

Mark G. Mastroianni

January 6, 2014

The Honorable Patrick Leahy, Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I have reviewed the Senate Questionnaire that I previously filed in connection with my nomination to be a United States District Judge for the District of Massachusetts. Incorporating the additional information below, I certify that the information contained in those documents and items is, to the best of my knowledge, true and accurate.

12(c):

December 13, 2013: Letter announcing the findings of an investigation into a Police Department paying a civilian employee for hours not worked. Copy supplied.

12(d):

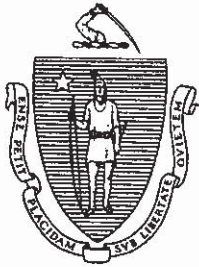
November 6, 2013: Guest Speaker at a community event sponsored by Hampden District Attorney's Office, the Hampden County Sheriff Department, and Learn to Cope, Springfield, Massachusetts. The event was meant to raise awareness, educate, and provide resources for individuals and their families affected by substance abuse. I have no notes, transcript or recording. The address of the Hampden District Attorney's Office is 50 State Street, Springfield, MA 01103.

I am also forwarding an updated Net Worth Statement and Financial Disclosure Report as requested in the Questionnaire. I thank the Committee for its consideration of my nomination.

Sincerely,


Mark G. Mastroianni

cc: The Honorable Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510



MARK G. MASTROIANNI
DISTRICT ATTORNEY

COMMONWEALTH OF MASSACHUSETTS
HAMPDEN DISTRICT
HALL OF JUSTICE

50 STATE STREET
SPRINGFIELD, MASSACHUSETTS 01102-0559

OFFICE OF THE DISTRICT ATTORNEY

SUPERIOR COURT OFFICE
TEL: 413-747-1000
FAX: 413-781-4745

SPRINGFIELD DISTRICT COURT OFFICE
TEL: 413-747-1001
FAX: 413-747-5628

December 13, 2013

Chief Russell Sienkiewicz
Northampton Police Department
29 Center Street
Northampton, Massachusetts 01060

RE: Captain Scott Savino and
Administrative Employee Marianne Keating

Dear Chief Sienkiewicz:

The State Police Detective Unit assigned to this office has been conducting a work-related financial investigation of Marianne Keating, a civilian employee of the Police Department, and Police Captain Scott Savino. This matter was referred to the Hampden District Attorney's Office due to a potential conflict raised by the Hampshire District Attorney's Office. The investigation included a review of the financial compensation system for civilian employees of the Police Department. Interviews were conducted of both civilian employees and officers within the Department; additionally records were reviewed and an accounting was conducted of the salary and payment history for Marianne Keating. As the Northampton Police Department utilizes a "flex time" compensation system, the inherent flexibility of that system was specifically reviewed relative to how hours worked are monitored and recorded so that actual pay reflects actual time worked. The system of supervisory oversight as well as the signing and verifying of actual time worked was examined.


It is the determination of this office, after full review, there were clear improprieties relative to the compensation realized by Marianne Keating for the hours that she actually worked since January 2011. While she had a fixed salary that was not exceeded, the investigation focused on her actual hours working not adding up to the time required to justify the salary amount realized. Under the "flex system" any set hours established for her could be substituted

Chief Russell Sienkiewicz
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by her coming to work at varying hours as long as the total hours required to be worked every week were satisfied and a supervisor verified in writing that she was actually on the job. The internal process of paying administrative employees and verifying or proving if hours were actually worked under the "flex system" is not a completely clear or concise one. There are facts present which potentially could be proven to support criminal charges relative to a larceny scheme where Ms. Keating was paid for hours that were actually not worked. Captain Savino of the Northampton Police Department was involved and he was responsible for knowingly verifying a small portion of the unworked hours at issue for Ms. Keating. The remainder of pay for unworked hours was realized through Ms. Keating having payments processed without verification of actual work. The total amount for unworked hours being paid to Ms. Keating has been determined to be \$18,000.00.

The level of proof required to pursue criminal charges is more substantial than what is necessary for addressing this matter administratively and/or by means of a civil action. An agreement has been reached between the City and the two individuals being investigated which included full payback of money lost and also what was spent by the City in dealing with this matter. The agreement also addresses the employment consequences for the individuals involved. No other individuals were found to be implicated to any degree as being involved in this matter. I believe that administrative handling is appropriate under the circumstances and, therefore, decline to further pursue the possibility of this factual scenario supporting the standard of proof necessary for pursuing criminal charges.

Sincerely,



Mark G. Mastroianni
Hampden District Attorney

lcd

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Mark Gerald Mastroianni

2. **Position**: State the position for which you have been nominated.

United States District Judge for the District of Massachusetts

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office: Hampden District Attorney's Office
 50 State Street
 Springfield, Massachusetts 01103

Residence: Westfield, Massachusetts

4. **Birthplace**: State year and place of birth.

1964; Springfield, Massachusetts

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1986 – 1989, Western New England College School of Law; J.D., 1989
1982 – 1986, American International College; B.A. (with High Honor), 1986

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2011 – present
Hampden District Attorney's Office
50 State Street
Springfield, MA 01103
District Attorney

2000 – 2011
Law Office of Mark G. Mastroianni
95 State Street, Suite 309
Springfield, MA 01103
Attorney

1995 – 2000
Affiliation with Law Office of Vincent Bongiorno
101 State Street, Third Floor
Springfield, MA 01103
Attorney

1991 – 1995
Hampden District Attorney's Office
50 State Street
Springfield, MA 01103
Assistant District Attorney

January – April 1991
Law Office of Mark G. Mastroianni
Court Square Building
31 Elm Street
Springfield, MA 01103
Attorney

September 1990 – January 1991
Hampden District Attorney's Office
50 State Street
Springfield, MA 01103
Assistant District Attorney

1989
Law Office of James McEwan
280 North Main Street
East Longmeadow, MA 01028
Clerk

1988 –1989
Law Office of Hurley, Melikian, Sousa & McFarlin
101 State Street
Springfield, MA 01103
Clerk

Other Affiliations (uncompensated):

2012 – present
American International College Board of Trustees
1000 State Street
Springfield, MA 01103
Trustee

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the military. I timely registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Massachusetts Missing Children’s Day Award for Contributions and Service
(2013)

Kent B. Smith Award (for advancement of Criminal Law), Hampden County
Bar Association (2011)

National Honor Society, American International College (1985)

President Golden Key Society, American International College (1985)

Outstanding Senior Award, American International College (1986)

Outstanding Achievement in History, American International College (1986)

Outstanding Achievement in Political Science, American International College
(1986)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Hampden County Bar Association

Massachusetts Bar Association

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Massachusetts, 1990

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States District Court of Massachusetts, 1991

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

American International College Board of Trustees (2012 – present)

Massachusetts Association Criminal Defense Lawyers (approximately 1998 – 2006)

Massachusetts District Attorneys Association (2011 – present)

National Association of Criminal Defense Lawyers (approximately 1998 – 2001)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations

listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, the organizations I have listed in response to question 11(a) do not currently discriminate and have no history of discriminating.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

None.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

May 13, 2013: Findings and Determination Relative to Criminal Charges related to the on-duty death of Officer Jose Torres. Copy supplied.

October 24, 2012: Letter announcing review and findings that a local police department failed to appropriately arrest or charge a police officer after an operating under the influence incident (released under FOIA). Copy supplied.

September 6, 2012: Letter by the Massachusetts District Attorneys Association to Governor Deval Patrick regarding improper handling of evidence at a State Drug Laboratory. Although I did not draft this letter, I did approve its submission on behalf of the District Attorneys Association. Copy supplied.

July 20, 2012: Letter by the Massachusetts District Attorneys Association to Governor Deval Patrick regarding comments made by him relative to the Crime Bill. Although I did not draft this letter, I did authorize my signature for its submission on behalf of the District Attorneys Association. Copy supplied.

February 17, 2011: Testimony before the Commission to Review Statutes Relative to Implementation of the School Bullying Law. I have no notes, transcript, or recording.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

May 21, 2013: Guest Speaker at Sixteen Acres Civic Association, Springfield, MA. I discussed how matters are processed in the Springfield District Court and how the community can have open communication with the Hampden District Attorney's Office. I have no notes, transcript or recording. The address of the Hampden District Attorney's Office is 50 State Street, Springfield, MA 01103.

May 8, 2013: Guest Speaker at the Springfield Kiwanis Luncheon, Springfield, MA. I discussed how the Hampden District Attorney's Office re-built after the damage from the tornado in 2011. I have no notes, transcript or recording. The address of the Springfield Kiwanis Club is 481 Carew Street, Springfield, MA 01104.

April 25, 2013: Guest speaker at the 2013 Annual Victims' Rights Conference, Holyoke, MA. I made introductory remarks. I have no notes, transcript, or recording. The address of The Baystate Education Center is 361 Whitney Avenue, Second Floor, Holyoke, MA. 01040.

March 4, 2013: Guest speaker at a Community Safety Information Night at Holyoke Catholic High School. I spoke about the Criminal Justice System interacting with teenagers on issues that affect their lives. I have no notes, transcript or recording. The address of Holyoke Catholic High School is 134 Springfield Street, Chicopee, MA 01020.

January 18, 2013: Speaker at a Conference at Western New England University highlighting domestic violence and abuse issues. I made introductory remarks discussing the cycle of domestic violence and applying new research and approaches designed to best handle this growing problem. I have no notes, transcript or recording. The address of Western New England University is 1215 Wilbraham Road, Springfield, MA 01119.

June 4, 2012: Hosted students of the Eighth Grade Social Studies Class at the M. Marcus Kiley Middle School in Springfield for a tour of the Hampden County Courthouse. I spoke to the students about problems that affect their lives and encouraged them to think about careers related to the court system. I have no notes, transcript or recording. The address for the Courthouse is 50 State Street, Springfield, MA 01103.

May 4, 2012: Keynote Speaker, Safe Driver Education Program at the Annual Community Based Juvenile Justice Project Task Force, Springfield, MA. I reviewed the work the District Attorney's Office had done with the Youth Advisory Board in developing programs aimed at young people. I have no notes, transcript or recording. The address of the Juvenile Justice Project Task Force is Office of the District Attorney, 1500 Main Street, Springfield, MA 01103.

April 30, 2012: Keynote Speaker, Crime Prevention Strategy Conference, Springfield, MA. I discussed applying non-traditional police/prosecution methods to the drug and gun problem in Springfield, MA. I have no notes, transcript or recording, but audio press coverage is available at: <http://wamc.org/post/conference-highlights-crime-prevention-strategy>. The conference was sponsored by the City of Springfield, Springfield City Hall, 36 Court Street, Springfield, MA 01103.

March 20, 2012: Guest Speaker at Massachusetts Bar Association: Criminal Justice Section Program, Springfield, Massachusetts. I discussed prosecution of felony and misdemeanor crimes including alcohol-related crimes in the Springfield District Court. I have no notes, transcript or recording. The address of the Criminal Justice Section of the Massachusetts Bar Association is 73 State Street, Springfield, MA 01103.

February 1, 2012: Introductory Speaker at the Youth Advisory Board Meeting sponsored by the Hampden District Attorney's Office. I discussed how these high school students could report to the District Attorney's Office about their experience with youth violence, substance abuse and school climate. I have no notes, transcript or recording. The address of the Hampden District Attorney's Office is 50 State Street, Springfield, MA 01103.

January 28, 2012: Meeting coordinator and primary speaker for a meeting with the Hampden County Legislative Delegation and Mayors of the Cities in Hampden County. I discussed the need for an increased budget for the Office in order to invest in technology upgrades for law enforcement and prosecution. I have no notes, transcript or recording. The address for the meeting is the District Attorney's Office, 18th Floor, Tower Square, 1500 Main Street, Springfield, MA 01103.

January 20, 2012: Hosted a Mock Trial Exercise for an eighth grade social studies class at the M. Marcus Kiley Middle School in Springfield. I discussed the trial system and the various roles of participants. I have no notes, transcript or recording. The address for the M. Marcus Kiley Middle School is 180 Cooley Street, Springfield, MA 01128.

December 7, 2011: Guest Speaker at the Forest Park Civic Association Meeting. I discussed the recent increase in crime in that neighborhood and efforts our office would take to have better communication with the neighborhood. I have no notes, transcript or recording. The address for the meeting of the Forest Park Civic Association is the Jewish Community Center, Dickinson Street, Springfield, MA 01105

November 10, 2011: Hosted the initial Youth Advisory Board Meeting. I addressed members of the Board and discussed the reasons the Board was formed was to help gain an understanding of the school and life issues addressing high school students. I have no notes, transcript or recording. The address for the District Attorney's Office is 50 State Street, Springfield, MA 01103.

September 30, 2011: Introductory Speaker at the Safe Driving Education Program entitled "*Distracted Driving of Teenagers*" presented to students at Palmer High School. I discussed how distracted driving creates such an enormous danger and the consequences of what can occur. I have no notes, transcript or recording. The address for the Palmer High School is 4104 Main Street, Palmer, MA 01069.

April 11, 2011: Keynote Speaker at flag-raising ceremony recognizing April as Child Abuse Prevention Month, Springfield City Hall, Springfield, MA. I discussed the investigation and prosecution of crimes involving vulnerable child victims. I have no notes, transcript or recording. The event was sponsored by the City of Springfield, Springfield City Hall, 36 Court Street, Springfield, MA 01103.

Throughout 2010 I was involved in numerous political debates, lectures, and speaking appearances related to campaigning for the Office of District Attorney in the Hampden District of Massachusetts. The topics included crime-related issues, prosecution, sentencing and reform ideas to work

toward a safer community. I do not have any notes, transcripts or recordings from any of these events.

December 2008: I was the program chair for the Massachusetts Bar Association Education Series “Motions to Suppress—Identifying, Developing, and Litigating the Issues” in Springfield, Massachusetts. I lectured from a defense perspective on how to develop strategies for raising and arguing constitutionally based challenges to the seizure of evidence. I have no notes, transcript or recording. The address of the Massachusetts Bar Association is 73 State Street, Springfield, MA 01103.

March 2008: I was a faculty participant for the Massachusetts Bar Association Education Series “Criminal Trial Practice” in Springfield, Massachusetts. I gave a presentation which reviewed effective trial and advocacy techniques. The lecture covered direct and cross examination methods as well as reviewing how to communicate with a jury through opening and closing statements. I have no notes, transcript or recording. The address of the Massachusetts Bar Association is 73 State Street, Springfield, MA 01103.

August 2007: I was a panelist in a forum discussion, “Careers in the Criminal Law Field,” at Western New England College School of Law in Springfield, Massachusetts. I spoke about my personal career experiences since graduating from law school. I have no notes, transcript or recording. The address of the Western New England College School of Law is 1215 Wilbraham Road, Springfield, MA 01119.

May 2006: I was a faculty participant in a Massachusetts Continuing legal Education Presentation, ‘Criminal Practice Forum’ in Springfield, Massachusetts. I lectured on case management and practice techniques for defense attorneys in the State District Court. I have no notes, transcript or recording. The address of the Massachusetts Continuing Legal Education is 10 Winter Place, Boston, MA 02108.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

In my position as District Attorney I am interviewed on a regular basis by all forms of media. The following list represents those interviews I could identify based on my best recollection and a search of my files and the Internet. At times, the same or substantially the same article has been reprinted in multiple outlets.

November 5, 2013: Buffy Spencer, *Dennis Rosa Roman of Springfield Arrested in 2011 Chicopee Murder of Amanda Plasse*, The Republican (Springfield, MA). Copy supplied.

October 1, 2013: Buffy Spencer, *Common Scams Outlined to Agawam Seniors in Education Against Senior Exploitation Program*, The Republican (Springfield, MA). Copy supplied.

September 24, 2013: *Hampden County District Attorney Mark Mastroianni Has Been Nominated for a Federal Judgeship*, News 40 WGGB. Copy supplied.

September 24, 2013: *The White House Has Nominated Hampden County District Attorney Mark Mastroianni for a Federal Judge Post in Massachusetts*, 22 News WWLP. Copy supplied.

September 24, 2013: *Hampden County District Attorney Mark Mastroianni Has Been Nominated for Federal Judgeship by President Barack Obama*, News 3 WSMH. Copy supplied.

September 24, 2013: Stephanie Barry, *Hampden District Attorney Mark Mastroianni Nominated for Federal Judgeship by President Barack Obama*, The Republican (Springfield, MA). Copy supplied.

August 16, 2013: Lori Stabile, Buffy Spencer, Suzanne McLaughlin, *Ludlow Officer Denies Drug Charges*, The Republican (Springfield, MA). Copy supplied.

August 9, 2013: Kaitlin Goslee, *District Attorney Educating West Springfield Students*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/district-attorney-educating-west-springfield-students>.

August 7, 2013: Julie McDonald & Laura Hutchinson, *Former Selectman Villamaino Sentenced*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/former-selectman-villamaino-sentenced>.

August 6, 2013: Interview by John O'Brien, WAQY Radio, Bax and O'Brien Show at www.rock102.com. The interview was regarding details of the prosecution of an individual convicted of voter fraud related offenses. I have no notes, transcript or recording.

July 16, 2013: Interview by John O'Brien and Mike Baxendale, WAQY Radio, Bax and O'Brien Show at www.rock102.com. The interview was regarding the 1992 abduction and murder of a young boy determined, after

investigation, to be committed by an identified person presently serving a life sentence in prison. I have no notes, transcript or recording.

July 15, 2013: Jack Flynn, *Serial Killer Lewis Lent's Confession in Jamie Lusher Case in Massachusetts Prompts New Scrutiny of Possible Role in Older, Unsolved Killings*, The Republican (Springfield, MA). Copy supplied.

July 15, 2013: Laura Hutchinson, *Investigative Reporter, Search for Lusher's Remains to Start Tuesday*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/i-team/search-for-lushers-remains-to-start-tues>.

June 28, 2013: Stephanie Barry, *Hampden District Attorney Mark Mastroianni Seeks Federal Judgeship in Springfield*, The Republican (Springfield, MA). Copy supplied.

May 23, 2013: Laura Hutchinson, *Investigative Reporter, Tammy Lynds Case has Remained Unsolved for 19 Years*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/i-team/i-team-tammy-lynds-cold-case>.

May 10, 2013: Barry Kriger, *Fraud and ID Theft Seminar to Protect Western Mass Seniors*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/fraud-and-id-theft-seminar-to-protect-wmass-seniors>.

May 1, 2013: Laura Hutchinson, *Investigative Reporter, Teens Get a Lesson in Distracted Driving*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/teens-get-a-lesson-in-distracted-driving>.

April 2, 2013: *YMCA Benefits from Money Seized in Drug Busts*, 40 News WGGB. Copy supplied.

April 2, 2013: Buffy Spencer, *James Texidor of Springfield Arraigned for Second Time in Murder of Jonathan Tallaj after Judge Dismisses First Indictment*, The Republican (Springfield, MA). Copy supplied.

March 15, 2013: Laura Hutchinson, *Investigative Reporter, District Attorney Forms Partnership with Holyoke School*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/district-attorney-forms-partnership-with-holyoke-school>.

March 15, 2013: Laura Hutchinson, *Investigative Reporter, Interviews Continue in Kiley Drowning Investigation*, 22 News WWLP. Video available at:

<http://www.wwlp.com/news/local/hampden/interviews-continue-in-kiley-drowning-investigation>.

March 15, 2013: Buffy Spencer, *Recently Obtained DNA Results Lead to Warrant for Ronald Moore, Formerly of Ludlow, in 1992 Springfield Rape Case*, The Republican (Springfield, MA). Copy supplied.

March 12, 2013: Laura Hutchinson, *Investigative Reporter, Seized Drug Money to Benefit Family Recovery Program*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/seized-drug-money-to-benefit-family-recovery-program>.

March 3, 2013: *State Briefs*, MetroWest Daily News (Framingham, MA). Copy supplied.

February 27, 2013: Interview by John O'Brien and Mike Baxendale, WAQY Radio, Bax and O'Brien Show at www.rock102.com. This interview was regarding the formation of office DNA Unit and use of the forensic technology to work on older cases. I have no notes, transcript or recording.

February 26, 2013: George Graham, *Chicopee Police Officer, Accidentally Shot During SWAT Training Exercise, in Good Condition at Baystate Medical Center*, The Republican (Springfield, MA). Copy supplied.

February 22, 2013: *Dozens of Local Drug Suspects Set Free Following Amherst Chemist Case*, News 40 WGGB. Video available at: <http://www.wggb.com/2013/02/22/dozens-of-local-drug-suspects-set-free-following-farak-case/?app=1&cat=276>.

February 7, 2013: John Zaremba, *Wife: It's Not Enough*, The Boston Herald (Boston, MA). Copy supplied.

February 7, 2013: Buffy Spencer, *Miguel Rivera of Springfield Admits Throwing 91-year-old Woman into Basement, Stealing Credit Card*, The Republican (Springfield, MA). Copy supplied.

February 1, 2013: Stephanie Barry, *Apparent Suicide in Agawam Linked to Springfield Police Officer's Service Weapon, Investigators Say*, The Republican (Springfield, MA). Copy supplied.

January 29, 2013: Dan Ring, *Massachusetts Supreme Judicial Court Upholds State's Gun Storage Law, Rejects Challenge by Springfield Man*, The Republican (Springfield, MA). Copy supplied.

January 23, 2013: Elysia Rodriguez, *Son of 1991 Murder Victim Feels Closure*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/son-of-1991-murder-victim-feels-closure>.

January 23, 2013: *Hampden County D.A. Pursuing List of Cold Cases*, News 40 WGGB. Video available at: <http://www.wggb.com/2013/01/23/cold-cases-actively-investigated-in-hampden-county/?app=1&cat=276>.

January 22, 2013: *Faustino Diaz, Jr. Charged in 1991 Springfield Murder*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/suspect-charged-in-1991-spfld-murder>.

January 22, 2013: *No Bail for Suspect in Decades Old Murder in Springfield*, News 40 WGGB. Video available at: <http://www.wggb.com/2013/01/22/arrest-made-in-decades-old-springfield-murder/?app=1&cat=276>.

January 22, 2013: Buffy Spencer, *Myrtle Marrett Case: Faustino Diaz to Give DNA Sample to Police in New Investigation of 1991 Murder*, The Republican (Springfield, MA). Copy supplied.

January 4, 2013: *Family of Lisa Ziegert Reacts To New Developments in Murder Case*, News 40 WGGB. Video available at: <http://www.wggb.com/2013/01/04/d-a-to-take-new-look-at-lisa-ziegert-murder-case/?app=1&cat=276>.

December 19, 2012: Patrick Johnson, *Officials in Northampton, East Longmeadow Respond to Threats in Schools*, The Republican (Springfield, MA). Copy supplied.

December 17, 2012: Buffy Spencer, *Lastarandre Bell Found Guilty of First-Degree Murder in Retrial for Death of Julie Ann Nieves*, The Republican (Springfield, MA). Copy supplied.

December 13, 2012: Buffy Spencer, *Man Fighting Traffic Ticket Accidentally Joins Jury in Springfield District Court Assault Case*, The Republican (Springfield, MA). Copy supplied.

November 14, 2012: Jack Flynn, *Trey Malone Case at Amherst College Highlights Challenges Campus Sexual Assault Counselors Face*, The Republican (Springfield, MA). Copy supplied.

November 13, 2012: Ryan Walsh, *Investigative Reporter, Jail Time for Firearms Arrests*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/i-team/i-team-jail-time-for-firearms-arrests>.

November 12, 2012: Stephanie Barry, *Questions Linger About Justice*, The Republican (Springfield, MA). Copy supplied.

November 2, 2012: Stephanie Barry, *Acquittal Rates Vary in Drunken Driving*, The Republican (Springfield, MA). Copy supplied.

October 17, 2012: Ryan Walsh, *Investigative Reporter, Not Guilty Plea for Villamaino in Voter Fraud Case*, 22 News WWLP. Video available at: <http://www.wwlp.com/web/wwlp/news/local/hampden/villamaino-arraigned-in-superior-court>.

October 2012: R. J. Cinquegrana, Interview related to the Report to the Supreme Judicial Court Regarding Jury-Waived Acquittal Rate for Operating Under the Influence Trials in Massachusetts. Although the report was originally designated as privileged and confidential, the Commonwealth of Massachusetts has made it available at: <http://www.mass.gov/courts/sjc/docs/report-110112.pdf>.

September 14, 2012: D.A.: *No Criminal Charges Filed in Agawam Police Shooting*, News 40 WGGB. Video available at: <http://www.wggb.com/2012/09/14/d-a-no-criminal-charges-filed-in-agawam-police-shooting/?app=1&cat=276>.

September 7, 2012: Sandra Constantine, *Results of DA's Probe of Accidental Shooting of Britteney Miles by Agawam Police Officer Danielle Petrangelo Due to be Released*, The Republican (Springfield, MA). Copy supplied.

August 31, 2012: Stephanie Barry, *Former East Longmeadow Selectman Enrico Villamaino, Co-suspect in Election Fraud Probe Courtney Llewellyn Reportedly Wed*, The Republican (Springfield, MA). Copy supplied.

August 22, 2012: Buffy Spencer, *Cleveland Burgess Pleads Guilty to Fatal Springfield Shooting of Richard Wayne Dillon 17 years ago, when Burgess was 16*, The Republican (Springfield, MA). Copy supplied.

August 17, 2012: Laura Hutchinson, *Investigative Reporter, East Longmeadow Employee Placed on Administrative Leave*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/i-team/el-employee-placed-on-admin-leave>.

July 25, 2012: Laura Hutchinson, *Investigative Team, Jury Dodgers. Hundreds of People Don't Show up to Jury Duty*, 22 News WWLP.

Video available at: <http://www.wwlp.com/news/i-team/i-team-jury-dodgers>.

July 24, 2012: Buffy Spencer, *George Stuart, Ludlow Standoff Suspect, Pleads Innocent to Arson, Weapons Charges*, The Republican (Springfield, MA). Copy supplied.

July 18, 2012: DA: *Ludlow Standoff Ends When Retired Springfield Police Officer George Stuart Fires Weapon*, The Republican (Springfield, MA). Copy supplied.

June 29, 2012: Patrick Johnson, *Hampden DA: Drug Suspect Rams Police Cars in Riverdale Shops, Leads Police on Wild Chase Through West Springfield, Holds Couple Hostage*, The Republican (Springfield, MA). Copy supplied.

May 25, 2012: Greg Saulmon, *Officers Cleared in Fatal Shooting of Teenage Suspect Tahiem Goffe; Police Commissioner William Fitchet Calls Case "Tragic"*, The Republican (Springfield, MA). Copy supplied.

Spring 2012: Mary Ellen Lowney, *A Little Luck, A Lot of Law*, The Alumni Magazine of American International College. Copy supplied.

April 25, 2012. Suzanne McLaughlin, *Ludlow Residents Jam Forum to Learn How to Deal with 'Suburban Epidemic' of Prescription Pain Killer Abuse*, The Republican (Springfield, MA). Copy supplied.

April 22, 2012: Stephanie Barry, *New Hampden, Hampshire District Attorneys Mark Mastroianni and David Sullivan Forge New Paths, Styles*, The Republican (Springfield, MA). Copy supplied.

April 20, 2012: Interview by John O'Brien and Mike Baxendale, WAQY Radio, Bax and O'Brien Show at www.rock102.com. This interview was regarding a local shooting where an individual opened fire in a populated neighborhood on police responding to a domestic violence call. I have no notes, transcript or recording.

April 15, 2012: Jeanette DeForge, *Investigation into Chicopee Shooting Continuing, Injured State Trooper Released from Hospital*, The Republican (Springfield, MA). Copy supplied.

April 9, 2012: Patrick Johnson, *Westfield Police Officer Involved in Fatal Shooting Granted Leave as Investigation Continues*, The Republican (Springfield, MA). Copy supplied.

March 14, 2012: Buffy Spencer, *Former Holyoke Resident Vincent Deleonardis Charged in Unsolved 1993 Case Involving Rape of a Disabled Person*, The Republican (Springfield, MA). Copy supplied.

March 11, 2013: Patrick Johnson, *Homicides in Western Massachusetts: Unpredictable, Frustrating, Tragic*, The Republican (Springfield, MA). Copy supplied.

March 2, 2012: Interview by John O'Brien and Mike Baxendale, WAQY Radio, Bax and O'Brien Show at www.rock102.com. This interview was regarding the prosecution and conviction of a Springfield Police Officer for assault and battery with a dangerous weapon committed on a person being placed under arrest. I have no notes, transcript or recording.

February 29, 2012: Stephanie Barry, *Reactions to ex-Springfield Cop Jeffrey Asher's Assault Conviction Sharply Divided*, The Republican (Springfield, MA). Copy supplied.

February 17, 2012: Laura Hutchinson, *Investigative Team, D.A.: New Leads in Piirainen Case. Tips from the Public are "Keeping Them Busy,"* 22 News WWLP. Video available at: <http://www.wwlp.com/news/i-team/da-new-leads-in-piirainen-case>.

February 16, 2012: Sandra Constantine, *DA Completes Police Misconduct Complaint Probe*, The Republican (Springfield, MA). Copy supplied.

February 12, 2012: Jessica Stanley, *In Focus: Distracted Driving Dangers*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/infocus/infocus-distracted-driving-dangers>.

February 9, 2012: Buffy Spencer, *Juan Rodriguez of Holyoke, Found with Drugs Inside Bologna, Pleads Guilty to Possession of Cocaine with Intent to Sell*, The Republican (Springfield, MA). Copy supplied.

January 27, 2012: Jackie Brousseau, *Upgrades to DA's Office Paying Off*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/hampden/upgrades-to-das-office-paying-off>.

January 14, 2012: Sandra Constantine, *Police Complaint Under Investigation*, The Republican (Springfield, MA). Copy supplied.

January 4, 2012: Buffy Spencer, *Holly Piirainen case: Appeal for Information on David Pouliot Brings Strong Response*, The Republican (Springfield, MA). Copy supplied.

January 4, 2012: Interview by John O'Brien and Mike Baxendale, WAQY Radio, Bax and O'Brien Show at www.rock102.com. This

interview was regarding developments in the 1993 missing person/murder investigation of ten-year-old Holly Piirainen. I have no notes, transcript or recording.

November 29, 2011: Buffy Spencer, *Cleveland Burgess of Springfield, in Prison on Robbery Conviction, Now Faces Murder in 1995 Shooting of Richard Dillon*, The Republican (Springfield, MA). Copy supplied.

November 14, 2011: Conor Berry, *Rev. Talbert Swan to Address 'Inflammatory Comments' Linked to Police Shooting Case*, The Republican (Springfield, MA). Copy supplied.

November 11, 2011: Barry Kriger, *D.A. Launches Youth Advisory Board. Advisory Board Will Address WMass Youth Problems*, 22 News WWLP Video available at: <http://www.wwlp.com/news/local/hampden/d-a-launches-youth-advisory-board>.

October 7, 2011: George Graham, *15 Springfield Area Men Face State and Federal Firearm Charges Following Joint-sweep by City, State and Federal Law Enforcement Agencies*, The Republican (Springfield, MA). Copy supplied.

September 30, 2011: Interview by John O'Brien and Mike Baxendale, WAQY Radio, Bax and O'Brien Show at www.rock102.com. This interview was regarding distracted driving presentations to local high school students. I have no notes, transcript or recording.

September 27, 2011: Patrick Johnson, *Hampden DA Mark Mastroianni Asks State AG to Take over Investigation of 'Mystery Powder' Mailed to his Office by Prison Inmate*, The Republican (Springfield, MA). Copy supplied.

September 19, 2011: Buffy Spencer, *Former Holyoke Police Detective Paul Barkyoumb Indicted on Drug and Gun Charges*, The Republican (Springfield, MA). Copy supplied.

September 16, 2011: Buffy Spencer, *3 of 13 Witnesses Excluded by Judge in Murder Trial of Eric Denson of Springfield*, The Republican (Springfield, MA). Copy supplied.

August 30, 2011: Mike Plaisance, *Holyoke Fire Official William Moran's Status Remains Undecided after Show-cause Hearing in District Court*, The Republican (Springfield, MA). Copy supplied.

August 30, 2011: Mike Plaisance, *Probe into Holyoke Accident that Killed Thomas Monahan Wrapping up*, DA Mark Mastroianni says, The Republican (Springfield, MA). Copy supplied.

August 28, 2011: Jeannette DeForge, *Amanda Plasse of Chicopee Mourned by Friends after her Killing*, The Republican (Springfield, MA). Copy supplied.

August 18, 2011: *Hampden County DA Mark Mastroianni: Palmer Officer Justified in Non-fatal Shooting of Shawn Fontaine*, The Republican (Springfield, MA). Copy supplied.

August 9, 2011: Interview by John O'Brien and Mike Baxendale, WAQY Radio, Bax and O'Brien Show at www.rock102.com. This interview was regarding the backlog of older murder cases waiting for trial and unsolved. I have no notes, transcript or recording.

July 24, 2011: Jeanette DeForge, *Paul Barkyoumb, Former Holyoke Police Officer, Arrested in a Drug Investigation*, The Republican (Springfield, MA). Copy supplied.

July 21, 2011: Peter Goonan, *Springfield Officials Pledge Zero Tolerance Crackdown on Spate of Summer Violence*, The Republican (Springfield, MA). Copy supplied.

July 15, 2011: Buffy Spencer, *DA Mark Mastroianni: 5 Recent Springfield Homicides Don't Pose Increased Threat to Residents*, The Republican (Springfield, MA). Copy supplied.

June 13, 2011: Mike Plaisance, *District Attorney Mark Mastroianni Pledges Holyoke Traffic Death will be Probed with Integrity*, The Republican (Springfield, MA). Copy supplied.

June 2, 2011: *Mass. Digs Out After Tornadoes Kill 3, Hurt 200*, Associated Press/Boston, MA. Copy supplied.

May 26, 2011: Jeanette DeForge, *Schools Ask DA for Bully Classes*, The Republican (Springfield, MA). Copy supplied.

May 18, 2011: Brian Steele, *Danilo Feliciano, ex-Springfield Cop, Acquitted in Assault Trial*, The Republican (Springfield, MA). Copy supplied.

May 11, 2011: Patrick Johnson, *Criminal Investigation Continues into Allegations that DOC Employees Guarding Murder Suspect Tamik Kirkland Made Threatening Phone Calls*, The Republican (Springfield, MA). Copy supplied.

May 10, 2011: Buffy Spencer, *Former Wilbraham Senior Center Employee Bridget Wallace Admits Taking Money from 90-year-old Man*, The Republican (Springfield, MA). Copy supplied.

May 5, 2011: Buffy Spencer, *Springfield North End Residents Praise Police Initiative that has Reduced Crime; Increased Text-a-Tip Use Cited*. The Republican (Springfield, MA). Copy supplied.

May 5, 2011: Elysia Rodriguez, *Officer Hit by Drunk Driver Speaks*, 22 News WWLP. Video available at: <http://www.wwlp.com/news/local/officer-hit-by-drunk-driver-speaks>.

April 29, 2011: Patrick Johnson, *DA Mark Mastroianni's One-month Trial Run with State Police Leading Springfield Homicide Investigations Ends Without Any Murders*, The Republican (Springfield, MA). Copy supplied.

April 29, 2011: Conor Berry, *Hampden District Attorney Mark G. Mastroianni Mulls Marijuana Decision by SJC*, The Republican (Springfield, MA). Copy supplied.

April 26, 2011: Sandra Constantine, *Hampden District Attorney's Office Probing Breaching of Sewer Pipes in Agawam*, The Republican (Springfield, MA). Copy supplied.

April 8, 2011: Buffy Spencer, *Jose Cosme, Maria Cosme and Jose Rodriguez Found Guilty in Cocaine-in-Baby-Wipes Container Case*, The Republican (Springfield, MA). Copy supplied.

April 7, 2011: Buffy Spencer, *Decision to Drop Some Charges Against Melvin Jones Prompts Criticism from Springfield Police Officers' Union*, The Republican (Springfield, MA). Copy supplied.

March 31, 2011: Patrick Johnson, *Springfield Murder Investigations Turn Over to Massachusetts State Police*, The Republican (Springfield, MA). Copy supplied.

March 29, 2011: Buffy Spencer, *DA Mark Mastroianni Says He's Committed to Prosecuting Police Brutality Case Against ex-Springfield Cop Jeffrey Asher*, The Republican (Springfield, MA). Copy supplied.

March 18, 2011: Maureen Turner, *New DA Talks About Drug-Free School Zones*, The Valley Advocate. Copy supplied.

March 9, 2011: Patrick Johnson, *Hampden DA Mark Mastroianni Directs State Police to Take Temporary Charge of Springfield Homicide Investigations*, The Republican (Springfield, MA). Copy supplied.

February 23, 2011: Priscilla Benner, *Role of 'Mandated Reporting' of Bullying Comes under Scrutiny at Coakley Hearing*, The Republican (Springfield, MA). Copy supplied.

February 17, 2011: Jack Flynn, *Hampden District Attorney Mark G. Mastroianni Calls for Mandatory Reporting of Bullying Cases*, The Republican (Springfield, MA). Copy supplied.

February 14, 2011: Patrick Johnson, *DA Mark Mastroianni decides no Grounds for Criminal Charges Against 81-year-old Driver Edwin Skowrya in Fatal Chicopee Crash*, The Republican (Springfield, MA). Copy supplied.

February 14, 2011: Kathleen Mitchell, *Court of Opinion: New Hampden County DA Mastroianni States His Case*, BusinessWest Magazine. Copy supplied.

February 10, 2011: Maureen Turner, *Rethinking Drug-Free School Zones*, The Valley Advocate. Copy supplied.

January 27, 2011: S.P. Sullivan, *Connecting Point: Hampden DA Mark Mastroianni Discussed Fleury Trial, Mandatory Minimums*, The Republican (Springfield, MA). Copy supplied and video available at: http://blog.masslive.com/thefray/2011/01/hampden_da_mark_mastroianni_sa.html.

January 5, 2011: Buffy Spencer, *Mark Mastroianni Pledges Fairness, Justice As He Is Sworn In As Hampden District Attorney*, The Republican (Springfield, MA). Copy supplied and video available at: <http://video-embed.masslive.com/services/player/bcpid1949055957001?bctid=739632605001&bckey=AQ~~,AAAAPmbRGcE~,QhKNocI3huiKO29RITige73Dr2YGfEBS.>

December 20, 2010: Buffy Spencer, *Elizabeth Dunphy Farris, Assistant Northwestern District Attorney, to be Adviser to Mark Mastroianni, Hampden's New District Attorney*, The Republican (Springfield, MA). Copy supplied.

December 8, 2010: Buffy Spencer, *Departing Hampden DA William Bennett Wants to Finish Delayed Trial of Edward Fleury in Christopher Bizilj Gun Show Death*, The Republican (Springfield, MA). Copy supplied.

November 13, 2010: Stephanie Barry, *District Attorney-Elect Mark Mastroianni: Prosecutors Will Have to Reapply for Their Jobs*, The Republican (Springfield, MA). Copy supplied.

November 3, 2010: Buffy Spencer, *DA-elects Mark Mastroianni, David Sullivan Begin Transition Planning*, The Republican (Springfield, MA). Copy supplied.

November 2, 2010: Buffy Spencer, *Mark Mastroianni Finds Hampden District Attorney Election over Stephen Buoniconti 'Amazing'*, The Republican (Springfield, MA). Copy supplied.

October 31, 2010: Buffy Spencer, *Jabs Continue in DA's Contest*, The Republican (Springfield, MA). Copy supplied.

October 30, 2010: Bill Dusty, *Mark Mastroianni's Bus Tour Thru Hampden County*, YouTube. Video available at: http://www.youtube.com/watch?feature=player_detailpage&v=Otvqira41Wo.

October 28, 2010: Maureen Turner, *Tailoring Justice*, The Valley Advocate. Copy supplied.

October 6, 2010: Buffy Spencer, *DA's Race Sizzles*, The Republican (Springfield, MA). Copy supplied.

September 8, 2010: Jack Flynn, *Candidates Split on Fund Raising*, The Republican (Springfield, MA). Copy supplied.

During my 2010 campaign for District Attorney, my campaign released a series of Youtube video clips of campaign advertisement. Videos available at: <http://www.youtube.com/user/Markforda?feature=watch>.

August 17, 2009: Julia Reischel, *Judiciary Under Siege: Hampden County Bar Takes Up Flight Against Anti-Judge Police Chief*, Massachusetts Lawyers Weekly. Copy supplied.

August 9, 2009: Stephanie Barry, *Open Mind Key to Judge's Creed*, The Republican (Springfield, MA). Copy supplied.

Press Releases:

November 6, 2013: press release announcing sponsorship of a program entitled "*An Evening of Hope*" to kick off the opening of the Western Mass chapter of Learn to Cope. Copy supplied.

May 20, 2013: press release announcing community based juvenile justice forum involving the Youth Advisory Board. Copy supplied.

April 24, 2013: press release announcing District Attorneys annual Victims' Rights conference dealing with first responder trauma after the Newtown, Connecticut shootings. Copy supplied.

April 9, 2013: press release announcing District Attorneys Youth Advisory Board presenting to Sixth grade students on the dangers of cyber bullying and online predators. Copy supplied.

March 28, 2013: press release announcing program with District Attorney's Office and the United States Attorney's Office collaborating with local schools and the Boys & Girls Club to present guidance for young people to make good decisions. Copy supplied.

March 11, 2013: press release announcing District Attorneys Adopt a School Program and promoting positive interaction with middle school and high school students. Copy supplied.

February 27, 2013: press release announcing the creation of a specialized firearms session in the District Court to assist in the coordination of firearms cases within the criminal justice system. Copy supplied.

February 26, 2013: press release announcing Community Safety Presentation for parents and high school students on topics including substance abuse, Internet safety, domestic violence. Copy supplied.

January 22, 2013: press release announcing arrest in 22- year-old unsolved murder case based on forensic testing as part of District Attorney's Office newly formed unsolved homicide unit. Copy supplied.

January 18, 2013: press release announcing sponsorship of Community Awareness Event Program highlighting domestic violence and abuse issues. Copy supplied.

January 11, 2013: Attorney General Coakley's press release announcing guilty plea of inmate for sending white powder to Hampden District Attorney's Office and Superior Court Judge. Copy supplied.

November 27, 2012: press release announcing findings relative to the shooting death/murder of police officer Kevin Ambrose and determination of self-inflicted fatal injuries by his assailant. Copy supplied.

November 13, 2012: press release announcing the forfeiture funds for Community Safety Program providing for money seized from drug prosecutions to be invested in community efforts focusing on drug related problems. Copy supplied.

September 14, 2012: press release announcing the non-fatal shooting of a civilian during police response to a domestic violence/intruder related situation, which was found to be an accidental discharge of the officer's weapon. Copy supplied.

August 27, 2012: press release announcing findings that police fatal shooting of a civilian was legally justified as the deceased had confronted police with deadly force and stabbed an officer with a knife. Copy supplied.

May 29, 2012: press release announcing the sponsorship and presentation of a training for law enforcement and advocates from across the state on investigation of crimes against persons with disabilities. Copy supplied.

May 2, 2012: press release announcing the community based Juvenile Justice Program and Youth Advisory Board presentations on distracted driving, internet crimes against children, and other issues affecting young people. Copy supplied.

April 27, 2012: press release announcing the sponsorship and presentation of a drug intervention model successfully used in North Carolina to reduce drug related and violent crime. Copy supplied.

April 23, 2012: press release announcing sponsorship and presentation of annual Victims' Rights Conference targeting community response to youth violence, gun crimes and drug market elimination from neighborhoods. Copy supplied.

April 19, 2012: press release announcing preliminary findings from investigation and review of an incident where a police officer and civilian were shot by an individual opening fire into a public area after committing a domestic related violent assault. Copy supplied.

April 10, 2012: press release announcing the formation of a multi-disciplinary team including law enforcement, women's shelter and YWCA to address the many issues surrounding violent crime against women. Copy supplied.

April 5, 2012: press release announcing collaborative investigation with State Police and FBI leading to the arrest on state charges of thirteen individuals for child pornography charges. Copy supplied.

April 2, 2012: press release announcing the creation of the first website for the District Attorney's Office. Copy supplied.

March 14, 2012: press release announcing solving of a 19-year-old rape and sexual assault case victimizing a severely disabled person. Copy supplied.

February 9, 2012: press release announcing arrest of twenty individuals on heroin distribution charges after a joint investigation between the District Attorney's Office, local police and federal authorities. Copy supplied.

February 8, 2012: press release clarifying a cell phone donation drive initiated by District Attorney's office to benefit organizations offering assistance to victims of domestic violence. Copy supplied.

February 6, 2012: press release announcing a used cellphone donation drive to benefit local domestic violence shelters. Copy supplied.

January 31, 2012: press release announcing an event in which the District Attorneys Youth Advisory Board participated in city based youth leadership forum. Copy supplied.

January 24, 2012: press release announcing the District Attorney's Office would be hosting a legislative meeting to discuss initiatives of the office and fiscal matters. Copy supplied.

January 17, 2012: press release announcing the start of the District Attorney's Adopt a School Program that allowed for continuous interaction with a local group of eighth grade students. Copy supplied.

January 4, 2012: press release seeking public help by providing information about a deceased individual found by a roadside in the early morning. Copy supplied.

January 3, 2012: press release announcing that the District Attorney's Office's unsolved homicide review program had made a development in the investigation of a twenty-year-old abduction and murder of a ten-year-old girl. Copy supplied.

December 7, 2011: press release announcing community meeting to discuss specific neighborhood issues and assignment of a prosecutor

specially assigned to be accessible to work with the community as a liaison. Copy supplied.

November 23, 2011: press release announcing criminal charges being filed against the fire department chief related to his calling in a fake emergency dispatch. Copy supplied.

November 16, 2011: press release announcing delinquency proceedings were initiated against an unnamed juvenile related to the kicking and killing of a duck in a local park. Copy supplied.

November 16, 2011: press release announcing charges and investigation related to the theft of money from fund raising efforts at an elementary school. Copy supplied.

November 16, 2011: press release announcing the investigation into circumstances of the death of a 16-year-old girl found unresponsive by her father. Copy supplied.

November 7, 2011: press release announcing the formation of a Youth Advisory Board to better understand and work with young people on the challenges they face with drugs, violence, school safety and other issues. Copy supplied.

September 28, 2011: press release announcing the formation of a distracted driving program for teenagers. Copy supplied.

September 27, 2011: press release announcing a hazardous material incident involving letters sent to the District Attorney's Office and the Judge's Lobby containing unknown white substance. Copy supplied.

September 21 2011: press release announcing that the District Attorney's Office was sponsoring a specialized training program for persons with disabilities to assist in recognizing, responding and reporting abuse. Copy supplied.

September 21, 2011: press release announcing the charging of one person with vehicular homicide for a death resulting when a civilian was coming to the aid of a vehicle that had been involved in a separate accident. Copy supplied.

September 14, 2011: press release announcing manslaughter charges against one person for a death resulting when a civilian was coming to the aid of a vehicle that had been involved in a separate accident. Copy supplied.

August 17, 2011: press release announcing findings of an investigation of the non-fatal shooting of a civilian by police during a response to a domestic call where the civilian appeared armed with what was later discovered to be a non-operating replica pistol. Copy supplied.

August 11, 2011: press release announcing charges for environmental crimes resulting from a sewer line break occurring when an individual, without notice or permit, engaged in private excavation work in wetland protected property that he did not own. Copy supplied.

August 2, 2011: press release announcing that the District Attorney's Office would be sponsoring a three day training program for school administrators and teachers on social climate and school bullying issues. Copy supplied.

July 28, 2011: press release announcing indictments for murder occurring in jurisdiction but with deceased body being left at a location in Connecticut. Copy supplied.

July 25, 2011: press release announcing arrest of a former police officer for drug distribution. Copy supplied.

July 14, 2011: press release announcing investigation of a house fire treated as a homicide case. Copy supplied.

July 6, 2011: press release announcing the charging of an individual with multiple crimes in relation to his threatening responding officers with a paintball type gun appearing to be real. Copy supplied.

June 29, 2011: press release announcing state charges after a Federal and Gang Task Force investigation into drug distribution. Copy supplied.

June 27, 2011: press release announcing facts and detail from an investigation of a fire department chief who made a fake emergency call. Copy supplied.

June 14, 2011: press release announcing threat made to hospital by a Department of Corrections employee while a defendant, who had escaped from a Department of Corrections facility, was being held there for treatment. Copy supplied.

June 13, 2011; press release announcing the District Attorney's Office's findings, after investigation, regarding a complaint of cruelty to animals against Baystate Medical Center. Copy supplied.

May 20, 2011: press release announcing the investigation of suspected hazardous material in water being left at public locations. Copy supplied.

May 17, 2011: press release announcing the apprehension of a defendant as a fugitive found in another state. Copy supplied.

May 9, 2011: press release announcing the transfer back to state prison custody of a defendant who had escaped and committed murder. Copy supplied.

May 4, 2011: press release announcing arrest of an individual on a fugitive warrant for connection with a murder committed by a prisoner who had escaped. Copy supplied.

April 6, 2011: press release announcing decision not to prosecute person arrested on drug charges and beaten by one of the officers involved. The incident was captured on poor quality audio/video and credible prosecution against the officer and person arrested could not be maintained. Copy supplied.

March 24, 2011: press release announcing a formal complaint made against Baystate Medical Center for cruelty to animals related to training and research. Copy supplied.

March 24, 2011: Commonwealth of Massachusetts Executive Office of Public Safety and Security's press release announcing that ignition of flammable vapors caused a fatal explosion. Copy supplied.

February 14, 2011: press release announcing no criminal charges would be filed related to fatal motor vehicle accident involving an elderly operator who suffered a stroke causing his car to lose control. Copy supplied.

Press Conferences:

November 5, 2013: press conference announcing the arrest and arraignment of an individual being charged with the stabbing murder of a young woman in the summer of 2011 in Chicopee. Video available at: <http://www.wggb.com/2013/11/05/arrest-made-in-amanda-plasse-case/>

July 15, 2013: press conference announcing the investigation into the abduction and murder of a young boy in 1992 determined the person responsible was presently serving a life sentence for a similar offense. I have no notes, transcripts or recording.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have never held judicial office.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____

i. Of these, approximately what percent were:

jury trials: _____%
bench trials: _____% [total 100%]

civil proceedings: _____%
criminal proceedings: _____% [total 100%]

b. Provide citations for all opinions you have written, including concurrences and dissents.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

e. Provide a list of all cases in which certiorari was requested or granted.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have never held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

District Attorney, Hampden District (Massachusetts): Elected (2011 – present).

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify

the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

Committee to Elect Mark G. Mastroianni for District Attorney (2010), formed to raise funds and organize campaign activities.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I never served as clerk to a judge after graduating from law school.

- ii. whether you practiced alone, and if so, the addresses and dates;

January – April 1991
Law Office of Mark G. Mastroianni
Court Square Building
31 Elm Street
Springfield, MA 01103
Attorney

1995 – 2000
Affiliation with Law Office of Vincent Bongiorno
101 State Street, Third Floor
Springfield, MA 01103
Attorney

2000 – 2011
Law Office of Mark G. Mastroianni
95 State Street, Suite 309
Springfield, MA 01103
Attorney

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1990 – 1991
Hampden District Attorney's Office
50 State Street
Springfield, MA 01103
Assistant District Attorney

January – April 1991
Law Office of Mark G. Mastroianni
Court Square Building
31 Elm Street
Springfield, MA 01103
Attorney

1991 – 1995
Hampden District Attorney's Office
50 State Street
Springfield, MA 01103
Assistant District Attorney

1995 – 2000
Affiliation with Law Office of Vincent Bongiorno, worked in
return for use of office space and referrals.
101 State Street, Third Floor
Springfield, MA 01103
Attorney

2000 – 2011
Law Office of Mark G. Mastroianni
95 State Street, Suite 309
Springfield, MA 01103
Attorney

2011 – present
Hampden District Attorney's Office
50 State Street
Springfield, MA 01103
District Attorney

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

I worked as an Assistant District Attorney for two different administrations between 1990 and 1995. My area of practice was purely criminal prosecution during that time with the exception of

a four-month period in 1991 after an election related change in District Attorney administrations. From January to April 1991, I engaged in a private practice while waiting to be re-hired as a prosecutor by the newly elected District Attorney. I focused on court-appointed criminal defense, minor business contract matters and real estate. From 1995 to 2011, I returned to private practice, focusing on criminal defense work. I also had some involvement in other general law practice areas including personal injury, real estate and estate planning. From January 2011 to present, as the elected District Attorney for one of eleven districts in Massachusetts, my area of practice has been criminal prosecution.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

Both in my current practice as the District Attorney for Hampden and in my previous practice as an Assistant District Attorney for Hampden, my client has been the Commonwealth of Massachusetts. In private practice, starting in 1995, my criminal defense specialization included representing indigent persons charged with crimes, primarily through court appointments. I continued to do public defender appointed work throughout my private practice career, but I transitioned to a majority of private paying clients by 2000. While primarily having a private paying client, I was also appointed to the Commonwealth's Committee for Public Counsel Services' list for homicide cases, as well as to the Federal panel in the District of Massachusetts for representation of indigent defendants.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Over my entire career I have remained heavily focused on litigation, which has comprised approximately 90 percent of my practice. While employed as an Assistant District Attorney and then in private practice, I appeared in court at least one or more times each day on multiple cases. Presently, as District Attorney, my actual time in court has been drastically reduced from my years in private practice. Administrative responsibilities of my current position, since January 2011, have required my court appearances to be reduced to three or four times per month. However, I maintain a trial caseload and have litigated five jury trials to completion since being elected in 2011.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 25% |
| 2. state courts of record: | 75% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 5% |
| 2. criminal proceedings: | 95% |

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have litigated approximately 200 cases to verdict as sole or chief counsel. Among the jury cases that I have tried to verdict, I have served as the prosecutor in five murder trials, and the defense attorney in three murder trials. In addition to the numerous major felony trials in superior court and felony and misdemeanor trials in the Commonwealth's district courts, I have served as defense attorney in eight jury trials in federal court and I have made seven appearances at the Commonwealth's appellate courts.

i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 75% |
| 2. non-jury: | 25% |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have never appeared before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *Commonwealth v. Kirkland*, Docket No. 11-044 (Hampden County Superior Court June 2013), Judge Tina Page.

I was the lead prosecutor in this matter, which resulted in convictions for murder in the first degree, multiple counts of armed assault with intent to murder, and weapons charges. The defendant had targeted a barber for a mid-day shooting while the shop was open for business and full of people. The person sitting in the barber's chair was killed when hit by multiple bullets. The barber was seriously wounded but survived. The defendant escaped the scene and was found hiding one block away in the trunk of car. The defendant emerged and shot two police officers wearing protective vests. The case involved detailed ballistics evidence, weapons, bullet, and shell casing comparisons from multiple weapons. There also was a challenge to the photo array procedures used and to how scientific forensic evidence was collected and interpreted. The defendant espoused a third party culprit theory, with the challenge to the identification of the shooter at that scene being a central issue.

Opposing Counsel: Andrew Klyman
 Nikolas Andreopoulos
 Committee for Public Counsel Services
 101 State Street
 Springfield, MA 01103
 (413) 732-3107

2. *Commonwealth v. Bell*, Docket No. 07-0211 (Hampden County Superior Court December 2012), Judge John Ferrara.

I was the lead prosecutor in this matter, which resulted in a guilty verdict after trial for first degree murder by premeditation, felony murder, and extreme atrocity. This was the retrial of a case that had been reversed on appeal on issues of jury instructions and the law on first degree felony murder. The defendant filed motions to suppress challenging the voluntary nature of statements he made when he was suffering from his own burn injuries. There were detailed forensic evidence and testimony specifically relating to fire ignition and spreading. Both sides presented expert witnesses relative to injuries on both victim and defendant. The primary

focus of the defense was on the collection of evidence and integrity of techniques used by investigators to make conclusions.

Opposing Counsel: Donald Frank
95 State Street
Springfield, MA 01103
(413) 733-2898

3. *Commonwealth v. Denson*, Docket No. 10-369 (Hampden County Superior Court October 2011), Judge Peter Velis (retired).

I was the lead prosecutor in this matter, which resulted in a guilty verdict after trial of first degree murder by premeditation and extreme atrocity and cruelty. The conviction is presently being appealed. This case involved a young man being stabbed in the throat at a crowded party. There were significant identification issues because the eyewitnesses gave primarily general clothing descriptions that could have matched a number of individuals at the party. There was detailed video enhancement evidence from a surveillance tape made at a neighboring convenience store. There was extensive testimony regarding evidence collection and examination, including DNA. Forensic issues included blood pattern analysis, evidence preservation and collection issues. The prosecution used new courtroom technology equipment for the presentation of the video surveillance evidence. Several experts were called by the prosecution and defense on various identification, scientific, forensic and medical issues.

Opposing Counsel: Harry Miles
77 Pleasant Street
Northampton, MA 01060
(413) 586-8218

4. *United States v. Crooker*, Docket No. 09-cr-30017-MAP (District of Massachusetts (Springfield) July 2010), Judge Michael Ponsor and Magistrate Judge Kenneth Neiman.

I was defense lead trial counsel in this matter, which resulted in a not guilty verdict after jury trial as to the charges of unlawful possession of firearms and ammunition by a user of controlled substances but a guilty verdict as to possession of marijuana. These charges were filed after an ongoing FBI investigation of defendant's uncle and father resulted in his residence being searched pursuant to a warrant. The investigation centered on suspicion and evidence of defendant's uncle and father being connected with biological weapons as well as firearms and explosives. The defense successfully argued for the use of Grand Jury testimony of a prosecution witness who was deceased but had testified relative to exculpatory issues. A motion to suppress relative to the warrant, its scope and defendant's

statements was unsuccessfully litigated by the defense. Although the defendant was acquitted on the more substantial charge, he appealed his conviction on possession of marijuana. All suppression issues were reviewed in the decision which affirmed the simple possession of marijuana conviction. 688 F.3d 1 (1st Cir. 2012).

Opposing Counsel: AUSA Kevin O'Regan
 U.S. Attorneys Office
 300 State Street, Suite 230
 Springfield, MA 01105
 (413) 785-0142

5. *Commonwealth v. Dominguez*, Docket No. 05-1325 (Hampden County Superior Court May 2007), Judge Brian McDonald (retired).

I was defense lead trial counsel in this matter, which resulted in a not guilty after jury trial as to the first degree murder charge. This case involved the prosecution for first degree murder of the defendant who was with a group of friends near a crowded area where a shooting resulted in someone being struck and killed. There were co-defendants involved and numerous witnesses relative to identification and circumstances surrounding the incident which led to shots being fired. The defense focused on contradictory eyewitness descriptions and testimony. There was detailed ballistics and firearms expertise issues that were litigated relative to the ability to make conclusions regarding the defendant's involvement.

Opposing Counsel: Brett Vottero
 1350 Main Street
 Springfield, MA 01103
 (413) 886-0400

Counsel for co-defendant: (current) Judge Margaret Guzman
 Worcester District Court - Dudley Division
 279 West Main Street
 Dudley, MA 01571
 (508) 943-7123

6. *United States v. Zayas*, Docket No. 05-cr-30012-RGS (District of Massachusetts (Boston) June 2007), Judge Nancy Gertner (retired),

I was defense lead trial counsel in a matter that resulted in a not guilty verdict after trial on one indictment with guilty plea on remaining indictments. The defendant was charged after a search warrant was executed at a location that he was connected to for purposes of storing drugs. The defendant gave a statement after being arrested and *Miranda*

issues relative to the admissibility of the statement were litigated. The defendant entered guilty pleas on multiple drug distribution charges, as well as possession of a firearm and ammunition. The defendant went to trial on the single charge that he had allegedly used the seized firearm in furtherance of his drug distribution, which carried a significant penalty. The defense successfully argued to the jury that the firearm possessed was not connected with drug distribution.

Opposing Counsel: AUSA Thomas Kanwit
 U.S. Attorneys Office
 One Courthouse Way, Suite 9200
 Boston, MA 02210
 (617) 748-3100

7. *United States v. Moorner*, Docket No. 05-cr-30057-MAP (District of Massachusetts (Springfield) September 2007), Judge Michael Ponsor and Magistrate Judge Kenneth Neiman.

I was the defense lead trial counsel in a matter that resulted in a not guilty verdict after trial on the charge of possession with intent to distribute cocaine base. In this matter, if convicted, the defendant would have been subject to a life-sentence based on the Government's filing of a notice of qualifying prior convictions. The prosecution's case was based on a combined local and federal law enforcement investigation into drug sales in a specific area. The police claimed an ability to make a positive identification of the defendant based on their surveillance and observations of street level drug sales. The defense challenged the surveillance techniques used by law enforcement, as well as the identification procedures utilized when another officer was the identifying witness. The defense raised issues relative to the bias of local police involved in the investigation based on their prior history with defendant.

Opposing Counsel: Kevin O'Regan
 U.S. Attorneys Office
 300 State Street, Suite 230
 Springfield, MA 01105
 (413) 785-0142

8. *Commonwealth v. Rodriguez*, Docket No. 99-521 (Hampden County Superior Court May 2000), Judge MaryLou Rup.

I was the defense lead trial counsel in a matter that resulted in a not guilty verdict after trial on a first degree murder charge. This case involved allegations of a gang and drug related shooting in front of a group of people. The prosecution's evidence included voice recording and other material gathered from wire interceptions. Other evidence included

statements of the defendant that were categorized as an admission. Civilian testimony was offered against the defendant under cooperation agreements, and the defense focused on the integrity of such testimony under the circumstances. There was detailed ballistics and forensic evidence offered relative to the distance and positioning of the firearm, including analysis of powder and contact wounds caused by a close distance firing.

Opposing Counsel: Laurel Brandt
 Hampden District Attorney's Office
 1500 Main Street
 Springfield, MA 01103
 (413) 505-5966

9. *United States v. Moriarty*, Docket No. 96-cr-30055 (District of Massachusetts (Springfield) 1996), Judge Frank Freedman (deceased) and Magistrate Judge Kenneth Neiman.

I was the lead counsel for the defendant and replaced a prior attorney who withdrew after the arraignment in this matter. The case resulted in the most serious charge being dismissed and a plea disposition on remaining charges. The defendant was employed at the Hampden County Hall of Justice and charged with intercepting voicemail of various employees including the staff of the District Attorney's Office. The defendant was also alleged to have been conducting an illegal gambling business out of the Hall of Justice. The case received significant media attention and was subject to a defense challenge as to the legitimacy of three indictments charging wiretap, voicemail interception, and obstruction of justice. The defendant prevailed on a motion to dismiss the most serious wiretap charge and negotiated a further dismissal of the voicemail interception charge.

Opposing Counsel: Jeffrey Kinder, Esq. (currently
 Massachusetts Superior Court Judge)
 Hall of Justice
 50 State Street
 Springfield, MA 01103
 (413) 748-7620

10. *Commonwealth v. Allard*, Docket No. 94-1953 (Hampden County Superior Court April 1995), Judge John J. Moriarty (deceased),

I was the lead prosecutor in this matter, which resulted in a guilty verdict after trial of first degree murder by way of extreme atrocity and cruelty and premeditation. This case involved the investigation into the disappearance of a teenage boy who had shown an interest in the girlfriend

of another. The victim was reported missing by his parents after not returning home from a job interview at a local business. The investigation revealed that the purported job interview was used by the defendant to lure the victim to an area where he could be attacked. A vehicle used, as well as a pipe used as the weapon, were located in Connecticut, but the body was ultimately recovered in the woods near the supposed job interview. The issues included state jurisdiction between Massachusetts and Connecticut, as well as use of dental records to identify the victim. Forensics included blood spatter evidence, blood typing and matching, hair sample analysis, and fingerprint and palm-print examination. Among the witnesses used by the prosecution was an individual who assisted in hiding the body and was later prosecuted for that involvement. The conviction was affirmed on appeal.

Opposing Counsel: Linda Thompson
1331 Main St.
Springfield, MA 01103
(413) 739-2100

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

During my career I was fortunate enough to be involved in several significant legal matters. One was writing and arguing before the State Supreme Judicial Court on a case taken up from the Appeals Court in order to decide an important legal issue. This case was my first experience doing appeals work as a prosecutor. The matter set precedent which remains very relevant today on the issue of securing a premises before a search warrant is authorized as a way to prevent destruction of evidence; *Commonwealth v. Blake*, 413 Mass 823 (1992).

I have had multiple meaningful legal experiences litigating many murder cases over my career. These cases have allowed me to develop an expertise and appreciation for forensic sciences and how modern technology can be used in criminal investigations. I have used modern technology to successfully defend cases in my career. I have also used technology to open and conduct a re-examination of cold case murders as District Attorney. Recently, I have started a program to apply modern DNA extraction and analysis technology to unsolved cold cases. This resulted in solving and making an arrest relative to the murder and rape of an 89-year-old woman in 1991. Several other leads have been discovered in other cold cases using this same technology.

It has been very significant over the last several years that I have established or modified units in the District Attorney's Office to address child sexual abuse, domestic and elder abuse, and unsolved homicides. Numerous initiatives have been started for positive community impact including addressing middle and high school students on issues of drugs, violence and other things that affect their school and life experiences. I was able to use a program allowing a portion of seized drug forfeiture money to be donated to qualified non-profits doing community-based drug deterrent education and rehabilitation work in neighborhoods at high risk. The unique experience of being involved in both legally and community-based matters has been a rewarding and important legal activity for me.

19. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses.

20. **Deferred Income/ Future Benefits**: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I have no future benefits arrangements.

21. **Outside Commitments During Court Service**: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

I have no plans to pursue outside commitments other than holding open the possibility to consider teaching one or two college or law school courses.

22. **Sources of Income**: List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Report.

23. **Statement of Net Worth**: Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

If parties appearing were former clients from my private practice, a conflict or appearance of one would arise. Similarly, if individuals appeared who were part of any investigation that I was involved in as District Attorney, an obvious conflict assessment would have to be made. Dealing with a potential conflict situation would require a case by case analysis of the circumstances creating the actual or apparent conflict. I would resolve any such issues through strict adherence to the standard of 28 U.S.C. §455 and the Code of Conduct for United States Judges.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

I would consult and apply the standards under the code of the Code of Conduct for United States Judges, 28 U.S.C. §455, and any and all other laws, rules, and practices governing such circumstances. As needed I would consult with judicial colleagues.

25. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

During my entire career in private practice I routinely did pro bono work including acceptance of court appointed assignments on a pro bono basis when special circumstances developed in court. I volunteered to take cases on a pro bono basis when there was no public defender available or a case was identified by a Judge as having a certain complexity. At one point in my private practice the Bar Advocate/Public Defender group refused to accept cases during a dispute with the State over their contract. I volunteered to take cases, many on a pro bono basis, as individuals were not being assigned attorneys. In my private practice I would accept clients regularly who had no financial resources but had some

compelling legal issue that needed to be addressed.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

In March 2013, Senator Elizabeth Warren announced the formation of an advisory committee to make recommendations for the district court vacancies in Massachusetts. On April 14, 2013, I submitted my application. On May 13, 2013, I met with the advisory committee to be interviewed in Springfield, Massachusetts. On June 15, 2013, I met with Senator Warren in Springfield, Massachusetts. Since June 19, 2013, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On July 26, 2013, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On September 24, 2013, the President submitted my nomination to the Senate.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

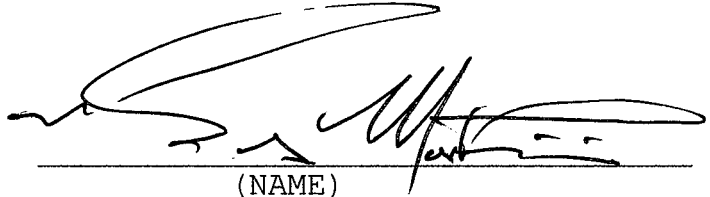
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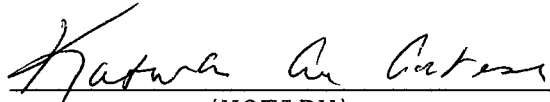
I, MARK G. MASTROIANNI, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

9/27/13

(DATE)



(NAME)



(NOTARY)

