed a Consumer Protection Calendar filled with monthly tips which we distribute to 1,000 area seniors.



The Consumer Protection Unit is a member of the Hampshire and Franklin County Money Management Advisory Boards. CPU staff regularly participate in professional development in order to enhance the Unit’s expertise and ability to help consumers. We are a member of the Consumer Federation of America, an association of non-profit consumer organizations to advance the consumer interest through research, advocacy, and education.

In 2018, the Consumer Protection Unit received **1647 calls**, opened **376 cases** and recovered \$148,386.40 for consumers. In the past 5 years, CPU has recovered \$894,143.27.



DA Sullivan and Anita Wilson at Senior Savvy Showdown in South Hadley

COMMUNITY OUTREACH AND EDUCATION

The District Attorney's community outreach and education efforts are undertaken in partnership with the people of the Northwestern District. We work together to cultivate safe and thriving communities, employing strategies to prevent crimes and address their myriad root causes. The Office is responsive to community-based initiatives, which in recent years have included efforts to spread trauma-responsive practices to all sectors of the Northwestern District, from schools to food pantries, from courts and jails to mental health agencies.



COE Director Laurie Loisel with Roads to Resilience Planning Committee

In 2018, the NWDA joined forces with several community institutions to put on **Roads to Resilience: Mobilizing for a Trauma-Informed Hampshire County**, a daylong conference that drew more than 250 people to the Hadley Farms Meeting House. The conference explored the pioneering science around the ACEs (adverse childhood experiences) study, trauma-informed strategies and the concepts of self-healing communities.



Juvenile Diversion Specialist Naomi Bledsoe and Hampshire HOPE Assistant Coordinator Michele Farry at Roads to Resilience

We work closely with school leaders all over Hampshire and Franklin counties and the North Quabbin region in a variety of ways to shore up protective factors and reduce risk factors that can lead students to use substances while their brains are still developing. To protect young people's brains, it is important to delay first use of substances for as long as possible.

Because school climate itself can actually pose a risk factor for early substance use and play a role in how well students thrive within their school communities, in October, we teamed up with Quabbin Mediation to bring its evidence-based **Training Active Bystanders Program** (TAB) to area middle schoolers. The TAB program builds leadership skills and prepares students to support one another, helping to foster safer and healthier school cultures free from bullying and harassment and more conducive to learning and growing.

In collaboration with the Franklin and Hampshire Bar Associations and staff from the Hampshire and Franklin courthouses, we participated in annual celebrations of the American Bar Association's **Law Day 2018** with educational events for high school students and the wider community. This year's thought-

provoking theme was Separation of Powers: Framework for Freedom.



Western New England School of Law Dean Sudha Setty, Atty. John Garber, DA Sullivan and PVPA students at Hampshire Law Day 2018

In Hampshire County, students heard Western New England School of Law Dean Sudha Setty deliver an address titled “Presidential Power, the Framing of the Constitution and Current Challenges,” watched Pioneer Valley Performing Arts School students perform original skits on the topic of Framework for Freedom, and were guided on tours of the Hampshire Courthouse by assistant district attorneys and members of the defense bar. In Franklin County, visiting students heard civil rights attorney Buz Eisenberg address the topic and took guided tours of the Franklin Justice Center.

The NWDA also continued its strong working partnerships with community and school-based coalitions dedicated to preventing substance misuse, mitigating the effects of stigma and increasing compassion for people struggling with substances and other issues.

We spearheaded drug collection efforts through permanent drop boxes at area police stations and at community drug-drop-off days. We waged public education campaigns encouraging people to change their habits by locking up their prescription drugs. These strategies aim to galvanize a cultural shift that will ensure drugs

are safely disposed or locked away, so they can’t be misused.

The NWDA promoted harm reduction efforts that are the cornerstone of compassionate approaches to addiction disorders. We collaborated with Hampshire HOPE and the Academy of Music to harness the arts to reduce stigma through a series of writing groups for anyone impacted by the opioid epidemic.

We also supported efforts to promote more recovery-friendly communities, including by backing the opening or expansion of recovery centers in Athol and Northampton. In tandem with the people around the district, we worked to increase public understanding of the disease of addiction through education and outreach initiatives designed to reduce stigma and remove barriers to intervention and treatment. We teamed up with cities and towns hosting National Night Out events, neighborhood block parties and other community-building activities.



DA Sullivan and CAB members Karen Brown and Mary Custard at 2018 MLK Breakfast in Amherst

Citizens Advisory Board

Community members of the NWDA Citizens Advisory Board continued to play a role as a resource to the office, also serving as ambassadors for the NWDA by learning about office initiatives and sharing them with their communities. They learned about our extensive

domestic violence prevention programs as well as other work undertaken by the office to knit together the fabric of our communities in healthy ways. In all of these outreach efforts, the NWDA is committed to working with the people who live and work in our district by focusing on civic engagement and building long-lasting relationships that promote a just and safe community for all.

As always, we maintain a steadfast commitment to working collaboratively with community organizations whose goals are to address social problems and nurture resilient, connected communities.



DA Sullivan, Susie Lowenstein and Judy Brooks, a beloved CAB member who died in 2018

CIVIL RIGHTS REVIEW TEAM

The protection of citizens' civil rights is a core mission for the Northwestern District Attorney's Office. District Attorney Sullivan created the Civil Rights Review Team 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 Mike Russo, Juvenile Justice Unit Chief Liz Mulcahy and Director of Community Education and Outreach Laurie Loisel. Having this team in place has allowed the NWDA to respond in a prompt and effective way to civil rights incidents, complaints, referrals, and community inquiries.

COMMUNICATONS 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 Mary Carey, who coordinates with prosecutors, staff, and law enforcement to get information to the public in a timely, accurate and ethically sound way.



Communications Director Mary Carey and Amherst Bulletin columnist Phyllis Lehrer at NWDA's Amherst Block Party 2018 booth

In 2018, the Communications Unit continued to enhance the Northwestern District Attorney's Office website and Facebook pages, which provide up-to-date information to the public on cases being prosecuted by the NWDA as well as access to information about the work of all of our units and community partners. The Unit also filmed and produced several Law Enforcement Assistance Program training videos and worked closely with all of the NWDA Units to plan, promote and document in print, photos and video a wide range of events, trainings and educational programs.



ADA Jeremy Bucci and investigators outside the Franklin County Justice Center



DA Sullivan serving soup at the Amherst Survival Center's Empty Bowls fundraiser



Jean Zimmerman and Kelley Mason in the Northampton front office



NWDA's Beth Connly, Jamie Foster, Cassie Jerome, ADA Matt Russo, Rachel Senecal and ADA Joseph Webber



**In 2018, the NWDA moved to a new office in Greenfield at 56 Bank Row, under renovation
Greenfield Recorder Photo**



The NWDA's new Greenfield Office, in the Abercrombie Building, which is within Greenfield's Main Street Historic District on the National Register of Historic Places



NWDA administrators Ashley Benoit and Alyssa Stankowski at the new Greenfield Office front desk

INFORMATION

TECHNOLOGY UNIT

The Information Technology (IT) Unit works in a critical behind-the-scenes role to support the work of all Units within the NWDA. IT Director Bruce Fieldman and IT System Support Engineer Nathan Foote 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.

IT Unit's 2018 Accomplishments

In 2018, the IT Unit continued ongoing efforts to improve the technical infrastructure and IT practices of the NWDA to ensure continued smooth, efficient and secure operations. New computer workstations, laptops, printers and other equipment were purchased and deployed. New software was acquired. All NWDA workstations, laptops and servers were updated on a regular basis, including major Windows updates, to ensure smooth and secure operations.

The IT Unit worked closely with the NWDA's office administration, the Massachusetts District Attorney's Association ("MDAA"), and the Commonwealth's Division of Capital Asset Management in finalizing the technical specifications for the NWDA's new Greenfield office. It played a key role in getting the office's technical infrastructure up and running in the weeks and months following the office opening at the beginning of July.

Included in the new Greenfield office is an interview room with a modern digital interview recording system. The IT department did extensive research to identify a modern system to ensure high quality video and audio recordings and dependable operations well into the future. The IT department also carried out

significant research into security system technology to ensure that the security system chosen for the new offices both met identified security needs and allowed for integration with the security systems in the other NWDA offices. The IT department took the lead to identify a state of the art multimedia system to allow for the best experience for multimedia presentations used for staff meetings and trainings, and in meetings and events carried out in conjunction with other agencies and organizations in our community with whom we work on a day to day basis.

Finally, the IT department identified and procured state of the art server and workstation equipment to deploy in our new Digital Evidence Center, which is utilized by the NWDA Massachusetts State Police ("MSP") detectives to carry out forensics analyses of computers, laptops, cellphones and other electronic devices seized during criminal investigations. The new servers deployed offer improved performance for the creation of digital images, and subsequent forensic analyses and reports, and well as significantly increased capacity for data storage.



IT Director Bruce Fieldman and IT System Support Engineer Nathan Foote in the field

In 2018, the IT department purchased docked laptops for both prosecutors and MSP detectives. This new approach for key staff significantly improves their day to day efficiencies. MSP detectives are now able to

carry their light and fast office computers with them when they are called out to crime scenes. They can record data and submit reports on the scene, and be ready to move forward quickly upon reconnecting when they return to the office. Superior Court prosecutors save significant amounts of time by preparing for trial on the same device that they then use for courtroom presentations.

The IT Unit also continued its ongoing effort to develop tools to increase the efficiency of day-to-day staff activities. To this end, the IT staff worked with various units to continue upgrading NWDA databases to improve storage and access to data with improved reporting capabilities.

Supporting prosecutors in the preparation and presentation of cases in the courtroom continues to be a major focus of the IT Unit. IT staff works closely with prosecutors to prepare multimedia courtroom presentations, and assists them in working with case management data.



MASSACHUSETTS STATE POLICE **DETECTIVE AND NARCOTICS UNIT**

The Hampshire/Franklin State Police Detective Unit (SPDU) is comprised of 14 officers from the Massachusetts State Police with Detective Lieutenant Jeffrey Cahill as the SPDU Commander, and Sergeant Peter Konstantakos as the Executive Officer. The SPDU is responsible for investigating homicides, major

felonies, digital crimes, and special investigations.

In 2018 the SPDU handled **542 cases**, investigated two homicides, and **254 unattended deaths**. The SPDU investigates all unattended deaths in Hampshire and Franklin Counties and the Town of Athol.

Sergeant Christopher Baran from the Massachusetts State Police and NWDA Chief Trial Counsel Jeremy Bucci lead the Northwestern District Anti-Crime Task Force which has an additional 10 officers from 9 local police departments including the Hampshire and Franklin County Sheriff's Offices. These officers investigate illegal narcotics offenses, firearms offenses, and other organized criminal activities.

In 2018 the Task Force **conducted 75 investigations** including a large scale opioid trafficking case in Franklin County that included seizing over 13,000 bags of heroin and over \$239,000 in US currency.

Major drug trafficking, weapons cases, and theft rings have been investigated and indicted in Superior Court as a result of these joint law enforcement efforts. This Task Force is making a significant impact on major crime and the quality of life in our communities.



MSP State Troopers assigned to the NWDA

ONGOING INITIATIVES AND PROJECTS

Drug Diversion & Treatment Program (DDTP)

Funding awarded in 2016 through the Heroin and Opioid Crime Reduction State Initiative and the federal Justice Assistance Grant (JAG) program enabled the NWDA to develop and implement an innovative pre and post arraignment diversion program for non-violent offenders who have a substance use disorder and are charged with specific drug and drug-related offenses. In 2018, Maria Sotolongo was named the Director of the DDTP.

The NWDA's Drug Diversion & Treatment Program (DDTP) provides eligible candidates with the opportunity to obtain comprehensive substance use disorder treatment and recovery support in lieu of being prosecuted through the criminal justice system. By offering comprehensive treatment and recovery support, DDTP seeks to improve overall public safety by reducing substance use and criminal recidivism in our district.

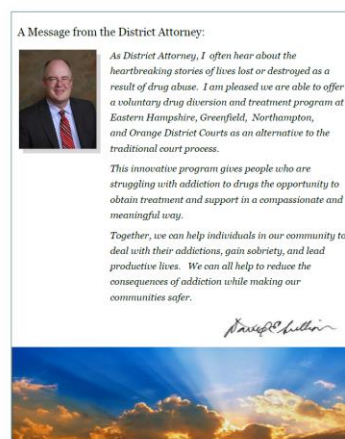
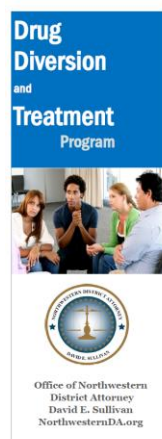
The Drug Diversion and Treatment Program operates in all four of the district courts in the Northwestern District. In 2018, NWDA received a technical assistance grant from the

Association of Prosecuting Attorneys to expand the number of participants.

At the heart of the successful implementation of the NWDA's Drug Diversion & Treatment Program are the strong partnerships which we have developed with our two treatment providers, Clinical Support Options (CSO) and the Center for Human Development (CHD); the MA Department of Public Health, local law enforcement; Trial Court Department staff in each of our district courts; the Recovery Support Center in each county; and our two Western Massachusetts regional drug task forces/coalitions.



**Northampton Police Chief Jody Kasper,
Probation Officer John Thorpe and Drug
Diversion and Treatment
Director Maria Sotolongo at the
Northampton Recovery Center**



**Drug Diversion and Treatment Program
brochure detail**

The Veterans Justice Partnership

The Veterans Justice Partnership (VJP) was founded in 2011 by District Attorney David Sullivan and other community leaders. VJP's mission is to help court-involved and incarcerated veterans. VJP is a collaboration of the Office of Northwestern District Attorney, veteran's organizations, mental health providers, local, state and federal veteran agencies, and numerous criminal justice and community partners.

The VJP served **211 veterans** in 2018.

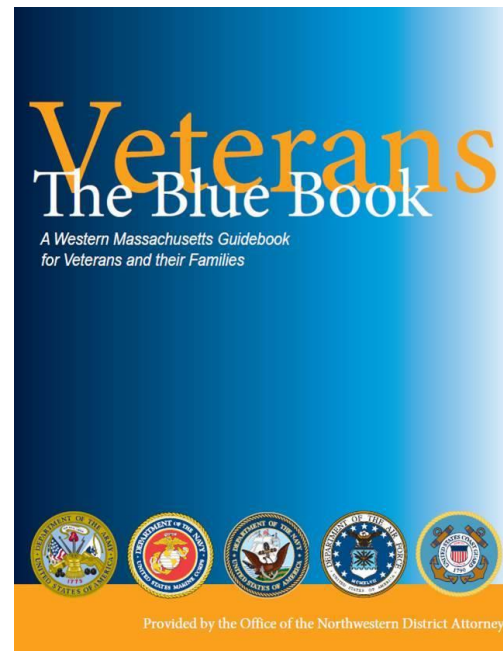
- 160 Vets worked with both the Veterans Administration and Veterans Affairs.
- 51 worked with Soldier On

VJP is working to help veterans before and after case disposition. A Department of Mental Health initiative, Mission Direct Vet, is working collaboratively with VJP to help veterans get the necessary mental health services to address and prevent criminal conduct. For incarcerated veterans, VJP has the benefit of the direct involvement of Sheriffs Patrick Cahillane (Hampshire), Chris Donelan (Franklin), and Nicholas Cocchi (Hampden) to help with both treatment and re-entry options.

VJP is led by District Attorney Sullivan. Martha Murphy Kane, the NWDA Director of Operations, has been an integral part of coordinating VJP and moving it forward. Our VA Veterans Outreach and Soldier On partners have been the driving forces in identifying and screening court-involved veterans in order to

address and reduce their criminal behavior and improve the quality of their lives.

The NWDA continues to update *The Veterans Blue Book*, a comprehensive guide to resources and services for veterans. This popular resource guide has been distributed throughout Western Massachusetts and has been noted as one of the best Veterans guidebooks in the United States.



Veterans Treatment Court team

WMass Veterans Treatment Court

Established in 2015, the Western Massachusetts Veterans Treatment Court

works specifically with court-involved veterans and is centrally located at Holyoke District Court to serve veterans from Hampshire, Franklin and Hampden counties. The Office of Northwestern District Attorney plays an integral role in the vision and operation of this court. Currently, the court services 29 Veterans from all branches of the United States Armed Forces. Some 14 of those participants are from Franklin and Hampshire County. The participants in the Vets Court program commit to a long-term, intensive probation during which they receive services for their mental health and substance abuse needs. They also receive assistance in locating stable, long-term housing and employment.

Justice Laurie McLeod is the presiding justice of the court. She leads the Veteran Court team which is comprised of a cross section of the district court community. The team includes representatives from the Northwestern and Hampden County District Attorney's Offices, the probation department, the Holyoke Police Department, defense attorneys and clinical support from Soldier On and the VA Hospital in Leeds. It is only appropriate that we have a Vet Court devoted to saving the lives of those who were willing to give up their lives for their country.

ADA Mike Russo is the coordinator for the NWDA.

Restorative Justice Programs

Restorative Justice programs serve Orange, Greenfield, and Eastern Hampshire District Courts and Franklin/ Hampshire Juvenile Court. 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.

Panels of community members meet once a month to hear new criminal cases and to review probationers' progress in open cases. The boards give the community members a forum to uphold the values of the community, to support and involve those victimized and to build avenues for offenders to make amends. Many thanks to the community members who volunteer their time to serve on restorative boards.



Lucinda Brown spearheaded Restorative Justice Programs in Franklin County

Greenfield Recorder photo

We are very grateful for the leadership of Lucinda Brown who has spearheaded Restorative Justice programs in Franklin County for over 20 years. She was also instrumental in the development of adult and juvenile restorative justice boards in Hampshire County. Lucinda retired this year and will be greatly missed.

Northwestern Law Enforcement Assistance Program (LEAP)

Our Law Enforcement Assistance Program (LEAP) has conducted numerous professional development trainings and provided assistance to law enforcement agencies throughout the Northwestern District since it was launched in 2011. The monthly LEAP Newsletter gives valuable legal updates to all of our law enforcement partners. Our LEAP website portal

is available on the NWDA website and provides 24/7 access to training videos and materials. This training portal is accessible only to law enforcement agencies. NWDA continues to collaborate with the Franklin Sheriff's Department and Franklin Chiefs of Police Association to run a state certified 300 hour course to train local reserve police officers.

Leaders in Addressing Addiction and Substance Abuse



Manual Carballo Governor's Award for Excellence in Public Service

NWDA staff continued working closely with **Hampshire HOPE and the Opioid Task Force of Franklin County & North Quabbin Region**, the regional opioid prevention coalitions engaged in the fight to end the opioid epidemic.

District Attorney Sullivan supports these coalitions with his time on their executive teams and working groups and with his advocacy on Beacon Hill and elsewhere, fighting for resources to support prevention and intervention as well as treatment and recovery services for people dealing with opioid misuse disorders.

Both coalitions are models of how to harness community energy to introduce harm reduction initiatives, public education and evidence-based practices to reverse the tide of this deadly epidemic. They work within the cities and towns they serve to address the rise in

prescription opioid misuse, heroin use, addiction, and overdose death in the region through policy, practice, and systems change.

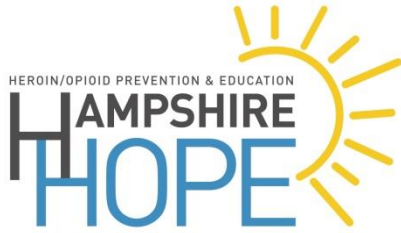
In 2018, they offered Narcan trainings, promoted safe drug storage practices and worked with the District Attorney's office to promote drug collection days to keep drugs from being misused.



of Franklin County and the North Quabbin Region

The Opioid Task Force (OTF), created in 2013, operates out of the Franklin Justice Center, and works with medical and public health professionals, community coalitions and law enforcement to promote evidence-based practices and policy change that will save lives and mitigate the devastation caused by the opioid crisis. The Task Force organized events to support people in recovery, worked with Franklin County-based prevention coalitions and continued educating the public in its effort to reduce stigma and remove other barriers that get in the way of people receiving the help they need.

The Opioid Task Force's significant contribution to Franklin County and North Quabbin region were recognized with OTF's Co-Chairs, District Attorney Sullivan, Franklin Register of Probate John Merrigan and Franklin Sheriff Christopher Donelan being awarded the prestigious Manual Carballo Governor's Award for Excellence in Public Service



Hampshire HOPE, formed in 2015, operates out of the Northampton Health Department. It works in a collaborative way to bring community groups, public health and medical partners, law enforcement, and treatment and recovery services to address the opioid epidemic. DA Sullivan is a Co-Chair of Hampshire HOPE and committed significant resources for its success.

HOPE collaborated with faith communities and worked with other coalitions to organize overdose awareness vigils. They launched a partnership with police departments to send out intervention teams to people who have overdosed, making important connections and offering support and information about helpful resources. In 2018, through a federal grant, the Northampton Police Department intervention team, known as DART (Drug Addiction and Recovery Team), has worked with Hampshire HOPE to help a number of other police departments in Hampshire County to establish their own teams. In the next year, all 20 of Hampshire County's police departments will have trained intervention teams to help addicted persons and their families.

Hampshire HOPE has developed a wall of remembrance and hope where members of the community post words and pictures to honor loved ones lost and tributes to those in recovery.



Northampton Health Department Director Merridith O'Leary and Northampton Mayor David Narkewicz unveil quilt commemorating overdose victims



The new **Northampton Recovery Center** was a result of visioning sessions held with members of the local recovery community initiated by Hampshire HOPE. Lynn Ferro, Director of Opioid Research & Recovery Support Services for the NWDA, has had a significant role in the coordination of the new center which is modeled upon the successful peer-driven model adopted across the state. The Recovery Center will continue its efforts to find permanent funding and expand hours, programs and services. In 2018, the Recovery Center relocated to a new space at 2 Gleason Plaza, Northampton. Programs are added daily in order to support the continued recovery of those who have successfully navigated their personal journeys away from addiction.

School Safety and Security Task Force

In the tragic wake of the shooting at the Sandy Hook Elementary School in Newtown, Connecticut, District Attorney Sullivan, Massachusetts State Police, Franklin Sheriff's Departments, and local law enforcement formed a Western Massachusetts Safe School Security Task Force. The Task Force has helped to coordinate law enforcement and first responder trainings, school safety audits, school lockdown and emergency protocols, active shooter trainings, improved building designs, and safe school climate initiatives. This Safe School Security Task Force is spearheaded by Massachusetts State Police Troopers James Carmichael and Andy Canata.



NoFIRES is a non-profit organization that offers education and intervention to youth fire setters. In 2013, NoFIRES expanded to serve 51 communities located in Franklin County, Hampshire County, North Quabbin Region, and the City of Holyoke. The core mission is to protect our youth, their families, and the communities in which they live from the dangerous, and sometimes fatal, act of setting fires. A collaboration of fire, law enforcement, mental healthcare providers and social service agencies, NoFIRES is committed to providing a coordinated and appropriate response to youth under the age of 18, who set fires or engage in fire-related behavior. The NoFIRES program has quickly become a national model program for helping youth fire setters.



NoFIRES Executive Director Loren Davine
photo: Public Safety Multimedia



NoFIRES Board of Directors
FRONT TO BACK Ellen Brower Gately, Loren Davine, Martha Murphy Kane, Mike Reid, Wayne Hennemann, John Ingram and Bob Authier

In 2018, NoFIRES received **55 referrals** to the program and held 17 fire education classes. More than **300 families** have been served by NoFIRES since it was developed in 2012.

At this time, NoFIRES is one of the few programs available for youth who have engaged in fire-related behavior. Our unique model of utilizing licensed clinical social workers for screenings and specialized fire educators for classes makes this program an invaluable asset to the 51 communities it serves.



NoFIRES instructors

In addition to providing fire safety education to youth who have engaged in fire setting, NoFIRES is committed to providing high-quality trainings in this field to educators, clinicians, prosecutors, fire investigators and law enforcement.

On November 7th and 8th, 2018, the NoFIRES Partnership and NWDA proudly presented the **6th Annual Arson Investigation Conference: *Understanding Serial Murder & Serial Arson Through Case Analysis*** at the Hadley Farms Meeting House in Hadley, MA. More than 135 police, firefighters, prosecutors, investigators, and mental health providers attended. This year we welcomed Dr. Jack Levin, leading expert on violent crimes and hate. For more than 25 years, he has studied the mentality of violent criminals and written nearly 40 books on this topic. Lt. Daniel Richard, MSP, presented a compelling serial murder case and Special Agent Scott Fulkerson, ATF, examined one of the largest serial arson cases in history. In addition, the MSP Arson Investigation Team demonstrated a live burn and the effectiveness of sprinklers using the burn demonstration unit provided by the National Fire Sprinkler Association.

On November 20, 2018, Fire Marshal Peter J. Ostroskey presented NoFIRES with the prestigious Stephen D. Coan Fire Marshal Award at the 29th Annual Firefighter of the Year Awards Ceremony. NoFIRES was honored to

receive this statewide recognition for the work we have done on youth firesetting. Members of the Board of Directors and our Executive Director accepted the award at Mechanics Hall in Worcester, MA.



Firefighter of the Year Award Ceremony



Stephen D. Coan Fire Marshal Award

Massachusetts Department of Fire Services photo

Internship Program

The NWDA offers summer and academic year internships to college and law school students in the following areas: legal, administrative, communications, outreach, victim/witness services and consumer protection.

College internships provide students with valuable insight into the workings of the criminal justice system. 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, case preparation and trial practice.



Summer 2018 Interns

Interns assigned to the Victim Witness Unit work directly with advocates who serve as liaisons between the prosecutors, victims and witnesses as developments occur in cases. They also assist victims with compensation forms and referrals to community services and promote awareness of victims' rights in the community.

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. Consumer Protection interns also mediate cases between businesses and consumers.

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 two family service advocate's positions within 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

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 NWDA, 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-bys and improved safety plan for victims.

FISCAL UNIT

The Fiscal Unit is led by Chief Financial Officer Donna Dudkiewicz with the assistance of Fiscal Assistants Higy Chan and Jess Diemand. The Fiscal Unit oversees the 2018 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 the tracking of forfeiture funds recovered by the Office through successful prosecution of narcotics cases with Chief Trial Counsel Jeremy Bucci. The Fiscal Unit also plays an integral role in the writing and administration of state and federal grants.



FY 18 Total Appropriation Funding

\$7,138,741

FY18 Total Grant Funding

\$648,079

Grand Total

\$7,786,820

Appropriation Funding Percentage

92%

Grant Funding Percentage

8%



**DA Sullivan and Assistant District Attorneys in Old Superior Court in Northampton
January 2, 2019**

HAMPSHIRE COUNTY OFFICE

One Gleason Plaza

Northampton, MA 01060

Phone: (413) 586-9225/ **Fax:** (413) 584-3635

EASTERN HAMPSHIRE DISTRICT COURT OFFICE

205 State St.

Belchertown, MA 01007

Phone: (413) 323-5275/ **Fax:** (413) 323-5379

FRANKLIN COUNTY OFFICE

56 Bank Row

Greenfield, MA 01301

Phone: (413) 774-3186/ **Fax:** (413) 773-3278

ORANGE DISTRICT COURT OFFICE

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NorthwesternDA.org**

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The 47 communities of the Northwestern District

FRANKLIN COUNTY

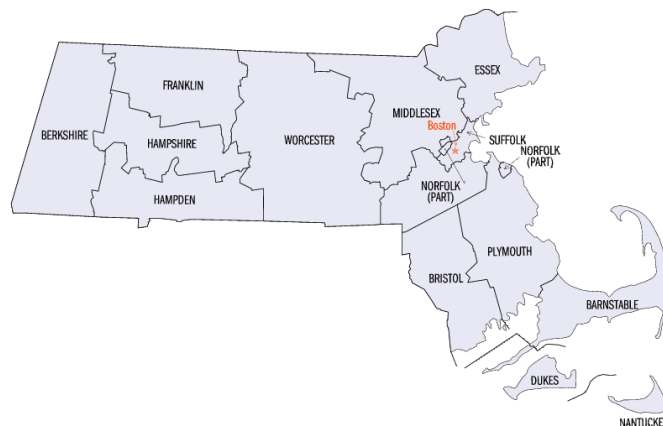
- Ashfield
- Bernardston
- Buckland
- Charlemont
- Colrain
- Conway
- Deerfield
- Erving
- Gill
- Greenfield
- Hawley
- Heath
- Leverett
- Leyden
- Monroe
- Montague
- New Salem
- Northfield
- Orange
- Rowe
- Shelburne
- Shutesbury
- Sunderland
- Warwick
- Wendell

HAMPSHIRE COUNTY

- Amherst
- Belchertown
- Chesterfield
- Cummington
- Easthampton
- Goshen
- Granby
- Hadley
- Hatfield
- Huntington
- Middlefield
- Northampton
- Pelham
- Plainfield
- South Hadley
- Southampton
- Ware
- Westhampton
- Williamsburg
- Worthington

WORCESTER COUNTY

- Athol





Our Mission

To Seek Justice For All. The Office of the 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.