

COMMONWEALTH OF MASSACHUSETTS – PLYMOUTH DISTRICT
OFFICE OF THE DISTRICT ATTORNEY



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PRESS RELEASE

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**PLYMOUTH COUNTY DISTRICT ATTORNEY'S OFFICE RESPONDS
TO NAACP RECOMMENDATIONS**

BROCKTON – Plymouth County District Attorney Timothy J. Cruz and NAACP Brockton Area Branch President Stephen Bernard announced today the implementation of measures aimed at improving email practices and diversity within the District Attorney's Office.

In April, the Plymouth County District Attorney's Office came under scrutiny when during a trial, prosecutors introduced several potentially exculpatory, offensive emails sent by a former Plymouth County Assistant District Attorney which was troubling.

"I found these emails very disturbing and they go against everything my office fights for every day," DA Cruz said. "The emails were sent by former employees and I take full responsibility for them. I am committed to taking whatever steps are necessary to ensure that nothing like this happens again."

The handful of offensive emails and images dated back several years and the employees involved in creating the emails no longer work at the Plymouth County District Attorney's Office. Still, DA Cruz took immediate, swift and thorough action and sought the assistance of Mr. Bernard and the NAACP. With Mr. Bernard's input and guidance, DA Cruz took the following actions:

- DA Cruz engaged Guidepost Solutions LLC, a global information technology, compliance and security firm. In May, Guidepost began an independent inquiry into staff emails within the District Attorney's Office. Nancy McGillivray, a former United States Marshal and Security Consultant who represents Guidepost Solutions, LLC, is serving as the Project Manager. At the end of their inquiry, Ms. McGillivray and

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Guidepost will make suggestions for the office going forward. DA Cruz will make the results of Guidepost's suggestions and protocols public and open to other state agencies to review and potentially implement.

- The DA's Office is committed to hiring those who reflect the diversity of the communities in Plymouth County. Mr. Bernard assisted DA Cruz in broadening those searches in an effort to recruit more minority, multicultural and multilingual employees. As part of this effort, the Office will form internal and external Diversity Subcommittees to promote diversity and cultural competencies within the office and when engaging the community. The Internal Committee will be comprised of both legal and non-legal staff members. The goal will be to support the office's commitment to hire a more diverse, multi-lingual and culturally competent staff. The External Committee will include community leaders of color and diversity who will meet to provide leadership and assistance in the active recruitment of minority candidates for employment. These committees have come from recommendations of the NAACP and in review of best practices within other prosecutorial offices.
- Mr. Bernard additionally put the District Attorney's Office in touch with E. Macey Russell, a partner at Choate, Hall & Stewart LLP. Mr. Russell will provide a presentation on the "Best Practices for Diversity and Inclusion in the Legal Profession at a scheduled gathering for all employees of the Plymouth County District Attorney's Office. Mr. Russell is a partner in the Complex Trial and Appellate Group at Choate Hall & Stewart LLP, and represents major financial institutions in matters before State and Federal Courts. He is a nationally recognized author of several articles on diversity and inclusion in the legal profession. He is on the Advisory Board of the Institute for Inclusion in the Legal Profession based in Chicago, Illinois. He is a frequent speaker locally, nationally and internationally on diversity and inclusion. He is the past Co-Chair of the Boston Bar Association's Diversity and Inclusion Section (2011-2012), and former Chair of the Judicial Nominating Commission of Massachusetts (2010-2014). In 2011, the Burton Foundation and Library of Congress honored Mr. Russell with an award for his co-authored article

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entitled, “Developing Great Minority Lawyers for the Next Generation.” Mr. Russell accepted the award, which is considered the Pulitzer Prize of legal writing, at a special ceremony featuring Supreme Court Justices Sonia Sotomayor and Stephen Breyer at the Library of Congress in Washington, D.C. In 2009, Massachusetts Lawyers Weekly named him a Diversity Hero. Mr. Russell is a Trustee of Suffolk University Law School and serves on its Law School Committee. Mr. Russell is a native of Brockton and graduated from the high school in 1976. He attended Trinity College in Hartford, Connecticut and Suffolk University Law School.

- DA Cruz will hold further diversity and sensitivity training for all current Plymouth County District Attorney’s Office employees.

NAACP Brockton Area Branch President Stephen Bernard said, “The cooperation that District Attorney Cruz has shown indicates that he is committed to implementing changes in the District Attorney’s office. These changes would include enhancing diversity among his staff and improving the culture and perceptions often misinterpreted in the purveyance of justice. Recommendations submitted to District Attorney Cruz for immediate action come from concerned citizens and members of the Brockton Area NAACP. Brockton resident Leonard Alkins, who is President Emeritus of the Boston Branch of the NAACP, also contributed to the agreement.”

DA Cruz said, “I am proud of the work my staff does every day in the Plymouth County District Attorney’s Office. We have a long and proud history of fighting for victims, particularly those who don’t have a voice in our community, and we will continue to do so.”

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