



Testimony before Senate Majority Policy Committee  
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Francis T. Chardo, PDAA Secretary/Treasurer,  
District Attorney, Dauphin County

Good morning. My name is Francis Chardo. I have the privilege of serving as District Attorney of Dauphin County and as the Secretary/Treasurer of the Pennsylvania District Attorneys Association. I thank the Chairman, Senator Dan Laughlin, for the opportunity to appear today before the Senate Majority Policy Committee and take part in this important panel discussion on law enforcement and prosecutor shortages.

In 1994, when I started as a prosecutor in Dauphin County, there were many applicants for limited job openings. You had to work hard to get a job as a prosecutor. I graduated in 1993 and I had to wait for an opening. In the interim, I worked in civil law and I took a pay cut to become a prosecutor. But I knew I needed the immediate courtroom experience I would get in a D.A.'s office that I could not get elsewhere. I presumed I would do that job for two or three years and move on. Well, as soon as I started, the sense of reward from helping people and doing justice prevented me from leaving. Thirty years later, working in the same office, I can tell you that I still wake up every morning eager to go to work.

But societal views on the subject have changed greatly these last 30 years. It has become more and more difficult to find law students who want to be

prosecutors. Job vacancies throughout the state are at an all-time high.

At PDAA, the recruitment and retention of statewide prosecutors is a top priority. We organize prosecutor panels to visit law schools and conduct awareness events. This gives us the opportunity to engage one on one with students and highlight the day to day work we do—not just in the courtroom—but to improve safety in our communities and help victims achieve justice.

The modern day prosecutor wears many hats that law students do not always recognize. We seek diversion for non-violent offenders. We identify participants for our treatment courts. We work with law enforcement agencies to define best practices. We listen to victims' input and we connect them to services to help them heal. We continually work with our criminal justice partners and courts to improve the system. We use county task forces or programs to address serious issues like human trafficking, elder abuse, overdose deaths, and child sexual exploitation, to name just a few.

Many factors create barriers for those who may be drawn to public service. These include high levels of student debt upon graduation, misinformation received in law schools about the role of prosecutors, and the allure of higher paying jobs. Today, the typical law student graduates with an incredible amount of debt. Loan forgiveness for prosecutors and other public

servants promotes commitment to public service in a meaningful way. It has given financial relief to many in the field including prosecutors in my office. But relief requires meeting eligibility conditions, income-based payments, and a ten-year service requirement.

Law school courses related to criminal law are consistent regarding the cases covered. But the message conveyed about prosecutors varies a lot depending on the professor. Messaging surrounding criminal justice topics often paints prosecutors in a negative light leaving students with the impression that it is a bad career path. Naturally, law schools seek to develop robust legal arguments that capture different views depending on the case or client you represent, but repeated messaging on the flaws in the criminal justice system tend to deter those otherwise interested in a criminal law career from pursuing one.

Prosecutor offices compete with higher paying legal jobs, often in law firms that have budgets to offer paid internships. They can recruit law students with lucrative benefits like tickets to sporting events or concerts, paid family leave, payment of bar exam expenses, and sign on bonuses. County D.A. offices often do not have these resources. Low entry level pay is routinely the reason given by those who turn down job offers.

These impediments continue to surface as seasoned prosecutors often leave for better pay and benefits despite the reward and spirit of service they cherish in their prosecutorial roles. They are also at risk of burnout or vicarious trauma. Staff turnover and vacancies result in case overloads for supervising prosecutors and diminished ability to focus on the particulars of any case, which is critical to ensure justice for both the victim and the accused.

In Dauphin County, I addressed the need to retain experienced staff attorneys and reduce turnover. There is more than one way to do this, but my philosophy is this—if you want to be a prosecutor out of law school, you will come our way. We lose people at about three years after graduation. Rather than seeking to increase the starting salary, on my recommendation, our salary board created non-supervisory positions with increased salaries that could be earned at the 3 or 3½ year mark. This allows us to promote and retain good prosecutors. Those that are not working out can move on. It also gets that prosecutor a few years closer to the ten year forgiveness point and increases long term retention.

Chief deputies and senior staff, along with the district attorney, provide supervision, oversight and training for new prosecutors. They routinely navigate and research difficult legal issues while carrying a caseload that includes violent criminal cases. They also provide

practical advice to law enforcement officers in the field as crimes are unfolding and being investigated. Some are specialized in appellate work and legal issues raised post-conviction.

Longevity pay is something we desperately need. Keeping experienced prosecutors long-term protects the community, improves staff oversight, promotes professional responsibility, and helps improve community safety and the integrity of prosecutions.

Funding for district attorneys' offices to aid in recruitment and retention is warranted. Recently, you released funding for indigent defense that will be funneled through PCCD to public defenders' offices and aid court appointed attorneys in counties across the Commonwealth. Prosecutors need similar funding to continue to do our part in keeping our communities safe.

The criminal justice system is dependent on good personnel who stay in their positions. I applaud and support the efforts to fund indigent defense. I also recommend support for prosecutor internships and commensurate funding to incentivize retention of public servants in District Attorney's Offices.