

*election '84*

**DISTRICT ATTORNEY**

# District Attorney candidates debate law issues

by Gary Sprung

IN THE DISTRICT ATTORNEY campaign race, Chuck Greenacre (D) and Reid Pixler (R) have more in common than usual between candidates from opposing parties.

Both believe the grand jury convened by outgoing D.A. John Wendt was unnecessary, unfruitful, and little more than a political tactic. Both consider

political goals and party affiliations as unimportant and probably harmful to the D.A. job. They also agree that investigations of possible wrongdoings should begin with and be initiated by local law enforcement personnel. The D.A.'s investigators, they agreed, should get involved only upon the request of the local police or sheriffs, or if there is

suspicion cast upon those local law officers themselves.

Both candidates give priority to investigating and prosecuting perpetrators of violent crimes, especially rape, child abuse, and domestic violence. Both would work closely with, and provide leadership to, programs like Crimestoppers or Juvenile Diversion.

# Chuck Greenacre

Chuck Greenacre believes he is more qualified for the job of District Attorney of the six-county 7th Judicial District because he has been practicing law for 12 years, ten of them in the 7th, including over 3 dozen jury trials, mostly criminal. He noted his opponent has only eight years, two of which were only part-time as the needs of a family business competed. As the director of four offices and deputy D.A.'s in the district, the D.A. must have expertise in administration, and Greenacre cited his two years as administrator of the Montrose Legal Services program.

Defending himself against Pixler's accusation that he has no prosecutorial experience, Greenacre said he had good training in this field when he designed and participated in prosecution training courses in law school which included actual courtroom experience. He has also instructed at the Western Slope Law Enforcement Academy and served as an intern at the U.S. Attorney's Office in Washington, D.C.

Plea bargaining is the issue most sharply separating the two candidates. With limited resources available to the office, Greenacre would institute a policy of no plea bargaining for crimes which present greatest threat to society--crimes of violence, embezzlement, drug trafficking, and vehicular homicide--which account for 25% of the 379 felony cases tried in 1979.

For those he does plea bargain, he would set strict policies in advance for the terms of such bargains in an effort to insure equal treatment. He would not leave the plea bargaining decision to the victims or law officers because he believes that is the D.A.'s

responsibility and shouldn't be left to third parties.

"If one victim says prosecute and another says plea bargain, you've created an inequality," he asserted.

In the prosecution of sexual and physical abuse crimes, Greenacre proposed a greater degree of involvement in court trials by the existing psychological counseling programs. Law officers usually don't have the training to conduct the necessary sensitive interviews and cannot provide counseling; therefore the counselors should get involved in the prosecution, he thinks. He said many counselors, such as the Women's Resource Center in Montrose, have this capability already.

Furthermore, the decentralization and long distances around the district argue for more mobilization of local resources. The special investigator which Pixler proposes could have difficulty travelling.

Both candidates emphasize the importance of training programs for the usually young lawyers who serve as assistant D.A.'s and come to the district's relatively low paying positions in search of experience. The question seems to be who is more qualified to do that training. Greenacre's proposed training includes lots of travel himself to the four offices, monthly seminars with law enforcement specialists, and quarterly mock trials for the deputies. "I have a good history of setting up training programs," he claimed.

Greenacre favors the retention of an investigator for the office, but sees major limits in this role because of budget limitations. He pointed to the need

for expensive accountants in the prosecution of some white collar crimes, and the extreme expense of running a "decent" drug investigation--"That's why Wendt hasn't caught the big guys."

Gunnison County residents will have another opportunity to meet Chuck Greenacre on October 25 when he will be campaigning at the Crested Butte post office.



Chuck Greenacre

# Reid Pixler

REID PIXLER'S main qualification for the district attorney job is prior experience as a prosecutor in the D.A.'s Delta office. He claimed to have opposed Chuck Greenacre in court many times, including twice at the state Supreme Court, and never lost. He accused his opponent of being "absolutely, unequivocally without prosecution experience."

Pixler promised to hire a woman specializing in investigation of sexual assault and child abuse if he is elected. For such cases, evidence gathering is quite difficult, he said, and the prosecution is handicapped without proper expertise. The investigator he has in mind "is on the leading edge" of her field. She uses anatomically correct dolls for child abuse cases, onto which the victims can project their feeling of shame and guilt and thus more easily testify. The investigator is also skilled with hypnosis, which a patient victim can (voluntarily) use to relax and reach back into the subconscious and bring out any repressed memories.

If the investigator has enough time, she could also create programs to help prevent rape and sexual abuse. Pixler thinks he may be able to convince the six county governments which fund the D.A.'s office to fund a second investigator position.

On the plea bargaining issue, Pixler affirmed the more typical prosecution use of this tool. He asserted that Greenacre's no-plea bargaining policy for 25% of the cases would lead to more plea bargaining in the

other 75%. Pixler said he does not like and would like to do away with plea bargaining, but the limited resources of the D.A. office require it.

In contrast to Greenacre, he believes equality of prosecutorial treatment is impossible because every case is different, and he further feels opposite about involving the victim and law enforcement officers in the prosecution decisions. He wants his office to be very open to the wishes of the community, and the victim and law enforcement personnel "are the community I'm defining as most important." He thinks Greenacre's idea to use strict policy for the decisions on plea bargaining is wrong.

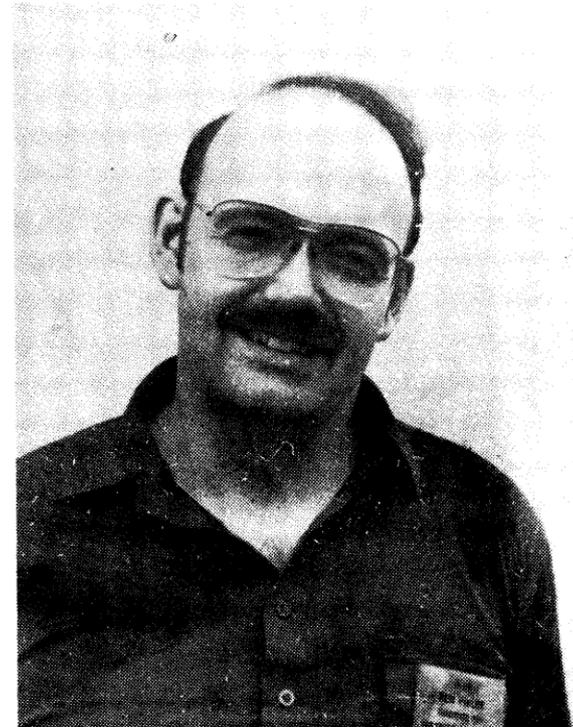
"In a felony theft case, you're often faced with a question like 'Did he steal a Porsche or a loaf of bread?' That's the hard part of the job," Pixler commented.

On the question of who is better qualified to train the young assistant prosecutors, Pixler asserted that his own experience as a prosecutor is greater than his opponent's, who, Pixler said, has little basis from which to teach. The idea of quarterly mock trials "is an incredible waste of time," Pixler said, advocating instead real trial experience.

Pixler, too, has served many years as an instructor at the Western Slope Law Enforcement Training Academy. He added that he has a Masters degree in Business Administration so he will have less need for expensive financial experts in prosecuting white

collar crime.

Pixler and Greenacre will debate at the League of Women Voters debate in Gunnison on Oct. 25 at 7:00 p.m. in the County Courthouse.



Reid Pixler