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**PLYMOUTH COUNTY DA CRUZ PUBLISHES BRADY POLICY ON WEBSITE**

**BROCKTON** – Plymouth County District Attorney Timothy J. Cruz has published his Brady Policy on the office’s website to state the process used for reviewing and disclosing information about police officers who were convicted of crimes or engaged in other significant misconduct.

The duty to disclose exculpatory evidence dates back to 1963, in the landmark United State Supreme Court case, *Brady v. Maryland*. Since that time, the Plymouth District Attorney’s Office has honored its obligations under *Brady* to provide potentially exculpatory information to the accused in criminal proceedings. Officers whose conduct has called into question their truthfulness have been among these disclosures which met or, in most cases, exceeded what was required by law. Not all the information that the office discloses in a case is or should be a matter of public record: that would not be fair to the victim, the defendant, or the investigators, and, in fact, is often prohibited by ethical rules and the law. District Attorneys and their assistants are bound by the U.S. Constitution, the laws of the Commonwealth of Massachusetts, the professional rules of conduct, and the rules of criminal procedure to ensure due process and fairness to all involved in the criminal justice system.

The same rules and ethical considerations that protect criminal defendants from being tried in the court of public opinion apply to police and any other witnesses. As such, *Brady* disclosures are made directly to the defense as part of pretrial discovery, rather than being published on a public file. The Plymouth County District Attorney has concluded that public disclosure must now be made for members of law enforcement who have been convicted of crimes.

“Public trust in the criminal justice system relies on transparency and the knowledge that those who are duty bound to uphold the laws are themselves accountable to it,” District Attorney Timothy J. Cruz said. “The individuals who are included on this now publicly posted register have had the benefit of due process under the law, and have had the allegations against them adjudicated beyond a reasonable doubt by a jury or a finder of fact.”

The District Attorney’s Office has been making appropriate disclosures in criminal cases for decades, and will continue to do so. As a representative of the people, the office operates by the highest standards of fairness and integrity to the communities in Plymouth

County. Those involved in the criminal justice system, whether victims, offenders, defense attorneys, or witnesses, should never question that they were treated respectfully, justly, and fairly. Incorporating this Brady Policy and making these particular disclosures publicly accessible, takes another step forward in building trust.

“I have the utmost respect for the brave and dedicated men and women of law enforcement who choose each and every day to put on a uniform and protect our public safety,” DA Cruz said. “The misconduct of a few individuals who have violated their oath should not tarnish the stellar reputation of those who honorably serve.”

As the Brady Policy becomes publicly available, the office recognizes the work of the Safe Streets coalition, which was integral to ensuring that the community’s voice was heard and reflected throughout every step of this process. The office is mindful that trust is only built through transparency and honest conversation. Thanks to committed community voices that engaged and informed the office at every step: Life After Death’s Sharon Baker, People Affecting Community Change’s (PACC) Jamal Gooding, Community Connections of Brockton and the Family Center’s Melinda Kneeland, Choices for Teens’ Trayce Hillman, Andrea Burton, New Life Temple of Holiness’ Pastor Michael Gilbert, Linda Teixeira-Reyes, Reverend Mark Oliver from Trinity Baptist Church, Brockton Interfaith Community, and many others. Building trust between the communities our office serves and law enforcement requires diligence, community dialogue and collaborations like Safe Streets. These efforts continually move our office closer to that goal.

“Each day, our office works to pursue justice,” DA Cruz said. “Justice is about building unified and healthy communities. And we perform our job with the utmost professionalism, mindful of the greater moral duties of being a prosecutor. We value the relationships we have with the community and our Safe Streets partners, and thank them for their shared commitment to working together for Plymouth County.”

Last month, DA Cruz named veteran prosecutor, Assistant District Attorney Richard Linehan to lead the Office’s Conviction Integrity Unit (CIU), which was established to investigate claims of wrongful conviction or actual innocence. The CIU is dedicated to investigating and recommending necessary action in cases in which a claim of wrongful conviction or actual innocence has been brought to the attention of the District Attorney. The CIU carefully reviews claims of innocence or wrongful conviction, whether due to newly discovered evidence, such as cutting edge DNA testing, mistaken identification, or even mistakes by the court, civilian witnesses, forensic experts, defense counsel, prosecutors or the police. Such reviews are undertaken as cooperative efforts with defendants and defense counsel, in the pursuit of justice.

The Plymouth County District Attorney’s Office’s Brady Policy and details about how information is collected and how determinations are made can be viewed on the Office’s website: [PLYMOUTHDA.COM](http://PLYMOUTHDA.COM).