



D.A. DiFiore Makes A Presentation At The Bronxville League of Women Voters

By Jeffrey Deskovic

Editor's Note: Jeffrey Deskovic, an outspoken advocate in the struggle against prosecutorial misconduct and the need for State and Federal legislation to quell such human rights abuses, is a frequent contributor to The Guardian. Recently, he attended an event at the Bronxville League of Women Voters at which Westchester District Attorney Janet DiFiore was the principal speaker. He files the following report:

Westchester County District Attorney Janet DiFiore gave a presentation to the Bronxville League of Women Voters the morning of Sept. 19. Her talk centered mainly on the functions of her office in crime prevention and prosecution.

DiFiore stated that she did not think the first response of a district attorney ought to be a knee-jerk reaction to lock somebody up and prosecute them, but also added that wherever the circumstances warranted it, she would prosecute. The DA emphasized the importance of crime prevention and her role in such programs, past and present, designed to

accomplish the goal.

She stated that she did not think that the total emphasis of her office ought to be the imprisoning of people as it was not good policy, once again adding that her office would not hesitate to prosecute crime whenever the facts warranted it. She also spoke of the responsibility of a district attorney in not prosecuting and/or perpetuating injustice, referencing her actions in the Deskovic case.

Some months ago, prior to her appearance at the League, I spoke there in the role of a criminal justice advocate, giving a presentation on the subject of wrongful convictions. Starting off with my case and its specifics, I then segued into the general causes of wrongful convictions as well as the legislative reforms clearly needed in order to slow down the frequency with which they occur. One of those reforms for which I have been strongly advocating was the audio and video taping of all interrogations by police. One of the purposes of such legislation would be to provide a complete record of who said what, when, and in what context, thus providing a helpful tool for judges and juries alike in their

effort to evaluate the voluntariness of statements, as well as their truthfulness, and reliability. At the same time it would also be an effective tool for protecting the innocent, as well as police interrogators against untruthful allegations of coercion.

The president of the league, Carol Godfrey, unable to attend, had a question read on her behalf to DiFiore. The question made mention of the fact that I had lectured before the group previously and had advocated on behalf of videotaping interrogations. She wanted to know what DiFiore's position was.

DiFiore, responding to the question, unequivocally and with firmness, stated that she was completely in favor of taping and that it made for better evidence. An audience member responded with a follow-up question regarding the possible institutionalizing of that practice, given the resistance that many law enforcement agencies have shown to the process. The DA made it clear that her office had no legal authority to compel police agencies to conform to the practice, and that she felt legislation was needed. She added, however, that she

would use the moral authority of her office to try to encourage voluntary taping. Each time someone who is innocent is arrested, a guilty person is left on the loose to again prey upon society. DA DiFiore emphasized that very point reminding those present that Steven Cunningham, the man whose crime I was unlawfully prosecuted and sent to prison for, killed another victim 3½ years after the killing for which I was doing time. ■

lic defender offices tended to enhance the conviction rate. She stated that, on occasion, it definitely did, but that she took no pleasure when her Office successfully prosecuted someone by overwhelming the defense team by virtue of the difference in resources allocated to prosecutors' offices as compared to public defenders. She went on to reference The Spangenberg Group's study, undertaken for Chief Judge Judith Kaye, evaluating the state of indigent defense, in which the inadequacies of public defense were well-documented. Then she invited me up to the podium to answer the question.

As I have frequently pointed out, there are built-in handicaps in the operations of public defenders. Having very limited budgets, and therefore being forced to ask judges to allocate discretionary funding, often denied, to pay for experts to review evidence in the furtherance of preparing cases, while at the same time being overburdened with too many cases, often results in inadequate preparation and presentation.

A balanced system is vitally important to any individual defendant, and it is in society's best interest as a whole to have competent defense accorded to the poor, in order that we may have more confidence in jury verdicts and the outcomes of post-conviction cases. A balanced system provides the protection that any one of us might need in the event we were arrested for something we did not do.

Each time someone who is innocent is arrested, a guilty person is left on the loose to again prey upon society. DA DiFiore emphasized that very point reminding those present that Steven Cunningham, the man whose crime I was unlawfully prosecuted and sent to prison for, killed another victim 3½ years after the killing for which I was doing time. ■

Big Brothers Big Sisters

Who We Are

Big Brothers Big Sisters

is the oldest mentoring program in the nation and the only one of its kind in Westchester. Our unique service matches adult volunteers to children of single parent families. Professional staff provide careful screening, training and supervision to ensure that volunteers and children enjoy all of the rewards of a Big Brother Big Sister relationship. Big Brothers Big Sisters, along with Thrift Lands USA, who handle the collections and fundraising process, distribute all items to needy Westchester families or sell them to benefit the Big Brothers Big Sisters program.



Used Clothing Home Pick Up

Men's • Women's • Children's Clothing, Shoes (all seasons), Toys, Books, Towels Blankets, Curtains & Sheets

Connecting CARING People to Needy Families

Tax Deductible

(914) 963-4453

Fast Free Pick Ups On Your Block Every Week

We Also Accept Auto Donations

Collection Office: 9 Romaine Ave., Yonkers, NY 10705

Office Hours: Mon.-Fri. 9AM-6PM

Use Our Convenient Drop Boxes
Call for the location nearest you.



Recycle Your Clothing And Help Others
We collect year round