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# **Training and Assistance Programs for Local Prosecutors**

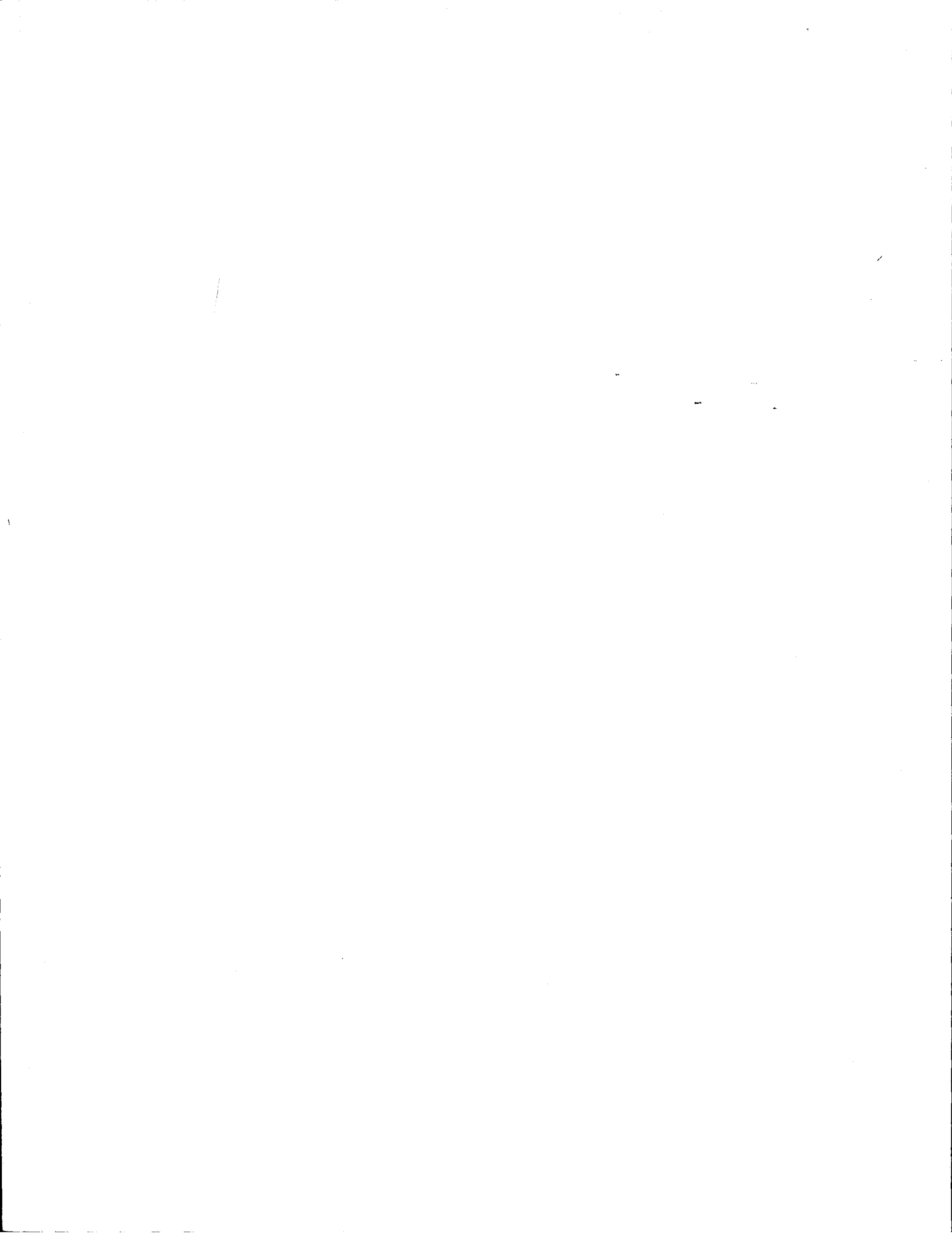
**November 1978**

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The National Association of Attorneys General  
Committee on the Office of Attorney General



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Committee on the Office of Attorney General

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ACQUISITIONS

TRAINING AND ASSISTANCE  
PROGRAMS FOR LOCAL PROSECUTORS

November 1978



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The Committee on the Office of Attorney General  
of the National Association of Attorneys General Foundation  
3901 Barrett Drive  
Raleigh, North Carolina 27609

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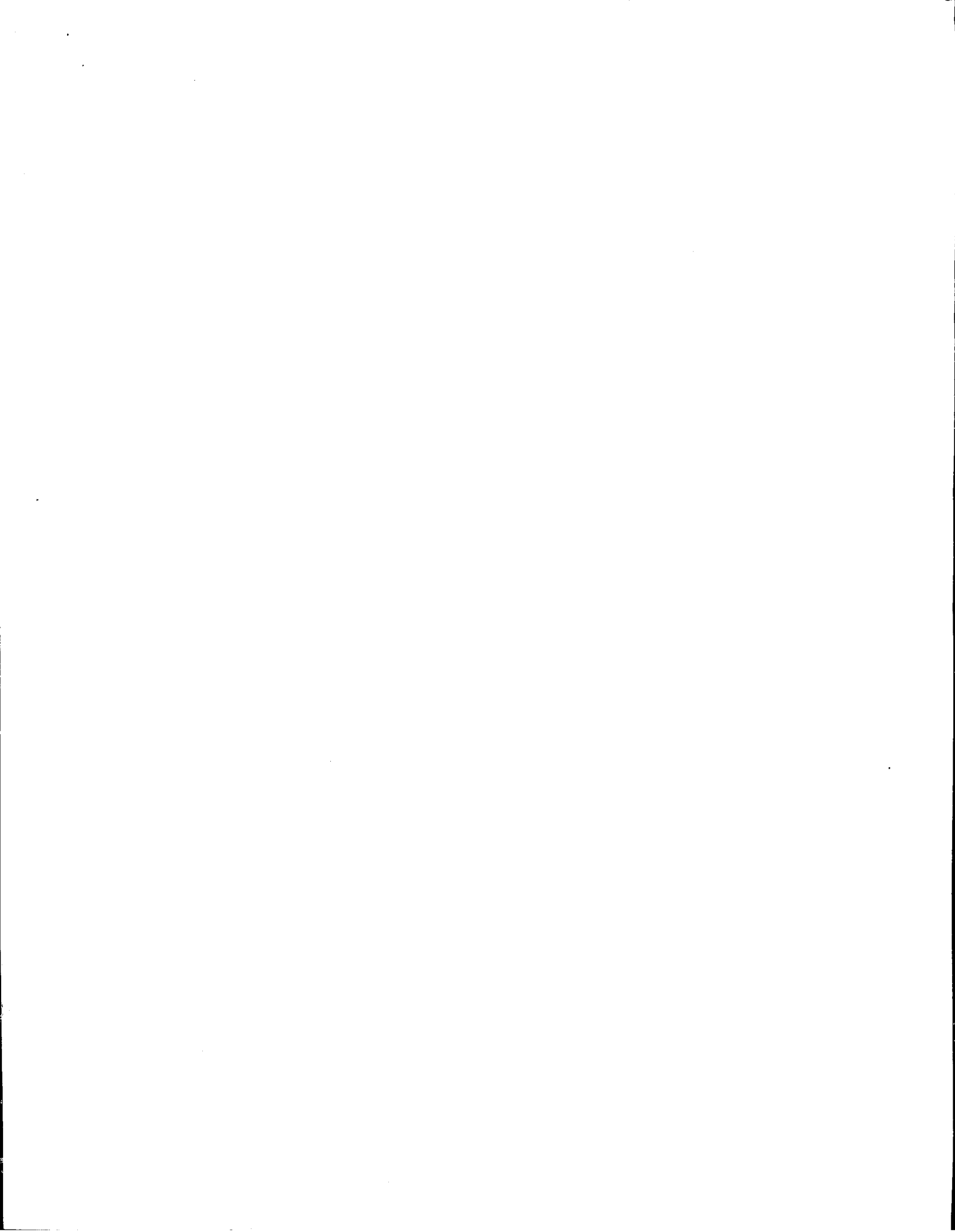
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## PREFACE

This report describes what continuing education programs are being conducted for the training of the nation's local prosecutors. Special emphasis is placed on those activities in which the Attorney General and his office take part; however, discussions of related programs are included, where necessary, to present a more comprehensive picture. COAG published similar studies in 1972 and 1974, entitled Prosecutor Training and Assistance Programs. Since this report deals more specifically with the Attorney General's role in this regard, the previous reports should be used to provide a composite and continuing picture of each state's prosecution assistance activities.

Discussions of the Attorney General's powers to intervene, supercede, and initiate prosecutions, handle criminal appeals, and related activities, are not included. Detailed information on these aspects of the Attorney General-local prosecutor relationships are contained in the 1974 COAG publication, The Prosecution Function: Local Prosecutors and the Attorney General and in the 1977 COAG publication, Powers, Duties, and Operations of State Attorneys General.

Data for this study was gathered from two questionnaires mailed to all Attorneys General's offices. One questionnaire dealt specifically with services to local prosecutors; the other dealt with budgets and staff of the offices of Attorneys General. Responses for the local prosecutor questionnaire were received from 47 states and territories. This constitutes a 90 percent response. The 7 that did not respond are: Alaska, Indiana, New York, Oklahoma, Rhode Island, South Dakota, and Wyoming. Additional facts and information were derived from newsletters, publications, statutory research, and telephone interviews. Overall, then, there is information, in varying degrees of detail, for all 54 states and territories. Prosecutors' associations were not surveyed; therefore, there may be significant omissions in the information.

COAG would like to express appreciation to all of those Attorneys General's offices who provided information and assistance in connection with this report. Melissa D. Smith, Research Analyst, had primary responsibility for the preparation of this report.

Patton G. Galloway, Executive Director  
Committee on the Office of Attorney  
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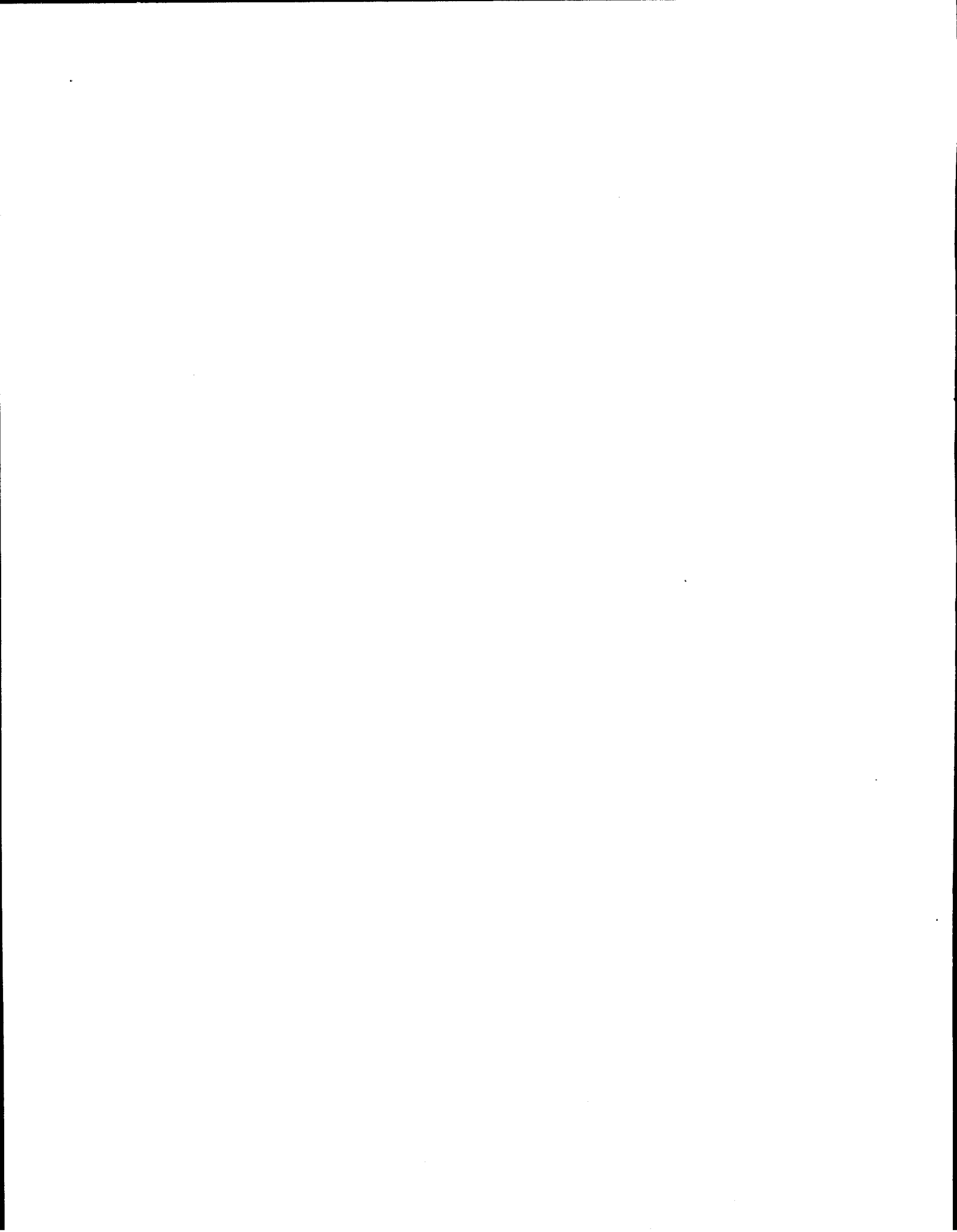
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## 1. ORGANIZATION AND FUNCTIONS OF TRAINING BOARDS

Most prosecutor training programs are conducted by advisory boards or councils on which local prosecutors serve. The Attorney General may also be a member and, in some states, serves as the chairman of the council. Other states have programs that are combined or joint efforts between the Attorney General's office and prosecutors' associations. According to information supplied by the National Association of Prosecutor Coordinators, several states, including Arizona, California, Colorado, Idaho, Kansas, Louisiana, Massachusetts, Michigan, Nebraska, North Dakota, Ohio, Pennsylvania, Texas, Utah, Vermont, Virginia, Washington, and West Virginia, and Wyoming, have prosecuting attorneys' associations that provide and coordinate prosecutor assistance activities.

In many states the Attorney General conducts training and assistance programs through a Criminal Division or similar arrangement. For example, in Florida the Attorney General, by law, has general superintendence and direction over the state's attorneys and the manner in which they discharge their duties. Concomitant to this statutory power, the Attorney General and members of his Criminal Appeals Division have conducted a series of criminal law seminars at the local police level. However, these seminars have been geared more to law enforcement officers than to prosecutors. There is also a Prosecution Coordination Division in the Governor's office that provides prosecutor assistance coordination.

Similarly, the Law Enforcement Education Section of the Criminal Division in the Maine Attorney General's office and the Prosecution Management Section in the South Carolina Attorney General's office conducts and coordinates prosecutor assistance activities. Alaska, Delaware, Guam, Rhode Island, Samoa, and the Virgin Islands have no local prosecutors; instead, the Attorney General handles all prosecutions. In Connecticut, the Attorney General has no criminal jurisdiction. In July 1973, the legislature created the position of Chief State's Attorney, who serves as the administrator in charge of the prosecutorial function in all of Connecticut's courts. This office assumes all training and assistance activities.

The following discusses those states having advisory boards or divisions that conduct prosecutor assistance activities. Information included in this chapter was obtained from questionnaire responses, statutory research, and telephone conversations with various training coordinators.

### Alabama

The Office of Prosecution Services, established in 1975, is composed of an Executive Director appointed by the Executive Committee of the Alabama District Attorneys Association and staff members as needed to carry out the assistance activities. The Office is funded from district attorney

or solicitor funds of all 38 judicial circuits. At least 10 percent of the money collected by the district attorneys or solicitors is remitted monthly from the various funds. The Office must also submit a yearly unified budget request to the state legislature based upon budget estimates prepared and submitted by the district attorneys' offices. (ALA. CODE §§ 12-17-221, 12-17-230 to 12-17-234).

## Arizona

The Prosecuting Attorneys' Advisory Council, which was established in May 1977, consists of the Attorney General, all county attorneys, a dean of Arizona State University Law School or the University of Arizona law school, two municipal prosecutors appointed by the Governor and the Chief Justice of the Arizona Supreme Court. A special fund designated as the Arizona Prosecuting Attorneys' Advisory Council Training Fund has been established as a depository for all monies received by the Council. All monies deposited in the fund are continuously appropriated to the Attorney General. No monies from the state general fund are deposited into the Council's fund. (ARIZ. REV. STAT. ANN. §§ 41-1830 to 41-1830.03).

The Council prepares procedural manuals; gives assistance to local prosecutors in the preparation of trial briefs, forms, and instructions; conducts research; and provides training programs and standards for prosecuting attorneys. (ARIZ. REV. STAT. ANN. § 41-1830.01). The Executive Director of the Arizona County Attorneys Association is also responsible for coordinating prosecution assistance activities.

## Arkansas

The Prosecutor Coordinator Act of 1975 established Arkansas' Prosecution Commission, consisting of 7 prosecuting attorneys elected by the prosecuting attorneys of various judicial districts from among its own members. A chairman is chosen from these 7 members. The Commission employs and advises a Prosecutor Coordinator and assists the Coordinator in developing long range educational services and other support programs for prosecuting attorneys and in the production and supplementation of an office/ trial manual and standardized criminal litigation forms. (ARK. STAT. ANN. §§ 24-126 to 24-129).

Duties of the Prosecutor Coordinator include the following: produce in-state training and continuing education programs; coordinate inter-judicial district investigations and prosecutions of organized crime activities upon request from prosecuting attorneys, any organized crime prevention council, or police; develop and supplement, in conjunction with the Attorney General's office, an office/trial manual, standardized criminal litigation forms, and a criminal law brief bank; maintain a crisis center for emergency research and assistance to prosecutors; and facilitate the exchange of information between prosecuting attorneys and the Attorney General's office in the preparation of criminal appeals and other matters of mutual concern. (ARK. STAT. ANN. §§ 24-127 to 24-128).

## California

The Attorney General in California has direct supervision over all state's attorneys and is empowered by statute to call a conference of some or all of the state's prosecutors, sheriffs, and chiefs of police for the purpose of discussing the duties of their respective offices and for establishing uniformity in law enforcement. (CAL. GOV'T CODE §§ 12524, 12550). Upon request from a state's attorney, the Attorney General may make available the department's laboratory facilities and personnel for assistance in investigating and prosecuting legal matters. (CAL. PENAL CODE § 11050.5). The Executive Director of the California District Attorneys Association is responsible for coordinating prosecutor assistance activities.

## Colorado

The Colorado District Attorneys Council, formerly the Colorado District Attorneys Association, is responsible for prosecution-oriented training. The Council consists of all district attorneys and various associate members, such as investigators. The primary sources of funding for the Council are through dues paid by the district attorneys' offices, subscriptions to publications, and LEAA grants. The Council prepares a supplement containing criminal statutes and rules of criminal procedure, and a handbook, published weekly, that contains briefs of criminal law opinions of the state supreme court. In 1977, the Council's status changed from being a non-profit corporation to a quasi-state organization having limited statewide powers. (1977 Colo. Sess. Laws 20-1-110 to 111).

## Georgia

Georgia's Prosecuting Attorneys' Council, established in 1975, consists of 6 district attorneys and 3 solicitors of courts of record. The Council is authorized to provide reimbursement, in whole or in part, for the actual expenses incurred by local prosecutors or members of their staff in attending any approved course or training program. (GA. CODE ANN. §§ 24-2901b to 24-2904b, 24-2902b.1).

The Council has as its purpose to "assist the prosecuting attorneys throughout the state in their efforts against criminal activity in the state." The Council functions in much the same capacity as does Arkansas' Commission, preparing educational publications, a basic prosecutor's manual, and indexes to and digests of Georgia Supreme Court and Court of Appeals decisions and those of other courts. The Council is also authorized to promote and assist in the training of prosecuting attorneys and to provide legal research assistance. (GA. CODE ANN. § 24-2901b).

## Hawaii

Hawaii's Prosecutor-Public Defender Clearinghouse and Institute conducts the assistance program in Hawaii. There is a Board of Directors with representatives from the 4 county prosecuting attorneys' offices, the

Office of Public Defender, and the State Planning Agency. The Institute is attached to the Office of Social Resources of the City and County of Honolulu for administrative purposes. The Clearinghouse conducts in-service training programs; prepares manuals of interest to prosecuting attorneys and public defenders; distributes a monthly newsletter and provides a legislative reference service, grant application assistance, and a brief bank.

## Illinois

The Prosecutors' Advisory Council in Illinois, created in September 1975, consists of the President of the Illinois State's Attorneys Association, the Attorney General, the state's attorney of Cook County, and 1 state's attorney elected from each of the state's appellate court districts. The Council employs a full-time Executive Director, who is paid a salary equivalent to that of state's attorneys in counties having populations of not less than 80,000 nor more than 1,000,000. (ILL. REV. STAT. ch. 14, §§ 101-111).

The Council serves in an advisory capacity to the state's attorneys in Illinois. It provides and coordinates training and continuing legal education; gathers and distributes information to state's attorneys relative to their official duties, including changes in the law; and employs or contracts with law students, for a period not to exceed 6 months, for the purpose of placing them in state's attorneys offices as legal interns under a program of supervised practical training. (ILL. REV. STAT. ch. 14, §§ 101-111).

## Indiana

The Prosecuting Attorneys Council includes all prosecuting attorneys and their chief deputies, who elect a 10-member Board of Directors. (IND. CODE. ANN. §§ 33-14-8-1 to 33-14-8-4). In addition to basic assistance, e.g., manual preparation and trial brief preparation, the Council conducts research and studies of interest to prosecuting attorneys, and maintains liaison contacts with study commissions and agencies of all branches of local, state, and federal government that could benefit law enforcement and the administration of justice. (IND. CODE ANN. § 33-14-8-4).

## Iowa

The Attorney General serves in a supervisory capacity over all county attorneys in matters pertaining to their office, may make periodic requests for reports concerning the condition of their offices, and may call county attorneys and peace officers into conference to study legal matters and instruction in criminal investigation. A 1974 statute empowered the Attorney General to establish programs for the continuing education of prosecuting attorneys, and a 1977 law empowered him to establish and administer a prosecutor intern program in conjunction with Iowa law schools. (IOWA CODE ANN. § 13.2).

The Attorney General is a member of the Prosecuting Attorneys Training Coordinator Council, which also includes the President of the Iowa County Attorneys Association and 3 attorneys elected by the Association. An Executive Director is appointed by the Council. The Council was established by the Prosecuting Attorneys Training Coordinator Act of 1975 as an autonomous entity in the Department of Justice and has as its duty to keep prosecuting attorneys informed of changes in the law relative to their office. (IOWA CODE ANN. §§ 13A.1 to 13A.3).

### Kentucky

A Prosecutors' Advisory Council consists of 9 members, including 6 Commonwealth and county attorneys representing counties of varying populations, 2 non-attorney citizen members, and the Attorney General as Chairman. The Attorney General is a statutory member; the other members are appointed by the Governor. The Attorney General, as a member of the Council, prepares a budget for the unified prosecutorial system and provides continuing legal education and program development for members of the system. (KY. REV. STAT. §§ 15.700-15.770). Additionally, a Special Prosecutions Unit of the Department of Law was established in March 1976, by Attorney General Robert F. Stephens in an effort to provide much needed assistance to local prosecutors.

### Maryland

The State's Attorneys' Coordinator, a position established by statute in 1977, is appointed by the State's Attorneys' Coordination Council and funded by state appropriation. The Council consists of the Attorney General and 10 states' attorneys chosen by a majority vote of the states' attorneys in the various regions. A chairman and vice-chairman are chosen by the members. With the Council's approval, the Coordinator may accept funds from public and private sources to defray expenses of the Council. (MD. ANN. CODE art. 10, §§ 41A to D).

The Coordinator is directed to provide and coordinate legal education programs and services for state's attorneys, including legal research, technical assistance, technical and professional publications, and advise state's attorneys of current developments and changes in criminal law and the administration of criminal justice. With the Council's approval, the Coordinator is to establish and implement uniform reporting procedures for state's attorneys to maintain and provide statistical data and information relative to prosecutorial functions. The Coordinator is to submit an annual report to the Attorney General's office on activities of the office and is to meet and confer regularly with the Attorney General, state's attorneys, and the Council. (MD. ANN. CODE art. 10, § 41B).

### Michigan

A 1972 law created the Prosecuting Attorneys Coordination Council as an autonomous entity in the Attorney General's office. The Council con-

sists of the Attorney General as Chairman, the President of the Prosecuting Attorneys Association, and 3 prosecuting attorneys elected by the Association, representing counties of different populations. The Council prescribes the programs of the Coordinator's office and keeps prosecuting attorneys informed of all legislative changes and other related matters which are needed to establish a uniform system of conduct, duty, and procedure. (MICH. COMP. LAWS ANN. §§ 49.101 to 49.111).

## Minnesota

The County Attorneys Council is composed of the county attorneys and the Attorney General. The members elect a president, a president-elect, a secretary, a treasurer, and other such officers as are determined by the Council. Each officer holds office for a 1-year term. A Board of Governors is composed of the president, the president-elect, secretary, treasurer, immediate past president, and the Attorney General. The Board of Governors appoints and supervises an Executive Director, who serves for a 6-year term. During his term in office, he will devote full time to his office and will not engage in the practice of law. (MINN. STAT. ANN. §§ 388.19 to .20).

The Council is responsible for performing such functions which strengthen the criminal justice system and increase efficiency in county government, including but not limited to providing training and continuing education for county attorneys, gathering and disseminating information to county attorneys including changes in the law, case decisions, and legislative enactments, and coordinating with law enforcement officers, the courts, and correctional workers providing interdisciplinary seminars. (MINN. STAT. ANN. § 388.19).

## Montana

The Training Coordinator, a position created in July 1977, of the County Prosecutor Services Bureau, is appointed by Montana's Attorney General from a list of 3 names proposed by the Montana County Attorneys Association. (MONT. REV. CODES ANN. § 82-421). The Bureau consists of 2 full-time attorneys, 1 part-time secretary, 3 full-time investigators, and the Coordinator, and is under the Attorney General's direction.

The Coordinator provides local training in current aspects of criminal law for county attorneys and other law enforcement personnel. The Coordinator also assists in the development and dissemination of standards, procedures, and policies that assist in creating uniform application of criminal laws; consolidates present and past information on important aspects of criminal law and provides a pool of official opinions, legal briefs, and other relevant criminal law information; applies for and disburses federal funds to provide out-of-state training for prosecutors; files amicus curiae briefs and argues on behalf of the prosecutors' association; maintains a brief bank; prepares legislation for and on behalf of the prosecutors' association; and provides research and other technical assistance services upon request from county attorneys and law enforcement personnel. (MONT. REV. CODES ANN. § 82-423).



## New Hampshire

Under the direction of the Attorney General, a law enforcement manual containing interpretations of law pertaining to peace officers, trial procedure, etc., is prepared and distributed to law enforcement officials and local prosecutors. (N.H. REV. STAT. ANN. § 7:6(a)). The Carroll County Attorney is responsible for coordinating prosecutor assistance activities.

## New Jersey

The Attorney General, as chief law enforcement officer, has general supervisory powers over the county attorneys. The Division of Criminal Justice, created by statute and under the Attorney General's supervision and direction, includes a Prosecutors Supervisory Section which is responsible for programs to assist local prosecutors. (N.J. STAT. ANN. §§ 52:17B-97 to 103).

The County Prosecutors Association of New Jersey meets monthly with the Attorney General and staff from the Division of Criminal Justice. The President of the Association, in conjunction with the Director of the Criminal Justice Division, appoints members to standing and ad hoc committees, which include as members the county prosecutors and staff members from the Division of Criminal Justice. These committees serve as advisory boards for prosecutor assistance activities.

## New York

The Division of Criminal Justice Services, a state agency, formerly the Office of Prosecutorial Services, has a Bureau of Prosecution and Defense Services that provides educational materials to prosecutors. (N.Y. EXEC. LAW §§ 836 to 837).

## North Carolina

The Special Prosecution Division within the Department of Justice provides assistance to prosecutors upon request and with the Attorney General's approval. (N.C. GEN. STAT. § 114-11.6). The Institute of Government at the University of North Carolina, Chapel Hill, has an Assistant Director who is responsible for coordinating prosecutor assistance activities.

## North Dakota

The North Dakota Combined Law Enforcement Council consists of the Attorney General, the Superintendent of the Bureau of Criminal Investigation, the warden of the penitentiary, a state's attorney, a sheriff, a chief of police, a district judge, a juvenile supervisor, the superintendent of the state industrial school, a representative of the League of Cities, a

representative of the County Commissioners' Association, and a representative of each house of the state legislature. Selection of other than ex officio members may be made by their respective associations. The Attorney General fills any vacancies. (N.D. CENT. CODE § 12-61-01).

The statutes provide that every newly-elected or appointed prosecuting attorney shall attend a course of training conducted by the Council. The curriculum, location, and dates of the sessions are determined by the Council in cooperation with the State's Attorneys' Association. These courses are open to experienced prosecutors as well. (N.D. CENT. CODE § 12-61-09). The President of the North Dakota State's Attorneys Association is also responsible for coordinating prosecution assistance activities.

## Ohio

The Ohio Peace Officer Training Academy, a division of the Attorney General's office, conducts regular law enforcement training programs for local prosecutors and peace officers. (OHIO REV. CODE ANN. § 109.71). The Ohio Prosecuting Attorneys Association has a Training Coordinator, who is responsible for prosecutor assistance activities.

## Oklahoma

The District Attorneys Training Coordinator Council, a special division within the Attorney General's office, consists of the Attorney General, the President and President-elect of the Oklahoma District Attorneys Association, 1 district attorney selected by the Court of Criminal Appeals for a 3-year term, and 1 district attorney selected by the board of governors of the Oklahoma Bar Association for a 3-year term. An Executive Coordinator is appointed by the Council for a 6-year term, who shall have served as a district attorney or assistant district attorney or in a equivalent position in state or federal government for at least 3 years. A chairman and vice-chairman are designated from among the members for a 1-year term. The Council appoints a larger Advisory Council composed of district attorneys to discuss problems and hear recommendations regarding educational and research needs necessary to upgrading the Oklahoma prosecution system to professional status.

A revolving fund for the Council has been created in the state treasury, consisting of all monies received other than appropriated funds. The Council may also accept LEAA grants. (OKLA. STAT. ANN. tit. 19, § 215.28). The duties of the Council include activities to: strengthen the criminal justice system; provide a professional organization for education, training, and coordination of technical efforts of all state prosecutors; and maintain and improve prosecutor efficiency.

The Council convenes regional or statewide conferences and training seminars; serves in an advisory capacity to the district attorneys; provides and coordinates training and continuing legal education for district attorneys, including participation in nationally-recognized prosecutorial seminars in other states; gathers and disseminates information; coordinates

with law enforcement officers, the courts, and correctional workers providing interdisciplinary seminars; requires statistical reports from the district attorneys relating to workloads and office functions; recommends legislation; establishes an equitable plan for allocation of funds for state prosecution; and administers district attorneys' salaries and expenses as provided by law. (OKLA. STAT. ANN. tit. 19, § 215.28).

## Oregon

The District Attorney Assistance Program in the Oregon Department of Justice was first established in 1969 as a method of implementing the Attorney General's statutory duty to consult with and advise district attorneys in matters relating to their duties. In 1972, a federal grant was awarded, allowing the employment of a District Attorneys' Coordinator, and by agreement between the Oregon District Attorneys Association (ODAA) and the Attorney General, is housed in the Department of Justice. A written agreement between the Attorney General and the Association provides coordinated statewide services to district attorneys. The Attorney General is a member of the Association and a permanent voting member of the Executive Committee of that body. The Attorney General retains administrative control over the Assistance Program, and all policy decisions with respect to the program itself are determined jointly by the Attorney General and the Executive Committee. The Executive Committee is an 8-member body, consisting of 6 district attorneys, 1 county counsel, and the Attorney General. The Committee meets monthly to determine policy, review project activities, and carry out its general business.

In addition, the Department of Justice created the Criminal Justice Division in 1974. The Division serves as a statewide, multi-purpose catalyst to the law enforcement community by providing counsel to the Oregon State Police, Board of Police Standards and Training, Polygraph Examiners Board and the Oregon State Penitentiary, and by providing membership and staffing for the State Judicial Planning Committee, the ODAA Legislative Committee, and the Law Enforcement Data System Advisory Committee. The program encompasses four general areas: law enforcement publications, training programs, trial assistance, and investigative and trial support services.

## Tennessee

The District Attorney-General Conference, a state agency, is composed of all district attorneys-general and the state Attorney General as an ex officio member and legal advisor. The Conference appoints a committee of its members to draft legislation. It also employs an Executive Secretary to the Conference who coordinates prosecutive efforts by obtaining, preparing, and supplementing indexes to unreported decisions of the Criminal Court of Appeals and the Supreme Court of Tennessee. He also prepares basic prosecutor's manuals and educational materials and prepares and distributes uniform indictment forms, search warrant forms, and other appropriate forms. (TENN. CODE ANN. §§ 8-713 to 721).

## Texas

The Prosecutors Coordinating Council, a centralized agency, is composed of 4 citizen members appointed by the Governor (taking into consideration geographical areas of the state and its diverse population), the President of the Texas District and County Attorneys Association, and 4 incumbent elected prosecuting attorneys selected by the Association (1 each shall be a county attorney, a district attorney, and a criminal district attorney). Each member serves an overlapping 4-year term, except the President of the Association, who serves as Chairman. The Council appoints an Executive Director.

The Council was established to deliver technical assistance, educational services, and professional development training to prosecutors. Included in its duties are approving in-service training courses, investigating complaints of prosecuting attorneys' incompetence and misconduct and, coordinating activities with the Texas District and County Attorneys Association. (TEX. REV. CIV. STAT. ANN. art. 332d). The Executive Directors of the Association and the Texas Justice of the Peace Training Center also coordinate prosecutor assistance activities.

## Utah

The Statewide Association of Prosecutors Advisory Council is composed of the Attorney General, 5 county attorneys elected by their association, and 1 city attorney elected by his association. The Association, funded by the legislature, publishes a monthly newsletter and provides continuing education programs for local prosecutors.

## Vermont

The Vermont Criminal Justice Training Council, previously the Vermont Law Enforcement Training Council, includes as its members: the Commissioners of Public Safety, Corrections, Motor Vehicles, and Fish and Game; the President of the State's Attorneys Association; the Director of the Governor's Commission on the Administration of Justice; the Attorney General; the special agent in charge of the district for the Federal Bureau of Investigation; 2 members appointed by the Governor from the State Sheriff's Association; 2 members appointed from the Vermont Police Chiefs Association; and 2 citizen members. The Council is attached to the Department of Public Safety for administrative purposes, and appoints an Executive Director.

The Council encourages and assists efforts of municipalities, courts, and government agencies to improve efforts toward quality law enforcement; maintains uniform standard of recruitment; and provides "in-service training for law enforcement officers, corrections and prosecuting personnel and to offer continuing programs of instruction in up-to-date methods of law enforcement." The Council encourages the participation of local governmental units in the program and assists them in establishing adequate training facilities. (VT. STAT. ANN. tit. 20, § 2351). A 1973

amendment extended the training provision to include corrections and prosecution personnel. The Council recommends to the Attorney General minimum courses of training for all criminal justice personnel. (VT. STAT. ANN. tit. 20, § 2355). The Executive Directors of the Vermont State Attorneys and Sheriffs Departments also provide coordination of prosecutor assistance activities.

## Virginia

Virginia's Commonwealth's Attorneys Services and Training Council is under the direction and supervision of the Secretary of Public Safety. The Council includes the following 16 members: the Secretary of Public Safety; 1 Commonwealth's attorney for each congressional district; the President, President-elect, Vice-President, and Secretary-Treasurer of the Virginia Association of Commonwealth's Attorneys; and the immediate past President of the Association. As one of its enumerated powers and duties, the Council is to maintain close contact with the Attorney General's office and participate in the discussion of problems or recommendations concerning necessary research, educational needs, and other matters relative to assisting Commonwealth's attorneys.

## Washington

The Washington State Criminal Justice Training Commission, created in 1974, is composed of 2 sheriffs and 2 chiefs of police, 1 person each from the county and state correctional systems, 1 county prosecuting or municipal attorney, 1 superior or district court judge, and 1 elected local government official, which are appointed by the Governor, the Attorney General, and the special agent in charge of the Seattle office of the FBI. The Commission's Board on Prosecutor Training Standards consists of 11 members appointed by the Governor: 3 county attorneys, 3 municipal attorneys, 3 defense attorneys, and 2 professors of law from different law schools. (WASH. REV. CODE ANN. §§ 43.101.020 to 43.101.190).

The Commission is involved in contracting with qualified institutions and organizations for the operation of training and education programs for criminal justice personnel. The Commission is responsible for developing and implementing the recommendations of four advisory boards which deal with training standards and education. (WASH. REV. CODE ANN. §§ 43.101.080, 43.101.090). The Executive Secretary of the Washington State Association of Prosecuting Attorneys provides coordination of prosecutor assistance activities.

## West Virginia

The Attorney General is authorized to consult with and advise the prosecuting attorneys on the duties of their offices. (W. VA. CODE § 5-3-2). In addition, the Attorney General is authorized and directed to establish such in-service training programs as in his opinion will do the most to assist the prosecuting attorneys in the performance of their duties. He may accept federal aid or financial assistance from any private

nonprofit organization for this purpose. (W. VA. CODE § 7-7-2). The Coordinator of the Prosecuting Attorneys Association coordinates prosecutor assistance activities.

## Wisconsin

The district attorneys training program in Wisconsin was transferred from the Milwaukee County District Attorney's office to the Wisconsin Department of Justice by the legislature. This federally-funded program was established to coordinate prosecutorial training and to provide a brief bank. The training coordinator works closely with the executive board of the Wisconsin District Attorneys Association in establishing policy for the program, developing curricula, allocating resources, and identifying training needs. The Wisconsin District Attorneys Board is composed of the Attorney General, the president of the Association, and 5 district attorneys, each representing different sized counties. The district attorney members are nominated by the Association and appointed to 1-year terms by the Attorney General.

## 2. STAFF AND BUDGETS

Generally, there are three sources of funding for prosecutor assistance activities: regular appropriations, LEAA grants, and funds from prosecutors. The staff sizes vary greatly from state to state. Most states employ investigators and law student interns to assist, especially in the areas of investigative and research assistance.

Information contained in the following tables was obtained entirely from responses to the local prosecutor and the budgets and staff questionnaires. Many states responded informally, i.e., in non-numerical statements, and have, therefore, not been included. Several states apparently included the staff of their bureaus of investigation and identification in these figures. The table is meant to depict Attorney General staff members only. There are many other councils and organizations that have staff members providing assistance to local prosecutors. For most states, the budgets have been estimated.

### ATTORNEYS GENERAL'S STAFF ASSIGNED TO PROSECUTOR ASSISTANCE ACTIVITIES

(with Percent of Time Spent on Such Activities,  
either Full Time or Part Time)

	Attorneys	% of Time	Clerical	% of Time	Other	% of Time
Ariz.	10PT	20%	4PT	10%	Law Clerks (2PT) Paralegal (1PT)	20% 20%
Ark.	1FT		1FT		2FT	
Colo.	4FT					
Haw.	7PT	10%				
Idaho	3PT	65%	1PT	20%	Investigators (4PT)	70%
Ill.	20PT	20%	5PT	5%	Investigators (8PT)	30%
Iowa	1FT 3PT	30%	1FT 2PT	20%		
Kan.	3PT	20%	1PT	10%	Law Clerk (1PT)	15%
Ky.	5FT		5FT		Investigators (3FT) Administrators (3FT)	
La.	11FT		10FT		Investigators (11FT)	
Mich.	3FT		3FT 1PT	50%	Training Officer (1FT) Management Analyst (1FT) Law Student Interns (5PT)	50%
Minn.	8FT		3FT		Investigators (5FT) Law Clerks (2FT)	
Miss.	11FT		3FT			

ATTORNEYS GENERAL'S STAFF ASSIGNED TO PROSECUTOR ASSISTANCE ACTIVITIES

(with Percent of Time Spent on Such Activities,  
either Full Time or Part Time) (cont'd.)

	Attorneys	% of Time	Clerical	% of Time	Other	% of Time
Mo.	5PT	55%				
Mont.	2FT		1PT		Investigators (3FT)	
N.J.	2FT		3FT		Management Specialist (1FT) Project Specialist (1FT)	
N.M.	10FT		4FT		Law Clerks (2FT)	
N.C.	6FT		3FT		Research Assistants (2FT)	
N.D.	1FT 1PT					
Ohio	2FT 3PT	50%	72FT		Legal Intern (1FT) Identification Technicians (22FT) Criminal Investigators (64FT) Executives (8FT)	
Ore.	4FT		3FT 1PT	50%	Investigators (3FT)	
P.R.	155FT		104FT		Investigators (14FT)	
S.C.	8PT	50%	4PT	50%		
Tenn.	11PT	5%			Legal Services Admin. (1PT) Legal Services Admin. Asst. (1PT)	10%
Tex.	7FT		3FT		Investigators (9FT)	
Vt.	2FT 2PT	50%				
Va.	3FT		1FT			
Wash.	1PT		1PT		Investigator (1PT)	
W.Va.	1FT		1FT			
Wis.	1FT		1PT	20%		



ATTORNEYS GENERAL'S BUDGETS FOR PROSECUTOR ASSISTANCE ACTIVITIES

	Regular Appropriation	LEAA Grants	Funds from Prosecutors	Other
Ala.	\$ 150,000	\$100,000		
Ariz.	67,300			direct costs reimbursed by local prosecutor
Ark.	65,758	54,519		
Cal.	1,374,000			
Colo.	100,000 (salaries only)			
Idaho	45,000 (operating ex- penses)		reimburse- ment of costs	
Iowa	150,000	terminating		
Ky.	300,000	225,000	6,500	
La.	861,208			
Mich.	143,000	150,000	15,000	
Mo.	25,000			
Mont.	145,000		48,000	
N.J.	200,000	165,000		
N.C.	200,000			
N.D.	35,000			
Ohio	2,941,313	563,427		
Ore.	201,403	51,337 186,689 1978-79: spec- ial appropria- tion for D.A. assistance; 66,012-- other state ap- propriations	5,000	
P.R.	4,000,000	206,900		
S.C.	916,742	603,171	1,296,413	18,254-CETA funds
Tex.		85,161-- Aid and Informa- tion Service; 380,334-- Criminal Task Force - Organized Crime		
Utah		75,000	25,000	
Va.	71,005	16,794		
W.Va.		68,000 66,040-- federal grant for prosecution services	8,000	
		58,000		

### 3. PUBLICATIONS

Publications associated with prosecutor assistance programs generally consist of newsletters and manuals. The content of newsletters varies greatly from state to state, but generally includes Attorneys General's opinions, recent state and federal court decisions, and information on legislation of interest to local prosecutors. With a few exceptions, only publications by Attorneys General's offices are included in this discussion.

Manuals are usually of two general types or formats. Some contain miscellaneous aids to prosecutors, such as extradition procedures, how to subpoena a witness from outside the state, plea bargaining, and jury instruction. Others are designed as reference manuals for each crime, and usually are arranged by crime, with a copy of the statute, elements of the crime, and notes pertaining to case law and trial problems. Descriptions of many of these newsletters and manuals follow.

#### Arizona

The Prosecuting Attorneys' Advisory Council prepares two types of publications: weekly excerpts from nationwide cases with local interest and pamphlets covering specific areas of criminal law.

#### Arkansas

The Office of Prosecutor Coordinator, in conjunction with the Prosecuting Attorneys' Association, prepares a monthly newsletter, The Informant, containing articles concerning criminal justice issues. Each issue features articles pertaining to a particular topic. For example, the May 1978 issue featured articles relating to crime prevention programs in Arkansas and other states. Also included in this issue were synopses of important state court decisions, a Prosecutor Coordinator "Questions and Answers" section, and the agenda for a search and seizure seminar held for prosecuting attorneys in July 1978. In addition, the Office prepares a prosecutors' trial manual that is supplemented periodically. A brief bank index compiles the issues handled by the Attorney General's office on criminal appeals and research completed in response to prosecutors' memo requests. The index is also supplemented periodically.

#### California

The Attorney General's office has been actively involved in the publication of journals and reports for many years. The office currently publishes the Attorney General's Law Journal 3 times a year, containing articles and recent case notes of interest to prosecutors. The monthly Peace Officer Law Report is similar to the Law Journal; although it is designed

primarily for law enforcement officials, prosecutors also receive it. The Weekly Report on New Decisions provides summaries of recent appellate decisions handled by the Criminal Division. In addition, periodic monographs and manuals are prepared on subjects of interest to district attorneys, e.g., extradition, habeas corpus, sentencing.

## Colorado

The Colorado District Attorneys Council prepares a supplement containing criminal statutes and rules of criminal procedure and a weekly handbook containing briefs of criminal law opinions of the state supreme court.

## Georgia

The Prosecuting Attorneys Council prepares a basic prosecutor's manual, indexes to and digests of court decisions, and other educational materials.

## Hawaii

The monthly Hawaii Prosecutor-Public Defender Newsletter, distributed by the Prosecutor-Public Defender Clearinghouse and Institute, contains case summaries with notes on legislative activities when the legislature is in session. Announcements are made in each issue and monthly additions to the brief bank are included.

## Iowa

The Attorney General's office publishes a monthly Criminal Law Dictionary, which includes updates of all Iowa and major federal case decisions. The Prosecuting Attorney Training Coordinator publishes The Prosecutors Desk Book containing basic information of interest to county attorneys, and a monthly newsletter.

## Kentucky

In the past the Prosecutor Services Division has published the Commonwealth Quarterly, which is designed specifically for criminal justice practitioners. Its purpose is to keep law enforcement personnel current on recent developments in criminal law and to provide them with expertise in specialized areas. For example, the first edition of the Quarterly, published October 15, 1976, was divided into 5 departments: The Editor's Observations; The Attorney General Comments; Important Recent Decisions; Developments of Note; and Explaining the Law. The Division has recently obtained supplemental funding to allow continued publication of the Quarterly. Publication of a monthly newsletter has been discontinued.

## Maine

The Maine Prosecutor, published 6 times a year, summarizes criminal case decisions of the U.S. Supreme Court, the First Circuit Court of Appeals, and the Maine Supreme Court, and also contains recent Attorney General opinions. In order to maintain this publication, attorneys in the Law Enforcement Education Section of the Attorney General's office maintain regular contact with all district attorneys' offices. The monthly Alert newsletter is intended for the use and information of those involved in the criminal justice system. It contains a message from the Attorney General, abstracts of recent Maine court decisions, and important U.S. Supreme Court and circuit court of appeals decisions. The Alert is partially funded by a grant from the Maine Criminal Justice Planning and Assistance Agency.

## Michigan

The Prosecuting Attorneys Coordinating Council publishes The Michigan Prosecutor, a twice-monthly newsletter. In addition, the Attorney General's office publishes a trial manual, updated semiannually, summarizing current cases; a warrant manual providing the correct charging language for all Michigan offenses; a clerical handbook for prosecutors' support staff; a civil handbook summarizing the prosecutors' civil duties; and miscellaneous handbooks and pamphlets on topics such as fraudulent documents, preliminary examinations, extradition, and rendition of witnesses.

## Minnesota

In June 1978, the Attorney General's office resumed publication of the Attorney General's Messenger newsletter. Published on a monthly or bi-monthly basis, it focuses on questions of state and local law of particular interest to county attorneys and other public officials. Each issue will include an article of general interest, synopses of recent court decisions and Attorney General opinions, and coverage of other newsworthy events.

## New Hampshire

In accordance with statutory requirements, the Attorney General prepares and distributes a Law Enforcement Manual. The subject matter is not limited to prosecution and its distribution is not limited to prosecutors.

## New Jersey

The Attorney General prepares a biweekly Criminal Law Digest, which contains synopses of all New Jersey and certain selected federal criminal cases; a Criminal Justice Quarterly, which includes articles on cases and various aspects of the criminal justice system; a prosecutors' manual; Sources of Information for New Jersey Law Enforcement Agencies; a grand jury manual; and Practice and Procedures for Juvenile Officers.

## New Mexico

The Criminal Division in the Attorney General's office distributes the criminal opinions of New Mexico's appellate courts on a weekly basis to the state's district attorneys. Case synopses of all reported New Mexico criminal opinions are distributed annually to the state's district attorneys.

## North Carolina

The Criminal Justice Bulletin, published by the North Carolina Justice Academy, contains synopses of recent criminal law decisions of the North Carolina appellate courts and Attorney General opinions. The Criminal Justice Bulletin newsletter, previously published by the Attorney General's office, has been discontinued.

The Administrative Office of the Courts has a block grant for training programs and preparation of a quick reference manual, designed for courtroom use. It contains the statute for each crime, in alphabetical order, and reviews the problems raised in cases pertaining to the crime. The work is contracted to the University of North Carolina's Institute of Government, which provides research, advice, and training for state and local government. The Institute of Government works closely with the Administrative Office of the Courts and an advisory panel of prosecutors in preparing the manual.

## North Dakota

The Attorney General's office prepares a periodic bulletin containing recent criminal law court decisions, Attorney General opinions, and other articles of interest. The bulletin is distributed to local prosecutors, as well as other interested officials.

## Ohio

The Attorney General's office prepares an annual Uniform Crime Report which contains a detailed statistical report on crime in Ohio; a Monthly Crime Bulletin which discusses current topics and legal opinions regarding criminal law enforcement; a 200-page manual, last published in 1976, entitled the Ohio Drug Abuse Control Act Training Manual, designed as a self-instruction guide for law enforcement personnel and prosecutors on the state's drug laws; and a pamphlet, Ohio Obscenity Laws, containing a compilation of current Ohio statutes and applicable case law relating to the control of obscenity. The pamphlet is periodically revised to incorporate changes in the statutes or case law.

## Oregon

Oregon's joint Attorney General-Prosecutors Association program has prepared an indexed trial manual covering all phases of a trial with case

citations, and an office management guide. In addition, the following are being or have been prepared: Oregon Criminal Reporter, a monthly indexed case digest; an indictment form book; a jury instruction manual; a trial book preparation guide; an extradition handbook; a physical evidence manual; investigative check lists for homicide, robbery and vehicular homicide; The Use of Video Tape in Criminal Trials; and an annual reference manual prepared in conjunction with the 1-week in-residence annual prosecutors' training institute. The District Attorney Coordinator also publishes a monthly newsletter, The Verdict.

### South Carolina

The Attorney General's office prepares The South Carolina Solicitor, a monthly publication with sections on Attorney General opinions, recent state and federal court decisions, and the status of legislation affecting prosecutors.

### Tennessee

The Attorney General's office publishes a bi-monthly newsletter, the Abstract, which is sent to all lawyers in the state and contains synopses of recent decisions in criminal cases, recent legislation of interest, and an index to official Attorney General opinions. Slip opinions of all Tennessee Supreme Court decisions are sent to paid subscribers and various state departments. These publications are not sent exclusively to local prosecutors, but contain information of interest to them.

### Texas

The Attorney General's office in Texas prepares the bi-weekly Crime Prevention Newsletter. This newsletter is financed by an LEAA grant and provides summaries of recent Attorney General opinions, new legislation, and state and federal cases dealing with criminal law and procedure. In addition, an annual subject index on cases summarized during the year is published.

### Utah

The Statewide Association of Prosecutors publishes a monthly newsletter that digests significant state and federal court decisions and Attorney General opinions in the criminal law area.

### Virginia

The Attorney General's office publishes The Virginia Prosecutor, a monthly 4-page newsletter that discusses recent court decisions, Attorney General opinions, and statutory changes relating to criminal law. The Virginia Magistrate, while designed particularly for magistrates, is of

interest to prosecutors since it contains summaries of relevant Virginia Supreme Court decisions and Attorney General opinions. The monthly Civil Digest contains digests of civil opinions issued by the Attorney General concerning questions of interest to state and local governmental agencies. A Commonwealth's Attorney's Handbook is revised and updated as necessary. This manual contains chapters on preparation for trial, duties and responsibilities of the Commonwealth's attorneys, trial tactics, plea bargaining, and appellate proceedings. Distribution of copies of slip opinions of criminal cases decided by the Virginia Supreme Court and copies and summaries of recent legislation of interest to Commonwealth's Attorneys after each session of the Virginia General Assembly are also provided.

## West Virginia

The Attorney General publishes an annual Criminal Law Bulletin containing an informal summary of recent cases. The Attorney General's office also published a Form Instructions guide in 1971. A Form Indictments guide is currently being planned.

## Wisconsin

The Attorney General's office has prepared a detailed manual, The Wisconsin District Attorney and the Criminal Cases, for Wisconsin prosecutors. It is organized into 3 parts: investigation, trial, and post-conviction proceedings. The investigation section covers grand jury proceedings, including such subjects as the privilege against self-incrimination and the right to counsel; coroners' inquests; and assistance to law enforcement officers during investigations. The trial section covers procedures in commencing the formal prosecution; procuring the presence of the defendant before the court, including extradition; the preliminary examination; jury trials; the unruly defendant; and sentencing and commitment. The post-conviction proceedings section covers post-conviction motions in the trial court, appeals and writs of error, and proceedings under the post-conviction act. The Statewide Prosecution Education and Training Program publishes a monthly newsletter, which contains announcements of training seminars and conferences, synopses of recent court cases, and new statutes.

#### 4. TRAINING PROGRAMS

Training and information is a constant and vital need for any profession. Even an optimum system of career prosecutors would need to be kept informed of changes in the law, new court decisions, improvements in investigative techniques, and a myriad of other matters. Training programs are also valuable for providing a forum for the exchange of ideas among prosecutors and the discussion of common problems.

Program frequency and format vary from state to state; however, the convenience of prosecutors is the primary factor in scheduling conferences and seminars. Some training is being designed specifically for newly-elected and newly-hired prosecutors. Seminars and specialized training are being presented for experienced prosecutors. In many states, programs are conducted more than once, often on a regional basis, to enable more prosecutors to attend. Many programs are using experienced prosecutors from the Attorney General's office as instructors instead of nationally-recognized lecturers. The following is a brief summary of the training programs and activities in various states from information obtained primarily from the local prosecutor questionnaire.

##### Arkansas

The Prosecutor Coordinator presents 4 yearly in-state training and continuing education programs or seminars for the state's prosecutors and deputy prosecutors. The duration of the seminars is usually 3-4 days and they include the following subjects: managing a prosecutor's office; trial preparation; and investigation of criminal offenses. Two recent seminars involved office management and search and seizure. The Coordinator's office also assists and participates in programs and seminars presented by NDAA.

##### California

The Attorney General's office conducts various courses of interest not only to local prosecutors, but also to law enforcement officers. For example, a 20-hour course on heroin influence is offered 10 times per year at various statewide locations to train investigators and prosecutors to handle heroin addiction cases. A 40-hour course investigating the involvement of organized crime in pornography is given 4 times per year, with an emphasis on civil remedies. In addition, the office provides speakers and panel participants at prosecutor meetings involving subjects such as death penalty litigation and Medicaid fraud prosecutions.

##### Indiana

The Attorney General's office sponsors the Attorney General's Annual



Conference for Prosecuting Attorneys. The last such conference was held November 30-December 2, 1977. Speakers included the Dean of the Indiana University School of Law, a judge of the Court of Special Appeals in Maryland, and members of the Attorney General's staff. The program included panel discussions on various elements of the legal and criminal justice systems, including search and seizure, and the use of scientific evidence in the prosecution of crime. The conference was coordinated by the Attorney General's Criminal Justice Section, and administrative support was provided by the staff of the Prosecuting Attorneys Council, which also conducts other training programs several times a year. The Council also assists prosecutors in attending NCDAs and NDAA seminars, and the Northwestern University Short Course.

#### Iowa

The Prosecuting Attorney Training Coordinator conducts semi-annual training programs for county attorneys. The Coordinator also arranges other programs including specialized training sessions and an introductory session for newly-elected prosecutors.

#### Kansas

The Attorney General's staff assists in training programs sponsored by the Kansas Trial Lawyers Association. These statewide programs are 2 days in length, and cover topics such as voir dire, preliminary hearings, and significant Supreme Court cases.

#### Kentucky

The Prosecutors Advisory Council sponsored the Second Annual Kentucky Prosecutors Conference, August 10-12, 1978 in Louisville. The conference featured 3 days of continuing legal education with seminars covering subjects such as the persistent felony offender statute, trial tactics, the use of conspiracy law in drug-related prosecutions, and enforcement of child support.

The Prosecutor Services Division of the Attorney General's office will sponsor a 2-week training program for detectives employed by Commonwealth's attorneys at the Eastern Kentucky University Law Enforcement Training Center. The Division also anticipates developing an intensive trial tactics seminar for assistant prosecutors. In the past, the Division has coordinated and participated in programs, in conjunction with State Police Crime Laboratory personnel and members of the Commonwealth and County Attorneys Associations.

#### Maine

Prosecutor training and assistance activities are being conducted by the Attorney General's office through the Law Enforcement Education

Section of its Criminal Division. A statewide prosecutors seminar is conducted annually, lasting 2-1/2 days, and covering subjects related to the prosecution of criminal cases.

## Michigan

The Prosecuting Attorneys Coordinating Council and the Prosecuting Attorneys Association of Michigan (PACC/PAAM) have conducted 26 training seminars up to July 1978. Twenty-one of these seminars were regional and 5 were statewide events. Two more statewide conferences were planned prior to the end of the training year.

The Council, of which Attorney General Frank J. Kelley is Chairman, has also been awarded a \$48,000 LEAA grant for encouraging career prosecutors. The 1-year grant, effective October 1, 1978, is a continuation of a similar grant. It has 3 objectives: (1) to promote awareness of public prosecution as an attractive career opportunity; (2) to identify senior law students who are potential career prosecutors; and (3) to test different means of preparing law students for prosecution careers through internships.

Thirty law students who parallel as closely as possible a staff-developed prosecution "profile" will be recruited from the class of 1980. The "profile" will show background, interests, aptitude, and skills. They will be given a week of training by the Council and then placed as full-time interns in prosecutors' offices during the summer of 1979. The host prosecutors will be oriented in advance, and the internship experience will be evaluated at the end of the summer. Participating offices will be required to appropriate cash match and to submit a program outline of intern duties.

Occasionally, but not frequently, training sessions conducted by the Attorney General's office are co-sponsored by other interested groups. For example, the Michigan Department of Social Services assists with training in the area of enforcement of obligations of support. The Michigan Department of Commerce assists with training in the area of prosecuting securities fraud.

## Minnesota

A basic training course for county attorneys and their assistants was recently sponsored by the County Attorneys Council under the terms of an LEAA grant. The course was split into 2 sessions, each lasting 3 days. Each session covered different civil and criminal topics. Assisting in the program planning was an advisory committee consisting of experienced county attorneys and assistants as well as a representative from the Attorney General's office. The course was primarily directed at the newer county attorneys and assistants in the state to assist them in understanding the broad scope of responsibilities of the office of county attorney. Special emphasis was given to current case law and legislative developments and solutions to problems frequently encountered in both civil and criminal areas of responsibility.

## Montana

The County Prosecutor Services Bureau conducts 2 annual statewide seminars lasting 2-3 days and covering all aspects of the criminal law and the prosecution function. A seminar emphasizing rape and homicide was held December 8-9, 1977 in Billings, provided for by a grant approved by the Montana Board of Crime Control (MBCC). A substantial amount of money was invested by MBCC to provide this in-state training that had been previously available only to those few prosecutors who attended out-of state seminars. MBCC provided funds for prosecutor training in 1973, according to COAG's 1974 report, and continues to do so in the present.

## New Jersey

The Prosecutors Supervisory Section conducts the following training courses: 4 annual basic prosecutors training courses lasting 4 days; an annual 2-1/2-day advanced prosecutors training seminar; periodic 5-day homicide investigation seminars; an annual 3-day prosecutors management training course; an annual 10-day investigation of economic crime and official corruption course; periodic 1-day regional leadership training conferences on the implementation of the Alcoholism Treatment and Rehabilitation Act of 1976; periodic 3-day regional courses in the investigation of child abuse cases; periodic 25-day prosecutors, detectives, and investigators training course; and a periodic 2-day juvenile officers training manual seminar. The Section also obtained a \$25,000 LEAA block grant to conduct a 3-day, in-residence, prosecutors management training course on September 6-8, 1978. This course included lecturers from throughout the nation and utilized management materials from the National College of District Attorneys. The course assisted the Section in identifying those areas of technical and management assistance which can be provided to the 21 county prosecutors.

## New Mexico

During 1977, the Attorney General's office provided all state prosecutors with the opportunity to attend, for a \$150 fee per attendee, the Hastings College of Trial Advocacy Criminal Law Seminar. The Seminar was held in Santa Fe to minimize travel and tuition costs.

## North Carolina

North Carolina's Institute of Government conducts 2 annual 3-day conferences for all prosecutors. The Institute works closely with the Administrative Office of the Courts and an advisory panel of prosecutors in conducting training.

## Ohio

The Ohio Peace Officer Training Academy, a division of the Attorney

General's office, conducts regular training programs, which are open to prosecutors' staff as well as peace officers. The Academy sponsors 2 sessions each year. Course offerings of relevance to the prosecutors are drug investigation, homicide investigation, managing criminal investigation, interviewing and interrogation, and investigative report writing. The Attorney General has also sponsored special seminars on new laws and regulations. For example, a comprehensive program was prepared in 1976 to familiarize prosecutors with the state's new drug laws.

## Oregon

For the past 7 years, the Oregon Department of Justice, with the cooperation of the Oregon District Attorneys Association (ODAA), has held a 1-week in-residence summer institute for prosecutors. The institute provides courses of interest to advanced prosecutors as well as a curriculum designed to improve basic prosecutorial skills. Instructors include Oregon prosecutors and judges, Department of Justice lawyers, and specialists in various criminal law and related fields from both within and outside of Oregon. The ODAA sponsors semi-annual meetings featuring training sessions on subjects in the criminal law field. Members of the Department of Justice's staff participate in these programs by planning the contents and providing instructors.

In addition, seminars on the following subjects have been conducted in the past: ODAA trial orientation for prosecutors; regional and state-wide non-support; search and seizure; homicide and robbery; Oregon Traffic Code and Criminal Code revision; the use of video tape in criminal trials; and prosecutor office management. The development of a video tape program to instruct district attorney support personnel on the basics of the court system and criminal law requires that a training package be developed. It is estimated that \$5,000 will be necessary to fulfill this program.

## Puerto Rico

The Secretary of Justice's office holds 2 annual seminars for prosecutors. These seminars last for 4 days and emphasize rules of criminal procedure, the Penal Code, and recent Supreme Court decisions. The office also organizes and participates in seminars and conferences sponsored by other groups.

## South Carolina

The Attorney General's office holds an annual multi-day training program for all prosecutors in the state, providing instruction covering the full spectrum of topics relating to criminal law. The Attorney General's office is currently in the process of developing monthly regional training sessions.

## Texas

The Attorney General sponsors an annual law enforcement conference for local prosecutors, judges, and peace officers. Attorneys from the Organized Crime Division, Law Enforcement Division, Consumer Protection Division, and the Crime Prevention Division of the Attorney General's office are frequent speakers at local, regional and statewide seminars for prosecutors and peace officers sponsored by various agencies and groups, including the NCDA and the Texas District and County Attorneys Association.

## West Virginia

The Prosecutor Coordinator conducts annual, 3-day seminars at 3 different locations. Prosecutors and their assistants from all 55 counties may attend. Subjects include practical skills, theory, policy, new developments, and pertinent legislation. For example, seminars have covered procedures under the new juvenile law, methods of handling a rape victim, criticism of the proposed West Virginia Criminal Code, and rebutting the insanity defense. In addition, the Attorney General's staff assists in coordinating and conducting programs sponsored by other groups and, when needed, has supplied individual attorneys to lead panel discussions or make presentations.

## Wisconsin

The Attorney General's office conducts bi-monthly courses and an annual week-long course for newly-elected or appointed prosecutors. Additional seminars range from 1 to 2 days in length. Topics discussed include: juvenile justice; cross examination; prosecutor's tools; trial of homicide cases; investigative procedures; and jury selection. The newly-created, federally-funded Wisconsin District Attorneys Board, transferred to the Department of Justice by the legislature, will work closely with the Wisconsin District Attorneys Association in establishing policy for the district attorneys' training program, developing curricula, and allocating resources.

## 5. TECHNICAL ASSISTANCE

Training and assistance programs sponsored by Attorneys General and other groups generally provide some type of advice and research, prosecutorial, or investigative assistance services. The amount of research assistance can vary, depending on the complexity of the legal issues involved. The request for information may be made in the form of written memoranda, or, in emergency situations, by telephone consultation.

Prosecutorial and investigative assistance varies from state to state, but can include assigning an Attorney General to handle a case when the local prosecutor has a conflict of interest that disqualifies him and advising local prosecutors handling specific cases in which the Attorney General's staff has expertise or where the local prosecutor lacks the necessary manpower. Many Attorneys General provide other forms of assistance, such as: handling criminal appeals and post-conviction hearings; establishing special units in such areas as consumer protection, consumer fraud, economic crime, and organized crime; and establishing state bureaus of investigation that assist local prosecutors by providing scientific analyses of crime and preparation of evidence. Additionally, several states have criminal justice planning commissions, upon which the Attorney General serves, that administer and coordinate programs designed to improve law enforcement and criminal justice. However, those types of assistance are generally not included in the following discussion. For information concerning these types of assistance, refer to COAG's 1977 report, Powers, Duties and Operations of State Attorneys General.

### Arkansas

The Office of Prosecutor Coordinator, working in conjunction with the Attorney General, provides emergency research service for prosecutors preparing for or involved in trial. The Office is also authorized to coordinate inter-judicial district investigations and prosecutions of organized crime. On occasion, the Attorney General's office has assisted local prosecutors in the investigation and presentation of cases. A brief bank index is also maintained and distributed to each state prosecutor and deputy state prosecutor. This index allows prosecutors to "tap-in" to research previously completed by the Attorney General's office in preparing appellate briefs and research memorandum. Extensive, formal memos are provided to prosecutors if time allows. Research of issues of interest to local government administration is also provided.

### Hawaii

The Attorney General's office provides investigative and prosecutorial assistance to prosecutors on a case-by-case basis. This assistance could involve prosecuting the entire case, serving as co-counsel, or providing

research assistance and memos. The Governor is currently releasing money through grants-in-aid to local prosecutors, under the direction of the Attorney General's office, to establish a statewide career criminal prosecution program. Units would be established in each county prosecutor's office. The Attorney General's office would monitor the use of the state funds, using uniform statewide criteria, to assure the monies are being used in accordance with the program. Details concerning the implementation of the program are now being finalized between the Attorney General's office and the 4 county prosecutors.

Hawaii's Prosecutor-Public Defender Clearinghouse and Institute continues to provide research and training assistance to the offices of the county prosecutors and the public defender. The Clearinghouse became operational on July 25, 1971, funded partly by a LEAA grant and matching state and county funds. The program is attached to the Office of Social Resources of the City and County of Honolulu for administrative purposes. The Clearinghouse has several programs designed to improve the effectiveness of prosecuting attorneys and public defenders, including: preparing manuals on prosecutorial, defense, and general criminal procedure; editing, publishing, and distributing a monthly newsletter containing case notes, a calendar of events, articles contributed by attorneys, reviews of legal literature, recent additions to the memo-brief bank, and other items of interest to prosecutors and defenders; and an in-service training program. The memo-brief bank is statewide in scope and operation and serves as an organizer and coordinator of all memos and briefs written by the Office of the Prosecuting Attorney, City and County of Honolulu, from 1966 to the present.

## Idaho

The Attorney General provides investigative services and experienced prosecutors to assist in or handle a prosecutor's case from start to finish. The Attorney General's office has handled approximately 25 major felony cases during the past 2 years, involving crimes such as corruption in state or county government, white collar crime, and murder. Opinions are provided on a case-by-case basis. The Attorney General also assists prosecutors in getting bills through the legislature.

## Illinois

The Attorney General considers all state's attorney requests for prosecutorial assistance. Major factors influencing his decision to enter a case are: conflict of interest; official misconduct; violent crimes in which the local prosecutor is inexperienced; major financial crimes; multi-county offenses; conspiracy; and those cases for which expertise and/or manpower is lacking at the local level. Also, on request, the Attorney General's office handles all cases involving Illinois Revenue Code violations.

The Prosecution Assistance Bureau of the Criminal Justice Division of the Attorney General's office provides assistance at the trial court level to the 102 county state's attorneys and handles all criminal appeal cases to

the Illinois Supreme Court and the U.S. Supreme Court. In the 1976 Illinois Attorney General's Report and Opinions, Attorney General William J. Scott stated:

Our services at trial are requested for a variety of reasons. The increasing trend toward major crimes occurring in rural areas and smaller counties places a burden on the county prosecutors' staffs and budgets. States Attorneys often find that the expertise of our staff in prosecuting major felonies and complex white-collar crimes is invaluable. This bureau's success rate is 96 percent in obtaining convictions, and 87 percent in obtaining confinement of those convicted, speaks for itself. We are frequently called in because of illness of a State's Attorney, or because of a vacancy in the office. In one instance, a State's Attorney asked our office to take over several cases of murder when he anticipated being elected to a judgeship and wanted the cases to receive continuity of prosecution. The Bureau handled 146 cases, with action pending in 23.

### Indiana

The Criminal Justice Liaison Section in the Attorney General's office provides legal counsel and representation on a daily basis to state agencies dealing with the criminal justice process. The Section also works with local prosecuting attorneys on matters of joint concern. In conjunction with the Attorney General's Appellate Section, it plans and coordinates semi-annual conferences for prosecuting attorneys. Individual prosecuting attorneys make requests for consultation and research by telephone, mail, and in person, to which the Criminal Justice Liaison Section is authorized to respond.

### Kentucky

The Unified Prosecutorial System provides investigative and trial assistance to local prosecutors upon request by individual prosecutors or the Governor and, in cases of disqualification, by local prosecutors due to conflict of interest. Since January 1, 1978, the Special Prosecutions Unit has processed 122 cases and in doing so has obtained 65 convictions, has referred 26 cases for prosecution by other local prosecutors, and currently has 31 cases set for trial. The Economic Fraud Unit has processed 36 cases since January 1, 1978, and is presently preparing for trial a securities fraud case involving 96 counts. The Attorney General's office is currently in the process of developing a computerized research capability to further assist local prosecutors.

### Louisiana

Attorneys in the Criminal Division of the Attorney General's office are frequently called upon to prosecute cases where a district attorney is excused for any reason, and to assist in the investigation and prosecution of all types of major felonies, particularly cases involving political corruption. In addition, the Division researches and issues numerous Attorney General opinions in the criminal law area to local district attorneys.



An instant writ service is maintained by the Division whereby a local prosecutor, when faced with an adverse court ruling during trial, may contact the Division's office by telephone and set forth the facts at issue and the ruling of the court. The Division's staff then prepares and submits a writ application to the supreme court, resulting in a supreme court ruling in a matter of hours.

## Massachusetts

In 1977, a federal grant providing a violent crime unit was amended to permit "intake screening" assistance to the district attorney of Norfolk County. One attorney from the Attorney General's office was permanently assigned to the district attorney for this purpose. Additionally, the Attorney General lent staff assistance in the person of an Assistant Attorney General. The district attorney provided assistants to manage the cases in the various district courts. The program lasted approximately 16 months and was ultimately assimilated by the district attorney of Norfolk County.

Prosecutors from the Criminal Bureau of the Attorney General's office have been assigned to assist local prosecutors for a number of reasons, but most often to relieve assignment congestion. For the past 5 years, at least 3 counties have requested and received such assistance. The Attorney General's office provides research facilities and advice on an ad hoc basis, and retains prosecutorial direction for cases involving multi-jurisdictional aspects as well as for cases involving statewide criminal activity.

## Michigan

The Criminal Division of the Attorney General's office provides investigative and prosecutorial assistance on a limited basis, but an anticipated federal grant will raise this level of assistance. Law student interns provide research assistance in response to telephone inquiries. The Attorney General's Prosecuting Attorneys Appellate Unit under the Solicitor General does all appellate work for prosecutors in counties under 10,000 in population and in varying levels for larger offices. The Attorney General's office serves as a liaison with law schools to promote awareness of public prosecution as a career possibility and maintains an employment service to assist both prosecutors' offices and job candidates; provides prosecutor office management technical assistance and technology transfer coordination; monitors autonomous efforts in prosecutors' offices that are seeking to establish similar new services or pilot projects; and tailors proven prosecution services for application in non-pilot counties.

## Minnesota

The Criminal Division provides prosecutorial assistance to county attorneys on a request basis. Most frequently, assistance is provided in conflict of interest situations or in cases prompted by state agency involvement. Particular expertise is also available for complex economic

crimes. An appellate brief bank has been developed, using LEAA funding. An index is provided to all prosecutors and a law clerk is available to provide research assistance.

## Montana

Through the County Prosecutor Services Bureau, prosecutorial, research, and investigative assistance is rendered to local prosecutors upon request. In addition, the Bureau applies for and disburses federal funds to provide out-of-state training for prosecutors; files amicus curiae briefs and argues on behalf of the prosecutors' association; maintains a brief bank; and prepares legislation for and on behalf of the prosecutors' association.

## New Jersey

The Prosecutors Supervisory Section of the Division of Criminal Justice in the Attorney General's office: serves as a liaison between the Division and the 21 county prosecutors in a supervisory capacity; establishes the agenda for and conducts monthly meetings of the county prosecutors, the Attorney General, and the Director of the Division and coordinates actions resulting from these meetings; furnishes management and budgetary assistance to county prosecutors; reviews all applications from county prosecutors for witness immunity petitions; has supervisory responsibility over those counties where the Attorney General is in charge of a prosecutor's office due to a vacancy; processes requests from county prosecutors for in-progress trace approvals by the Attorney General; and processes all security clearance requests from county prosecutors covering assistant prosecutors and other prosecutor's employees.

The Section Chief serves as Project Director of the Career Criminal Program, established in Hudson and Passaic Counties, effective July 1, 1978. Additionally, the Section prepared a SLEPA application for the Atlantic County Prosecutor's office to implement a Career Criminal Program in that county, which will be effective on or before January 1, 1979. The Section also prepared a concept paper and formal LEAA application for the implementation of a computerized Prosecutors Management Information System (PROMIS) in all county prosecutors' offices, which was approved by LEAA on October 12, 1978.

## New York

The Division of Criminal Justice Services, Bureau of Prosecution and Defense Services, is responsible for providing technical assistance to prosecutors. The Division assumes the powers and duties formerly delegated to the Office of Prosecutorial Services. The Division makes supportive services available to district attorneys, undertakes research and statistical studies of interest to local prosecutors, and acts as a central clearinghouse. A statewide Organized Crime Task Force cooperates and assists district attorneys in their efforts against organized crime.

## North Carolina

The Special Prosecution Division, started in 1977 with an LEAA grant and continued in June 1978 as a state-funded unit within the Department of Justice, provides research assistance to trial judges and district attorneys. Upon request by a district attorney and with the Attorney General's approval, the Division provides investigative and prosecutorial assistance, e.g., handling a case in place of the district attorney, taking a case referral, and occasional trial assistance. The Attorney General's office provides special investigative assistance upon request in business and financial crime cases; assists in child support and welfare cases; and advises district attorneys upon request in matters relating to motor vehicles law, insurance law, and tax law violations.

## Ohio

The Attorney General's Consumer Frauds staff works in close cooperation with those prosecutors having active fraud units. Bi-monthly seminars are held to discuss joint enforcement activities, new laws and regulations, and other general educational matters. The Charitable Foundations Section cooperates with the prosecutors in investigating bingo and other games of chance. The Attorney General undertakes major research activities as a function of his duty to render opinions to county prosecutors. The office also responds to information requests for research assistance, estimating it receives approximately 20 requests per month from prosecutors for such assistance.

## Oregon

Under the joint Attorney General-ODAA program, support staff, including the Coordinator, is housed within the offices of the Department of Justice. A full-time investigator is employed by the Department, who is available on request of a local district attorney to provide investigative pre-trial preparation and support. Requests for this service are made directly to the ODAA Coordinator or to the Criminal Justice Division of the Department of Justice. When engaged in this support activity, the investigator is under the direction and control of the prosecutor handling the case. He is available to assist district attorneys with the assembly and organization of a trial book case file, fully indexed as to subject matter and witnesses. The project investigator assists the district attorney in locating and interviewing witnesses, taking statements prior to trial and in many other tasks.

The budget for this program provides funding for trial aids, including photo mosaics, enlarged photographs, color photography, aerial photography, maps, scale drawings and diagrams, scale models and other demonstrative exhibits. These and similar items are often not available through local sources in small communities and are made available to all prosecutors in major cases through this project. The project budget also contains limited funding for the purpose of obtaining the services of expert witnesses, such as psychiatrists, medical doctors, psychologists,

accountants and scientific technicians when local resources or state crime lab facilities cannot provide the needed services. The project budget provides funds for the purpose of securing the attendance of critical witnesses from such a distance as to prove prohibitive in cost to the local district attorney's budget.

#### Texas

The Attorney General has statutory authority to appear before grand juries and obtain indictments, but prosecution of criminal cases is primarily the local prosecutors' responsibility. The Attorney General does provide assistance to local prosecutors, upon request, in the investigation and prosecution of criminal cases where the local prosecutor lacks the necessary manpower and/or expertise, e.g., capital murder, bank investigations and other forms of "white collar" fraud, political corruption cases, multi-jurisdictional conspiracy cases, etc. Additionally, the Crime Prevention Division has an inward wats line service available to assist local prosecutors in obtaining assistance in criminal matters.

#### Wisconsin

Upon request by district attorneys, the Department of Justice's Division of Law Enforcement Services provides scientific analysis of evidence, including ballistics, chemistry, handwriting, metallurgy, and micrography. The Appeals and Criminal Units provide legal research and advisory assistance. The Statewide Prosecution Education and Training Program (SPET) provides a telephone "hot-line" for emergency assistance. The Attorney General's office also administers out-of-state prosecution training grants.

## APPENDIX

### BASIC DATA ON PROSECUTOR ASSISTANCE PROGRAMS

(Source: COAG questionnaire to Attorneys General's offices.  
Some additional data were derived from review of statutes.)

\*Note: Throughout the Appendix, assistance is defined as providing continuing legal education and training to local prosecutors.

#### ALABAMA

Statutory Basis: ALA. CODE § 36-15-1. No specific direction for assistance.

Staff: no information.

Budget: \$150,000 (est.)-- regular appropriation. \$100,000 (est.)-- LEAA grants.

Advisory Board: none for Attorney General.  
Office of Prosecution Services. ALA. CODE §§ 12-17-221, 12-17-230 to 12-17-234.

Publications: quarterly publication of Attorney General's opinions. Office of Prosecution Services prepares indexes to and digests of court decisions; basic prosecutor's manual, other educational material.

Training Programs: provides state-wide programs as needed; Attorney General's staff serves as instructors and panel members on training sessions for new prosecutors. Office of Prosecution Services promotes and assists in training programs.

Services: Attorney General's office gives investigative, prosecutorial, and research assistance; represents state in appeals. Office of Prosecution Services provides legal research assistance.

#### ALASKA

(Attorney General is responsible for all prosecution; no local prosecutors.)

#### ARIZONA

Statutory Basis: ARIZ. REV. STAT. ANN. § 41-193. Attorney General has supervisory powers over county attorneys. No specific direction for assistance.

Staff: 10 part-time attorneys; 4 part-time secretaries; 2 part-time law clerks; 1 part-time paralegal.

Budget: \$67,300-- regular appropriation; direct costs reimbursed by local prosecutors' funds.

Advisory Board: Arizona Prosecuting Attorney's Advisory Council, composed of 19 members, including Attorney General. ARIZ. REV. STAT. ANN. §§ 41-1830 to 1830.03. The Arizona County Attorneys Association has an Executive Director responsible for prosecutor assistance activities.

Publications: Council publishes weekly excerpts from cases of local interest and pamphlets covering specific areas of the law.

Training Programs: conducted by the Council with Attorney General's staff participating as lecturers in trial skills and statutory update classes.

Services: handles appeals; gives research assistance; tries cases where conflict of interest disqualifies local prosecutor. Council conducts research of interest to local prosecutors.

## ARKANSAS

Statutory Basis: ARK. STAT. ANN. § 12-702. No specific direction for assistance.

Staff: 1 full-time attorney; 1 full-time secretary; 2 others full-time.

Budget: \$65,758-- regular appropriation; \$54,519-- LEAA grants (FY 1978-79).

Advisory Board: Prosecution Coordination Commission, composed of 7 prosecuting attorneys. ARK. STAT. ANN. §§ 24-127 to 128.

Publications: Attorney General's office publishes trial manual; brief bank index; monthly newsletter The Informant.

Training Programs: Prosecutor Coordinator conducts 4 annual in-state training seminars; assists and participates in NDAA programs.

Services: Prosecutor Coordinator's office provides emergency research services; coordinates inter-judicial district investigation and prosecution of organized crime; gives occasional assistance in presentation of cases; researches issues and advises prosecution concerning local government issues; provides copies of memos and appellate briefs on request.

## CALIFORNIA

Statutory Basis: CAL. CONST. art. 5, § 13. CAL. GOV'T CODE §§ 12519, 12560. CAL. PENAL CODE § 11050.5. Direct supervision over district attorneys. Attorney General can make department's laboratory facilities available to district attorneys. Attorney General can call district attorneys into conference to discuss duties. No specific direction for assistance.

Staff: 20 man-year equivalent-- attorneys; 16 man-year equivalent-- secretaries.

Budget: \$1,374,000 (est.)-- regular appropriation.

Advisory Board: none for Attorney General.

The California District Attorneys Association has an Executive Director responsible for prosecutor assistance activities.

Publications: law journal published 3 times yearly; monthly law enforcement report; weekly report on new decisions; periodic monographs and manuals.

Training Programs: conducts heroin influence course 10 times per year; organized crime in pornography course 4 times per year, and other training courses for law enforcement officers and district attorneys; Attorney General's staff serves as speakers and panel participants at prosecutor meetings.

Services: handles cases when district attorney is disqualified; gives research and advisory assistance on case-by-case basis.

## COLORADO

Statutory Basis: COLO. REV. STAT. § 24-31-101. No specific direction for assistance.

Staff: 4 full-time attorneys.

Budget: \$100,000 (actual; salaries only)-- regular appropriation.

Advisory Board: none for Attorney General.

The Executive Director of Colorado District Attorneys Council coordinates prosecutor training and assistance programs. 1977 Colo. Sess. Laws §§ 20-1-110 to 111.

Publications: none by Attorney General.

Council prepares supplement containing criminal statutes and rules of criminal procedure and weekly handbook containing briefs of criminal law opinions of state supreme court.

Training Programs: Council conducts training programs.

Services: gives investigative, prosecutorial, and trial assistance. Joint effort between local prosecutors and Attorney General in Medicaid fraud prosecutions.

## CONNECTICUT

(Attorney General has no criminal jurisdiction.)

## DELAWARE

(Attorney General is responsible for all prosecutions; no local prosecutors.)

## FLORIDA

Statutory Basis: FLA. STAT. ANN. § 16.08. Attorney General has general supervision over state's attorneys. No specific direction for assistance.

Staff: none reported.

Budget: none reported.

Advisory Board: none for Attorney General.

The Director of Prosecution Coordination Division in the Office of the Governor is responsible for prosecutor assistance activities.

Publications: none.

Training Programs: conducts occasional criminal law seminars geared more to law enforcement officers than to prosecutors.

Services: none reported.

## GEORGIA

Statutory Basis: none reported.

Staff: no information.

Budget: none reported.

Advisory Board: Prosecuting Attorneys Council composed of 9 members, including a Director. GA. CODE ANN. §§ 24-2901b to 2904b.

Publications: none by Attorney General's office. Council prepares basic prosecutor's manual, indexes and digests of court decisions, other educational materials.



Training Programs: Attorney General's staff participates as instructors and prepares supplemental material for training sessions held by other groups in areas such as extradition, URESA, child support recovery. Council promotes and assists in training programs.

Services: provides investigative and research assistance upon request in areas of state interest; handles capital felony appeals and habeas corpus cases in state and federal courts involving state-held prisoners; represents district attorneys in 1983 litigation. Council provides legal research assistance.

## GUAM

(Attorney General is responsible for all prosecutions; no local prosecutors.)

## HAWAII

Statutory Basis: HAWAII REV. STAT. § 28-1. No specific direction for assistance.

Staff: 7 part-time attorneys.

Budget: none specifically for prosecutor assistance.

Advisory Board: none for Attorney General.

The Hawaii Prosecuting Attorneys Association conducts training programs for local prosecutors and deputy Attorneys General.

Publications: none by Attorney General.

The Prosecutor-Public Defender Clearinghouse and Institute publishes monthly Prosecutor-Public Defender Newsletter and other educational publications.

Training Programs: none by Attorney General.

Attorney General's office participates as member of Hawaii Prosecuting Attorneys Association in their programs. The Prosecutor-Public Defender Clearinghouse and Institute provides in-service training programs.

Services: Attorney General's office provides prosecutorial and research assistance on case-by-case basis; currently formulating plans to establish statewide career criminal prosecution program. Institute provides legislative reference service, grant application assistance, and access to memo brief bank.

## IDAHO

Statutory Basis: IDAHO CODE § 67-1401. General supervision over prosecuting attorneys. No specific direction for assistance.

Staff: 3 part-time attorneys; 1 part-time secretary; 4 part-time investigators.

Budget: \$45,000 (operating expenses)-- regular appropriation; reimbursement of costs from local prosecutor's funds.

Advisory Board: none.

Publications: none.

Training Programs: none by Attorney General.

The Idaho Prosecuting Attorneys Association received a LEAA grant to conduct training program; Attorney General's staff provides lecturers for other programs.

Services: provides investigative services and experienced prosecutors to assist local prosecutors; research assistance and opinions provided upon request on case-by-case basis; assists in promoting legislation.

## ILLINOIS

Statutory Basis: ILL. REV. STAT. ch. 14, § 4. Attorney General consults with and advises state's attorneys. No specific direction for assistance.

Staff: 20 part-time attorneys; 5 part-time secretaries; 8 part-time investigators.

Budget: none reported.

Advisory Board: Prosecutors' Advisory Council, composed of 11 members, including Attorney General. ILL. REV. STAT. ch. 14, §§ 101-111.

Publications: none by Attorney General's office. Council distributes information, including changes in law, to state's attorneys.

Training Programs: no formal programs by Attorney General. Council provides and coordinates continuing legal education for state's attorneys.

Services: on request, Attorney General's staff handles all cases involving violations of Illinois Revenue Code; when necessary, such as when local prosecutor is incapacitated or involved in major, ongoing investigation, will staff local prosecutor's office; furnishes prosecutorial and research assistance upon request at Attorney General's discretion. Council contracts with law students, placing them in states' attorneys' offices for practical training program.

## IOWA

Statutory Basis: IOWA CODE ANN. § 13.2. Attorney General supervises county attorneys and is responsible for establishing educational programs for prosecuting attorneys.

Staff: 1 full-time attorney; 3 part-time attorneys; 1 full-time secretary; 2 part-time secretaries. Research and Training staff includes 3 attorneys and 7 law clerks.

Budget: \$150,000-- regular appropriation; LEAA grants are terminating.

Advisory Board: Prosecuting Attorneys Training Coordinator supervised by council composed of 5 members, including Attorney General. IOWA CODE ANN. §§ 13A.1 to .11.

Publications: Criminal Law Dictionary published monthly, contains updates of all Iowa and major federal case decisions; Prosecutors Desk Book published by Prosecuting Attorney Training Coordinator, contains basic information for county attorneys; monthly newsletter.

Training Programs: Coordinator conducts semi-annual training programs and arranges other programs, including specialized training sessions and introductory session for newly-elected prosecutors.

Services: Area Prosecutors Section of Attorney General's office provides experienced trial attorneys to assist when necessary and, on request, when county attorney is disqualified due to conflict of interest; Special Prosecutions Section handles security violations which are not normally handled by local county attorneys; research and training staff provides briefing assistance, "instant research," and writes official Attorney General opinions within criminal area; Attorney General's office handles criminal appeals.

## KANSAS

Statutory Basis: KAN. STAT. ANN. art. 7, §§ 75-702 to 704. Attorney General consults with and advises county attorneys. No specific direction for assistance.

Staff: 3 part-time attorneys; 1 part-time secretary; 1 part-time law clerk.

Budget: no specific appropriation.

Advisory Board: none for Attorney General.

The Executive Director of Kansas County and District Attorneys Association is responsible for prosecutor assistance activities.

Publications: Weekly Law Enforcement Bulletin published by Kansas Bureau of Investigation, which consists primarily of legal notices, stolen property, NCIC information, other items of interest to law enforcement field.

Training Programs: Attorney General's office assists in statewide, 2-day programs sponsored by Kansas Trial Lawyers Association.

Services: Attorney General's office furnishes investigative and prosecutorial assistance upon request; provides access to LEXIS computer research program.

## KENTUCKY

Statutory Basis: KY. REV. STAT. §§ 15.700-.770. Attorney General, as Chief Prosecutor of the Commonwealth and Chairman of Unified Prosecutorial System, is empowered to provide educational programs for members of the system.

Staff: 5 full-time attorneys; 5 full-time secretaries; 3 full-time investigators; 3 full-time administrators.

Budget: \$300,000-- regular appropriation; \$225,000-- LEAA grants; \$6,500-- funds from prosecutors.

Advisory Board: Prosecutors Advisory Council composed of 9 members, including Attorney General as Chairman. KY. REV. STAT. § 15.705.

Publications: Commonwealth Quarterly, published by the Prosecutor Services Division, contains recent developments in criminal law.

Training Programs: Council sponsored 3-day Second Annual Kentucky Prosecutors Conference in Louisville, in August 1978, consisting of seminars covering persistent felony offender statute, trial tactics, use of conspiracy law in drug-related prosecutions and child support. Prosecutor Services Division sponsors 2-week training program for detectives employed by local Commonwealth's attorneys and anticipates developing intensive trial tactics seminar for assistant prosecutors. Council coordinates programs with State Police Crime Laboratory, Commonwealth and county attorney associations.

Services: Prosecutor Services Division furnishes investigative and trial assistance upon request from local prosecutors or Governor; Special Prosecutions unit and Economic Fraud unit assist in local prosecutor's cases; Division gives research assistance upon request and is presently developing computerized research capabilities. Division serves as staff to Council and provides support services when necessary, including the preparation of a biennial budget for maintenance of Unified Prosecutorial System. Division carries out research projects to assist Council in program development.

## LOUISIANA

Statutory Basis: LA. CONST. art. 4, § 8. LA. CODE CRIM. PRO. ANN. art. 62. LA. REV. STAT. ANN. § 49:251. Attorney General consults with and advises district attorneys and has general supervisory powers. No specific direction for assistance.

Staff: 11 full-time attorneys; 10 full-time secretaries; 11 full-time investigators.

Budget: \$861,208 (actual)-- regular appropriation.

Advisory Board: none.

Publications: none by Attorney General.

The Louisiana District Attorneys Association (LDAA) publishes newsletter.

Training Program: LDAA conducts annual training program and other short courses for district attorneys. Attorney General conducts annual 3-day training session for justices of the peace and constables. Criminal Division staff participates as lecturers in programs sponsored by other groups.

Services: Criminal Division prosecutes cases where district attorney is excused for any reason and provides investigative and prosecutorial assistance in major felony cases, particularly political corruption cases. Division issues Attorney General opinions and maintains an "instant" writ service for local prosecutors.

## MAINE

Statutory Basis: ME. REV. STAT. ANN. tit. 5, § 199. Attorney General consults with and advises county attorneys. No specific direction for assistance.

Staff: no information. (Assistance provided on informal basis by Assistant Attorneys General who work on appellate matters and in Law Enforcement Education Section.)

Budget: none reported.

Advisory Board: none.

Publications: The Maine Prosecutor, published 6 times per year, summarizes U.S. Supreme Court criminal cases, First Circuit Court of Appeals cases, Maine Supreme Court cases, recent Attorney General opinions. Monthly Alert newsletter.

Training Programs: conducts annual 2-1/2-day statewide prosecutors' seminar.

Services: furnishes investigative and research assistance on request.

## MARYLAND

Statutory Basis: MD. CONST. art. 5, § 3. No specific direction for assistance.

Staff: none specifically assigned to assistance activities.

Budget: state funding of State's Attorneys' Coordinator.

Advisory Board: State's Attorneys' Coordinator appointed by State's Attorneys' Coordination Council composed of 11 members, including Attorney General. MD. ANN. CODE art. 10, §§ 41A-D.

Publications: Attorney General's office distributes headnotes of all reported appellate decisions in criminal law field. Coordinator prepares technical and professional publications.

Training Programs: Attorney General's staff assists Coordinator upon request and participates in bi-annual state's attorneys' conventions.

Services: Attorney General's staff furnishes consultation and research assistance upon request. Coordinator provides research and technical assistance.

## MASSACHUSETTS

Statutory Basis: MASS. GEN. LAWS ANN. ch. 12, §§ 6, 6A, 27. Attorney General consults with and advises district attorneys and retains general supervisory powers. Attorney General may call district attorneys into conference to discuss duties of their office. No specific direction for assistance.

Staff: no information. Assistance provided on informal basis.

Budget: no information.

Advisory Board: Committee on Criminal Justice including Attorney General as Chairman, distributes LEAA funds. MASS. GEN. LAWS ANN. ch. 6, § 156. The Program Coordinator of Massachusetts District Attorneys Association is responsible for prosecutor assistance activities.

Publications: Attorney General prepares "Changes in the Laws" booklet after each legislative session. Criminal Justice Training Council, an LEAA-funded organization, provides similar publications.

Training Programs: Attorney General's staff participates in Criminal Justice Training Council activities. Drug Abuse Division of Attorney General's office, in conjunction with Council, provides instruction to district attorneys concerning drug investigation, arrest, and prosecution.

Services: prosecutors assigned to district attorneys upon request to relieve case congestion; argues all cases on certiorari to U.S. Supreme Court and federal habeas corpus matters; furnishes technical and research assistance when needed; provides access to library of Attorney General; prosecutes certain cases initiated and prepared by state police; retains prosecutorial direction of multi-jurisdictional cases and those involving statewide criminal activity. Committee on Criminal Justice disburses LEAA funds, provides technical assistance, and encourages effective training of rape prosecution and prevention units.

## MICHIGAN

Statutory Basis: MICH. COMP. LAWS ANN. § 14.30. Attorney General has supervision of all prosecuting attorneys.

Staff: 3 full-time attorneys; 3 full-time secretaries; 1 part-time secretary; 1 full-time training officer; 1 full-time management analyst; 5 part-time law student interns.

Budget: \$143,000 (est.)-- regular appropriation; \$150,000 (est.)-- LEAA grants; \$15,000 (est.)-- funds from prosecutors.

Advisory Board: Prosecuting Attorneys Coordinating Council composed of 5 members, including Attorney General as Chairman. Council prescribes programs and services of Office of Prosecuting Attorneys Coordination, an autonomous entity in Attorney General's office. MICH. COMP. LAWS ANN. §§ 49.101 to .111.

Publications: Council publishes twice-monthly newsletter; trial manual summarizing current cases, updated semi-annually; warrant manual containing correct charging language for all Michigan offenses; clerical handbook for prosecutors' support staff; civil handbook summarizing prosecutors' civil duties; and miscellaneous handbooks and pamphlets, e.g., fraudulent documents, preliminary examinations, extradition.

Training Programs: Prosecuting Attorneys Association of Michigan and Prosecuting Attorneys Coordinating Council, during fiscal year 1978, conducted 26 regional and statewide training seminars. Topics included: law of homicide, negligent homicide, pre-trial criminal procedure, trial techniques, law student intern training. Plans for scheduling regional training sessions for fiscal year 1979 are being formulated. Occasionally, groups such as Michigan's Department of Social Services and Department of Commerce co-sponsor training sessions of interest to the particular department.

Services: Criminal Division provides investigative and prosecutorial assistance on a limited basis. An anticipated federal grant should increase assistance level. Law student interns provide research assistance in response to telephone inquiries. Prosecuting Attorneys Appellate Unit under Michigan Solicitor General does all appellate work for prosecutors in counties under 100,000 population and provides assistance at varying levels for larger offices. Liaison with law schools promotes public prosecution as career opportunity. Attorney General's office maintains employment service to assist prosecutors' offices and job candidates; provides office management technical assistance and technology transfer coordination; monitors autonomous efforts in prosecutors' offices seeking to establish similar services; provides inter-county consulting, and technical assistance services to pilot projects and tailors proven prosecution services for application in non-pilot counties.

## MINNESOTA

Statutory Basis: MINN. STAT. ANN. § 8.01. No specific direction for assistance.

Staff: 8 full-time attorneys; 3 full-time secretaries; 5 full-time investigators; 2 full-time law clerks. Criminal Division includes 10 attorneys, 4 investigators, 1 accountant.

Budget: appropriations for 12 positions; grants for 6 positions.

Advisory Board: County Attorneys Council composed of all county attorneys and the Attorney General. MINN. STAT. ANN. §§ 388. 19-.20.

Publications: Attorney General's Messenger, published monthly or bi-monthly, contains articles of general interest, synopses of recent court decisions, Attorney General opinions; brief bank index.

Training Programs: Attorney General's office participates in programs sponsored by County Attorneys Council.

Services: provides investigative and prosecutorial services upon request and subject to Attorney General's discretion; provides access to appellate brief bank developed using LEAA funding; assists when district attorney has conflict of interest and when Attorney General's office has expertise. Criminal Division of Attorney General's office provides prosecutorial assistance upon request.

## MISSISSIPPI

Statutory Basis: MISS. CODE ANN. § 7-5-1. No specific direction for assistance.

Staff: 11 full-time attorneys; 3 full-time secretaries.

Budget: funds included in general appropriation.

Advisory Board: none for Attorney General.

The Director of Mississippi Prosecutors College is responsible for prosecutor assistance activities.

Publications: occasional mailing relating to specific matters.

Training Programs: Attorney General's staff participates as speakers in Mississippi Prosecutors Association programs.

Services: furnishes investigative and research services upon request, contingent on budget and staff limitations.

## MISSOURI

Statutory Basis: MO. REV. STAT. § 27.030. No specific direction for assistance.



Staff: 5 part-time attorneys.

Budget: \$25,000 (est.)-- regular appropriation.

Advisory Board: none for Attorney General.

The President of Missouri Bar and the Coordinator- Assistant Director of Education are responsible for prosecutor assistance activities.

Publications: none.

Training Programs: none reported.

Services: provides investigative, prosecutorial, and research assistance upon request.

#### MONTANA

Statutory Basis: MONT. REV. CODES ANN. § 82-401. Attorney General has supervision of county attorneys.

Staff: 2 full-time attorneys; 1 part-time secretary; 3 full-time investigators.

Budget: \$145,000 (est.)-- regular appropriation; \$48,000 (est.)-- funds from prosecutors.

Advisory Boards: County Prosecutor Services Bureau in Attorney General's office, consists of Training Coordinator and support staff listed above. Bureau is controlled by Attorney General.

Publications: The Montana Prosecutor, published monthly, summarizes cases of interest to prosecutors and announces upcoming seminars and conferences.

Training Programs: conducts 2 state-wide annual training sessions, lasting 2-3 days, cover all aspects of criminal law and prosecution function.

Services: Bureau furnishes prosecutorial, investigative, and research services upon request; applies for and disburses federal funds to provide out-of-state training for prosecutors; files amicus curiae briefs and argues on behalf of the prosecutors' association; maintains brief bank; and, prepares legislation for and on behalf of prosecutors' association.

#### NEBRASKA

Statutory Basis: NEB. REV. STAT. § 84-205. Attorney General consults with and advises county attorneys. No specific direction for assistance.

Staff: none specifically assigned to assistance activities.

Budget: none reported.

Advisory Board: none for Attorney General.

The Nebraska County Attorneys Association has an Executive Director who is responsible for coordinating prosecutor assistance activities.

Publications: prepares informal written replies to county attorney's requests for assistance and formal opinion letters are published as Attorney General opinions.

Training Programs: Attorney General's staff participates in programs sponsored by Nebraska County Attorneys Association.

Services: provides telephone consultations, letters of advice, and formal Attorney General opinions upon request; occasionally delegates an Assistant Attorney General to aid local prosecution; provides research assistance on questions of law upon request.

## NEVADA

Statutory Basis: NEV. REV. STAT. §§ 228.120, 228.130. Attorney General has supervision of all district attorneys. No specific direction for assistance.

Staff: all attorneys and entire investigative staff are available for prosecution assistance activities.

Budget: county requesting assistance pays "actual and necessary" expenses.

Advisory Board: none.

Publications: prepares newsletter describing recent state supreme court cases.

Training Programs: none.

Services: furnishes informal research services; intervenes in any prosecution when necessary; handles federal habeas corpus petitions challenging state court convictions and appeals; handles state court post-conviction habeas corpus petitions challenging state court convictions and appeals; holds regular meetings of law enforcement community in preparation for legislative proposals in each legislative session and monitors legislation's progress.

## NEW HAMPSHIRE

Statutory Basis: N. H. REV. STAT. ANN. § 7.6. No specific direction for assistance.

Staff: no information.

Budget: no information

Advisory Board: none for Attorney General.

Carroll County Attorney is responsible for prosecution assistance coordination.

Publications: Law Enforcement Manual distributed to local prosecutors and law enforcement personnel, in accordance with N. H. REV. STAT. ANN. § 7.6(a).

Training Programs: none.

Services: furnishes assistance in white collar and economic crime cases upon request; gives occasional research assistance on unusual or important questions of law; prosecutes any case where local prosecutor has conflict of interest; handles superior court matters for local prosecutors in distant counties; handles extradition matters and some URESA cases.

## NEW JERSEY

Statutory Basis: N.J. STAT. ANN. § 52:17B-103. Attorney General consults with and advises county attorneys and has general supervisory powers.

Staff: 2 full-time attorneys; 3 full-time secretaries; 1 full-time management specialist; 1 full-time project specialist. These are assigned to Prosecutors Supervisory Section of Criminal Justice Division. Entire staff of approximately 400 members in Criminal Justice Division, under Attorney General's direction, are available for and do regular prosecutor assistance activities.

Budget: \$200,000 (est.)-- regular appropriation; \$165,000 (est.)-- LEAA grants.

Advisory Board: none. County Prosecutors Association of New Jersey meets monthly with Attorney General and staff from Criminal Justice Division. President of Association, in conjunction with Director of Criminal Justice Division, appoints members to standing and ad hoc committees. Members include county prosecutors and staff members from Division.

Publications: biweekly Criminal Law Digest contains synopses of all New Jersey and selected federal criminal cases; Criminal Justice Quarterly includes articles on cases and various aspects of criminal justice system; prosecutors' manual; Sources of Information for New Jersey Law Enforcement Agencies; grand jury manual; Practice and Procedures for Juvenile Officers.

Training Programs: conducts 4-day basic prosecutor's training course 4 times per year; annual 2-1/2-day advanced prosecutor's training seminar; periodic 5-day homicide investigation seminars; annual 3-day prosecutor's management training course; annual 10-day investigation of economic crime and official corruption; periodic 1-day New Jersey

Regional Leadership Training Conference on the Implementation of the Alcoholism Treatment and Rehabilitation Act of 1976; periodic 3-day regional courses in the investigation of child abuse cases; periodic 25-day prosecutor's, detective's, and investigator's training course; periodic 2-day juvenile officers' training manual seminars.

Services: supercedes county prosecutor in conflict of interest cases; provides investigative and prosecutorial assistance for complex cases, e.g, official corruption, economic crime, and organized crime; Appellate Section of Criminal Justice Division handles criminal appeals, except those arising out of Essex County; maintains a telephone response service for county prosecutors; and works on research projects in conjunction with County Prosecutors' Association, such as prosecutors' manual, organized crime task force report, juvenile justice manuals, and grand jury manual.

Prosecutors Supervisory Section: serves as liaison between Criminal Justice Division and 21 county prosecutors' offices in supervisory capacity; establishes agenda for and conducts monthly meetings of county prosecutors, Attorney General, and Criminal Justice Division; prepares minutes of such meetings and coordinates resulting action; furnishes management and budgetary assistance to county prosecutors and evaluates their activities; receives monthly, annual, and periodic reports from prosecutors; reviews applications from county prosecutors for witness immunity petitions; processes pre-employment security clearance requests from county prosecutors; supervises counties where Attorney General is in charge of prosecutor's office due to vacancy in the office; conducts comprehensive surveys of prosecutors' offices regarding staff requirements; processes county prosecutor's requests for in-progress trace approvals; serves as Project Director of Career Criminal Program in Hudson and Passaic counties; prepared concept paper and formal LEAA application for implementation of a computerized Prosecutors Management Information System (PROMIS) in all county prosecutors' offices, approved by LEAA on October 12, 1978; obtained a \$25,000 SLEPA grant to conduct 3-day, in-residence, Prosecutors Management Training Course, held September 6 through September 8, 1978.

## NEW MEXICO

Statutory Basis: N.M. STAT. ANN. § 4-3-2. No specific direction for assistance.

Staff: 10 full-time attorneys; 4 full-time secretaries; 2 full-time law clerks.

Budget: no funds specifically for prosecutor assistance.

Advisory Board: none for Attorney General.

District Attorney of 12th Judicial District is responsible for prosecutor assistance coordination

Publications: publishes weekly distribution of New Mexico's Appellate Court criminal opinions; prepares annual case synopses of all reported New Mexico criminal opinions.

Training Programs: provided state prosecutors the opportunity to attend, for \$150 fee, the Hastings College of Trial Advocacy-Criminal Law Seminar in 1977.

Services: provides access to research and data brief bank upon request; prosecutes criminal cases for local prosecutors in conflict-of-interest situations; handles all hearings before the New Mexico Supreme Court arising from local prosecutions, e.g., extraordinary writs and all criminal appeals; telephone consultations; initiates special prosecutions with district attorney's approval; responds to telephone consultations.

#### NORTH CAROLINA

Statutory Basis: N.C. GEN. STAT. §§ 114-2 to 114-11.6 Attorney General consults with and advises local prosecutors.

Staff: 6 full-time attorneys; 3 full-time secretaries; 2 full-time research assistants. Special Prosecution Division includes 2 attorneys, 2 research assistants, 1 secretary.

Budget: \$200,000 (est.)-- regular appropriation. Judicial Advisory Unit block grant-- \$119,339 (federal); \$13,260 (state)-- provides legal research, advice, and counsel to district attorneys and judges.

Advisory Board: none.

Publications: N.C. Criminal Justice Bulletin, published by N.C. Justice Academy, contains synopses of recent criminal law decisions of N.C. appellate courts and Attorney General opinions; publishes opinions of Attorney General, available on request.

Training Programs: none by Attorney General. Institute of Government at Chapel Hill provides numerous training programs for local prosecutors.

Services: Special Prosecution Division, started in 1977 with LEAA grant and continued in June 1978 as state-funded unit, provides prosecutorial and research assistance; State Bureau of Investigation, set up by Attorney General, provides investigative assistance; Division of Criminal Statistics, set up by Attorney General, collects and analyzes of criminal statistics. Attorney General represents state on criminal appeals by defendant or district attorney and represents district attorney when sued for acts performed in line of duty; assists district attorneys in child support and welfare cases and antitrust violations; provides special investigative assistance upon request in business or financial crime cases; provides advice, upon request, relating to motor vehicles law, insurance law, tax law violations.

## NORTH DAKOTA

Statutory Basis: N.D. CENT. CODE § 54-12-01. Attorney General consults with and advises state's attorneys. No specific direction for assistance.

Staff: 1 full-time attorney; 1 part-time attorney.

Budget: \$35,000 (est.)-- regular appropriation.

Advisory Board: North Dakota Law Enforcement Council composed of 14 members including Attorney General as Chairman. N. D. CENT. CODE §§ 12-61-01 to 09.

Publications: Attorney General's office publishes periodic (about 4 times per year) bulletin on recent criminal law court decisions and Attorney General opinions, as well as other articles of interest.

Training Programs: Attorney General's staff provides speakers and material for prosecutor-sponsored training programs. Every newly-elected or appointed prosecuting attorney attends a training course conducted by the Council. The state's attorneys' association assists in developing curricula.

Services: renders investigative and prosecutorial assistance, by state law, upon request; provides opinion drafts and "on-call" research assistance upon request. Bureau of Criminal Investigation, supervised by Attorney General, aids state's attorneys upon request in investigation, detection, apprehension, prosecution, or suppression of felonious crimes.

## OHIO

Statutory Basis: OHIO REV. CODE ANN. §§ 109.14, 109.51, 109.84. Attorney General advises prosecuting attorneys. No specific direction for assistance.

Staff: 2 full-time attorneys; 3 part-time attorneys; 72 full-time secretaries; 1 full-time legal intern; 22 full-time identification technicians; 64 full-time criminal investigators; 8 full-time executives.

Budget: \$2,941,313 (est.)-- regular appropriation; \$563,427-- LEAA grants.

Advisory Board: none for Attorney General.

Training Coordinator and Executive Director for Ohio Prosecuting Attorneys Association are responsible for prosecutor assistance activities.

Publications: annual Uniform Crime Report contains detailed statistics on crime in Ohio; Monthly Crime Bulletin discusses current topics and legal opinions regarding criminal law enforcement; Ohio Drug Abuse Control Act Training Manual - (1976), a 200-page manual, designed as self-instruction guide for law enforcement personnel and prosecutors

on state's drug laws; Ohio Obscenity Laws compiles current state statutes and applicable case law and is revised periodically.

Training Programs: Ohio Peace Officer Training Academy, division of Attorney General's office, conducts regular training programs (2 annual sessions) open to prosecutors' staffs and local peace officers. Course offerings include drug investigation, homicide investigation, and managing criminal investigations. Attorney General sponsors special seminars on new laws and regulations, e.g., a comprehensive program in 1976 familiarized prosecutors with state's new drug laws.

Services: Bureau of Criminal Identification and Investigation, in Attorney General's office, provides extensive investigation and forensic laboratory assistance. Consumer Frauds staff works closely with prosecutors having active fraud units and holds bi-monthly seminars to discuss joint enforcement activities, new laws and regulations, and other general educational matters. Charitable Foundations Section cooperates with prosecutors in investigating bingo and other games of chance. Attorney General undertakes major research activities to aid prosecutors and responds to informal requests for research assistance.

## OREGON

Statutory Basis: OR. REV. STAT. § 180.060. Attorney General consults with and advises district attorneys. No specific direction for assistance.

Staff: 4 full-time attorneys; 3 full-time secretaries; 1 part-time secretary; 3 full-time investigators.

Budget: \$201,403 (actual)-- regular appropriation; \$51,337-- LEAA grants; \$5,000 per year-- funds from prosecutors; \$66,012-- other state appropriations. Fiscal Year 1978-79: \$186,689-- special appropriations for district attorney assistance.

Advisory Board: Oregon District Attorneys Association (ODAA) Executive Committee and Attorney General have written agreement giving ODAA Executive Committee policy input into assistance activities. Attorney General retains administrative control over the District Attorney Assistance Program and is a permanent voting member of the Executive Committee.

Publications: indexed Oregon Criminal Reporter, published monthly, contains case digests; indictment form book; monthly District Attorney Coordinator Service Newsletter; indexed trial manual; jury instruction manual; office management guide; trial book preparation guide; extradition handbook; "The Verdict" monthly newsletter; physical evidence manual; homicide and robbery checklist; vehicular homicide checklist; investigative report writing; and others. Publications result from joint ODAA - Attorney General efforts.

Training Programs: conducts 1-week, annual, in-residence "Summer Institute for Prosecutors" at local college that covers all aspects of prosecution. Institute provides speakers from in and out of state. Attorney General's office provides speakers for 2 annual ODAA conferences.

Services: furnishes investigative and trial assistance upon request, in cases of conflict of interest or if case is too complicated or big for local prosecutors to handle; handles all criminal appeals; provides emergency research services and access to brief bank.

## PENNSYLVANIA

Statutory Basis: PA. STAT. ANN. tit. 71, § 244. No specific direction for assistance.

Staff: 2-300 attorney-hours per year.

Budget: none reported.

Advisory Board: none for Attorney General.

The Prosecutor Coordinator of Pennsylvania District Attorney's Association is responsible for prosecutor assistance activities.

Publications: none.

Training Programs: none.

Services: investigates allegations of crimes involving state agencies, officers, employees, or money; occasionally investigates alleged municipal corruption and other crimes.

## PUERTO RICO

Statutory Basis: P.R. LAWS ANN. tit. 3, §§ 72, 95, 98. Secretary of Justice supervises all prosecuting attorneys. No specific direction for assistance.

Staff: 155 full-time attorneys; 104 full-time secretaries; 14 full-time investigators.

Budget: \$4,000,000 (actual)-- regular appropriation; \$206,900-- LEAA grants.

Advisory Board: none.

Publications: Office of Criminal Justice publishes monthly summary of criminal cases decided by Supreme Court of Puerto Rico and U.S. Supreme Court.

Training Programs: twice yearly 4-day seminars, emphasizing rules of criminal procedure, penal code and recent Supreme Court decisions; organizes conferences and seminars presented by other groups.

Services: assigns special agents and prosecutors to handle special cases; provides research services; locates witnesses and pays transportation to attend trial; extradites fugitives; provides expert witnesses in special cases.



## RHODE ISLAND

(Attorney General is responsible for all prosecutions; no local prosecutors.)

## SAMOA

(Attorney General is responsible for all prosecutions; no local prosecutors.)

## SOUTH CAROLINA

Statutory Basis: S.C. CODE § 1-7-100. Attorney General consults with and advises solicitors. No specific direction for assistance.

Staff: 8 part-time attorneys; 4 part-time secretaries.

Budget: \$916,742 (actual)-- regular appropriation; \$603,171-- LEAA grants; \$1,296,413-- funds from prosecutors; \$18,254-- CETA funds.

Advisory Board: Prosecution Management Section of Attorney General's office is responsible for coordinating prosecutor assistance activities.

Publications: The South Carolina Solicitor, published monthly, contains sections on Attorney General opinions, recent state and federal court decisions, and the status of legislation affecting prosecutors.

Training Programs: conducts annual multi-day program for all prosecutors; in process of developing monthly regional training sessions.

Services: renders investigative, prosecutorial, and research assistance on request.

## TENNESSEE

Statutory Basis: TENN. CODE ANN. §§ 8-603, 3-609. Attorney General advises district attorneys general. No specific direction for assistance.

Staff: 11 part-time attorneys; 1 part-time legal services administrator; 1 part-time assistant to legal services administrator.

Budget: no specific appropriation.

Advisory Board: District Attorney General Conference composed of all district attorneys general, including Attorney General as ex officio member and legal adviser. TENN. CODE ANN. §§ 8-713 to 721.

Publications: Attorney General's office prepares bimonthly Abstract newsletter containing synopses of recent criminal case decisions, recent legislation of interest, and an index to official opinions of the Attorney General; distributes slip opinions of all Tennessee Supreme Court decisions to paid subscribers and various state departments. District Attorney General Conference prepares and supplements indexes to unreported decisions of Criminal Court of Appeals and Supreme Court of Tennessee; prepares basic prosecutor's manual and other educational materials; prepares and distributes uniform indictment forms and other forms. TENN. CODE ANN. § 8-721.

Training Programs: Attorney General's staff participates in annual, 2-day statewide seminars and practice seminars conducted by Conference. Subjects include proposed and newly-enacted legislation, recent judicial decisions, extradition, civil rights litigation, and obscenity.

Services: provides prosecutorial and investigative assistance; Criminal Division furnishes research assistance in response to telephone and letter requests; provides access to information retrieval system; represents district attorneys in alleged civil rights violations; supports requests for federal funding for prosecutorial programs as member of Tennessee Law Enforcement Planning Commission; advises district attorneys upon regulations concerning appeals.

## TEXAS

Statutory Basis: TEX. REV. CIV. STAT. ANN. art. 4399. Attorney General advises district and county attorneys.

Staff: Organized Crime Division includes: 5 full-time attorneys; 1 full-time secretary; 9 full-time investigators. Crime Prevention Division includes: 2 full-time attorneys; 2 full-time secretaries.

Budget: \$465,495-- LEAA grants (1978 awards). Figures include \$185,161 for Aid and Information Service; \$380,334 for Criminal Task Force for Organized Crime.

Advisory Board: none for Attorney General. Texas District and County Attorney Association (TDCAA), a private non-profit corporation funded by LEAA grant, is composed of all elected district and county attorneys including their assistants and investigators. The Texas Prosecutors Coordinating Council, composed of 9 members. TEX. REV. CIV. STAT. ANN. art. 332d. Executive Director of Texas Justice of the Peace Training Center and the National College of District Attorneys provide prosecutor assistance activities.

Publications: Attorney General's biweekly Crime Prevention Newsletter summarizes recent Attorney General opinions, new legislation, state and federal cases dealing with criminal law and procedures. An annual edition of the Newsletter is published as subject index on summarized cases.

Training Programs: Attorney General's staff participates as speakers at local, regional, and statewide seminars for prosecutors sponsored by NCDA and TDCAA. Attorney General sponsors annual law enforcement conference for local prosecutors, judges, and peace officers.

Services: provides investigative and prosecutorial services and Attorney General opinions on request; Crime Prevention Division provides inward wats line for research assistance; Attorney General acts as liaison between local prosecutor and other state agencies involved in major investigations, e.g., capital murder, white collar fraud.

## UTAH

Statutory Basis: UTAH CODE ANN. § 67-5-1. Attorney General has supervisory power of district and county attorneys. No specified direction for assistance.

Staff: no information.

Budget: \$75,000-- LEAA grants; \$25,000-- funds from prosecutors.

Advisory Board: Statewide Association of Prosecutors (SWAP) Advisory Council, composed of 7 members, including the Attorney General.

Publications: none on a regular basis by Attorney General. SWAP prepares monthly newsletter.

Training Programs: SWAP conducts 2 annual training programs. Attorney General's staff occasionally participates as speakers at NAAG, NDAA, and SWAP seminars.

Services: advises local prosecutors lacking experience; assists occasionally in trial and prosecution of major cases; investigates and prosecutes major multi-county fraud, organized crime activity, and government corruption cases; renders research assistance on limited basis.

## VERMONT

Statutory Basis: VT. STAT. ANN. tit. 3, § 153. Attorney General has general supervisory powers over criminal prosecutions. Attorney General consults with and advises state's attorneys. No specific direction for assistance.

Staff: 2 full-time attorneys; 2 part-time attorneys.

Budget: none reported.

Advisory Board: Vermont Criminal Justice Training Council composed of 14 members, including Attorney General. Council is attached to Department of Public Safety for administrative purposes. VT. STAT. ANN.

tit. 20, §§ 2351-2355. The Executive Director of Vermont State Attorney's and Sheriff's Departments is responsible for coordination of prosecutor assistance activities.

Publications: none.

Training Program: Attorney General's staff participates as resource persons in in-service training programs. Council assists state's efforts toward quality law enforcement and provides in-service training for law enforcement officers, corrections and prosecuting personnel. Council recommends to Attorney General minimum courses of training for criminal justice personnel.

Services: serves as co-counsel in all homicide cases or complex litigation; handles appellate cases; provides opinions on request; furnishes back-up prosecution in conflict of interest situations.

## VIRGINIA

Statutory Basis: VA. CODE § 2.1-118. No specific direction for assistance.

Staff: 3 full-time attorneys; 1 full-time secretary.

Budget: \$71,005-- regular appropriation; \$16,794-- LEAA grants.

Advisory Board: Commonwealth's Attorneys Services and Training Council, composed of 16 members under the direction and supervision of the Secretary of Public Safety, maintains close contact with Attorney General's office in discussion of problems or recommendations concerning necessary research, minimum standards, and educational needs relative to upgrading Commonwealth attorneys' status.

Publications: The Virginia Prosecutor, a monthly 4-page newsletter, discusses recent court decisions, Attorney General opinions, statutory changes relating to criminal law; The Virginia Peace Officer, a monthly 4-page newsletter, discusses criminal law developments of interest to peace officers; The Virginia Magistrate, a quarterly 4-page newsletter, discusses criminal law developments of magisterial interest; The Civil Digest, a monthly digest of civil opinions issued by Attorney General, concerns questions of interest to state and local governments; Commonwealth's Attorney's Handbook; distributes copies of slip opinions of criminal cases decided by Supreme Court of Virginia; prepares and distributes copies and summaries of recent legislation of interest to Commonwealth's attorneys after each session of Virginia General Assembly.

Training Programs: Attorney General's staff provides speakers to training sessions conducted by the Council and the Virginia Association of Commonwealth's Attorneys.

Services: Technical Assistance Unit within Criminal Division provides oral and written responses to local prosecutors' requests.

## VIRGIN ISLANDS

(Attorney General is responsible for all prosecutions; no local prosecutors.)

## WASHINGTON

Statutory Basis: WASH. REV. CODE ANN. § 43.10.030. Attorney General consults with and advises prosecuting attorneys. No specific direction for assistance.

Staff: 1 part-time attorney; 1 part-time secretary; 1 part-time investigator.

Budget: no specific appropriation.

Advisory Board: Washington State Criminal Justice Training Commission composed of 11 members, including Attorney General. WASH. REV. CODE ANN. §§ 43.101.020 to 43.101.190. Commission's Board on Prosecutor Training Standards, composed of 11 members. WASH. REV. CODE ANN. § 43.101.100. Executive Secretary of Washington State Association of Prosecuting Attorneys is responsible for coordinating prosecutor assistance activities.

Publications: publishes Attorney General opinions; prepares direct responses to prosecutor requests for legal opinions.

Training Programs: furnishes legal assistance to state board on prosecutor training standards; participates on an ad hoc basis in conferences and training programs of other organizations.

Services: provides limited investigative and prosecutorial assistance upon request; furnishes research assistance on case-by-case basis; acts as ombudsman for citizen complaints concerning local prosecutor's actions; coordinates calls from Attorneys General or prosecutors in other jurisdictions requiring assistance from a local prosecutor rather than Attorney General's office.

## WEST VIRGINIA

Statutory Basis: W. VA. CODE § 5-3-2. Attorney General consults with and advises prosecuting attorneys. W. VA. CODE § 7-7-2. Attorney General is authorized to establish in-service training programs.

Staff: 1 full-time attorney; 1 full-time secretary; other staff as needed (includes 1 full-time prosecutor coordinator).

Budget: \$68,000-- LEAA grants; \$8,000-- funds from prosecutors. Prosecution Services-- \$66,040 (federal-90 percent; state-10 percent)-- federal grants.

Advisory Board: none for Attorney General.

The Coordinator of Prosecuting Attorneys Association provides coordination of prosecutor assistance activities.

Publications: annual Criminal Law Bulletin informally summarizes recent cases; Form Instructions, not revised since 1971; Form Indictments are in the planning stage.

Training Programs: Prosecutor Coordinator hosts 3 seminars a year, 3 days in length, at various locations. Subjects include practical skills, theory policy, legislation. Individual members of Attorney General's staff help Coordinator by leading panel discussions, etc.

Services: Coordinator and staff assist local prosecutors by providing investigative and research assistance; Attorney General's office handles all appellate work stemming from convictions, including extraordinary remedy cases, in West Virginia Supreme Court of Appeals.

## WISCONSIN

Statutory Basis: WIS. STAT. ANN. § 165.25. Attorney General consults with and advises district attorneys. No specific direction for assistance.

Staff: 1 full-time attorney; 1 part-time secretary.

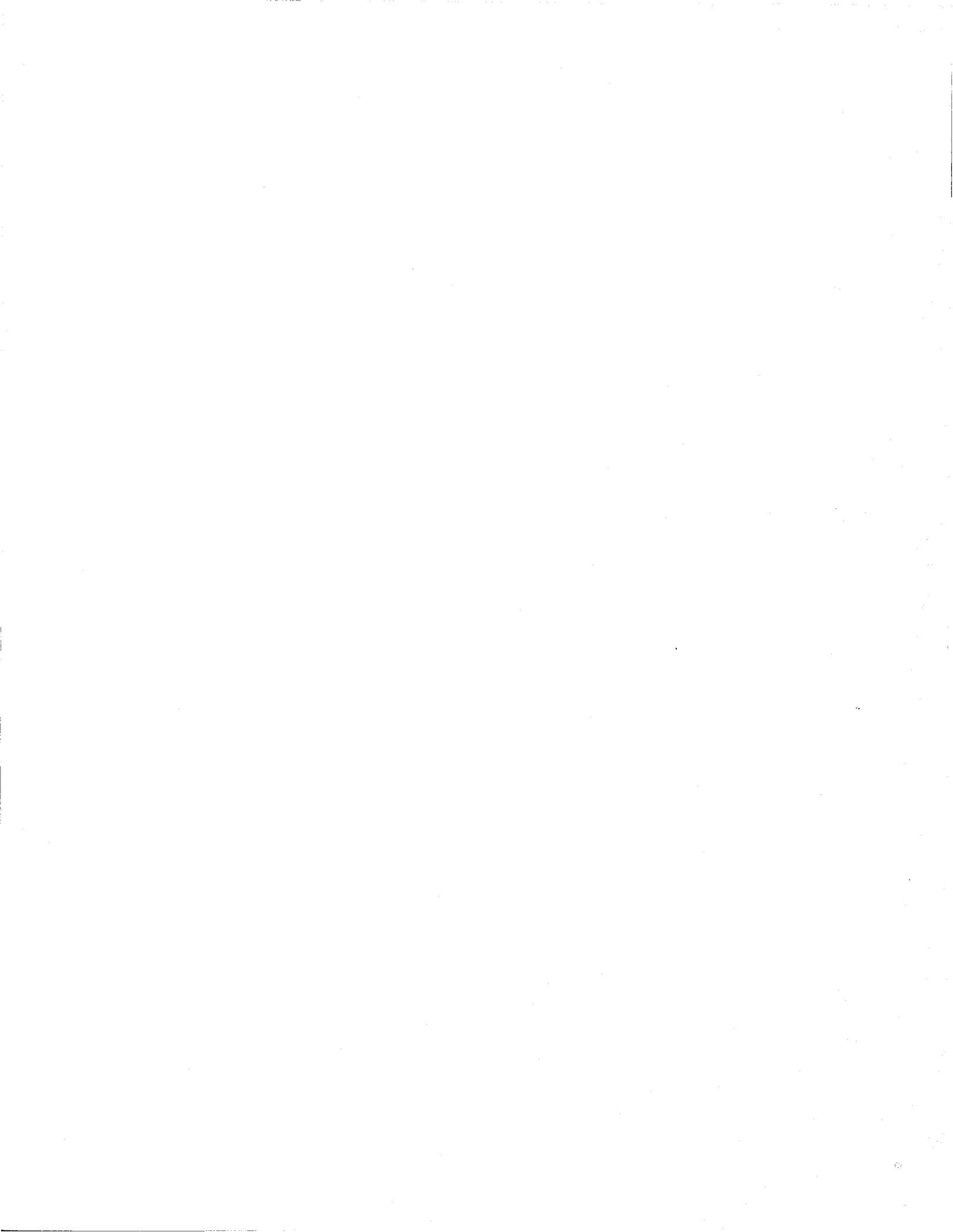
Budget: \$58,000 (est.)-- LEAA grants.

Advisory Board: Wisconsin District Attorneys Board, provided by federal funding, composed of 7 members, including Attorney General. Works closely with executive board of Wisconsin District Attorneys Association in establishing program policy, developing curricula, allocating resources, and identifying training needs.

Publications: monthly newsletter describes new training sessions, court cases, new statutes.

Training Programs: Attorney General's office conducts bi-monthly courses and annual 1-week course for newly-elected or appointed prosecutors, and other seminars from 1 to 2 days in length. Topics include: juvenile justice, cross examination, prosecutor's tools, jury selection. Participates in programs sponsored by Youth Policy and Law Center and other groups.

Services: Criminal Unit of investigators and attorneys assists in cases of state-wide importance, assists in interpretation of physical evidence findings, and provides criminal history records for investigative and prosecutorial uses from Central Identification File; Appeals Unit and Criminal Unit provide legal, research, and advisory assistance; State-wide Prosecution Education Training Program (SPET) provides telephone "hot-line" for emergency assistance; administers out-of-state prosecution training grants. Law Enforcement Services Division provides scientific analysis of crime to district attorneys. WIS. STAT. ANN. § 165.75.



**END**