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Parks Miller reflects on first year as district attorney

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BELLEFONTE — She's a pitbull. Aggressive. A take-no-prisoners commando.



CDT file /Nabil K. Mark

District Attorney Candidate Stacy Parks Miller speaks during the CBICC forum held at Celebration Hall in State College, April 29, 2009. CDT/Nabil K. Mark

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Stacy Parks Miller took the reins of the District Attorney's Office a year ago and has developed a reputation for a hard-nosed approach to justice.

She loves the role.

"This year has been terrific," she told the Centre Daily Times editorial board in December. "I love my job."

Her campaign 18 months ago attacked her predecessor for poor management in the office and a fumbling courtroom record.

On her first day, she fired half of the assistant prosecutors and began reassessing everything, right down to the color of her walls.

"We had 500 cases coming up for a pretrial (conference)," she said. "We were all in there until 11 every night just to be ready for that first major court hearing."

The marathon days continued for about three months, until the workload started to stabilize.

They threw out old procedures, cut back on paperwork and began training seminars for

police.

“That office is a shadow of its former self, really,” she said, “right down to internal operations, little things ... up to changing the people.”

To her own surprise, leading her team has become a delight.

“I think it came easier to me than I thought it would,” she said. “I’d never been responsible for a team of attorneys. I think part of my success and how confident I feel has everything to do with the people that are in there with me.”

Her office’s trial record so far consists of three losses and 10 wins, including a conviction of a North Carolina professor accused of raping a boy, a man accused of stealing from his 95-year-old neighbor, and a Philipsburg heroin dealer.

“When it comes to the conduct of the (assistant district attorneys), it’s like night and day,” said county Judge Bradley P. Lunsford. “Prosecutors are acting like prosecutors should. Everything’s calm, everything’s good.”

The drama level is “very low, to nonexistent,” Lunsford said.

“There appears, to me, to be less politics in the practice of law,” said attorney Phillip Masorti. “And to me that’s refreshing, because it seemed that some time in the distant past that personalities, a defense attorney’s attitude, a defense attorney’s willingness to fight ... it seemed that was causing problems with some of the former individuals that were in that office.”

But some in the defense bar are still feeling the whiplash of losing one to the other side.

Parks Miller, as a defense attorney, was always quick to volunteer advice and revel in big defense wins.

That’s all changed.

Certain deals cut by her predecessor’s team were taken back when she took office. She stopped allowing people accused in fights to go into a probationary program — ARD — that would allow their records to be wiped clean.

And against the hopes of some, Parks Miller didn’t offer lighter punishment for minor drug deals among students. “I think a lot of people felt when she ran if she was elected that she was going to be kinder, gentler, especially in these college kid cases — particularly drug cases,” defense attorney Joe Amendola said.

So far this year, she has not sought the mandatory two-year minimum sentence for those caught selling drugs in schools zones — a controversial, but popular prosecution tool that attorneys say scares defendants away from trial.

But Masorti and Amendola both say she has threatened it.

“She decides how she wants to handle a particular case,” said county President Judge David E. Grine, “and that’s what she does.”

From day one, she said she felt the passion of a career prosecutor.

“I have a different mission now,” she said with a grin. “I’m not surprised. I joked with a lot of them beforehand who were supportive of me as a lawyer and said, ‘You realize, what

you're asking for?' They were like, 'Yeah we wonder if we were being smart in wishing that you win.' "

Maybe some had hoped that having a former defense attorney in the office would give them an advantage. Parks Miller often said during her campaign that her knowledge of the defense would be a benefit.

The catch is for whom.

"I do understand their side, but it doesn't mean that I agree with it," she said, her grin widening. "... I knew some people maybe didn't know quite what they were asking for."

Nearly laughing, she continued: "I would hope professionally that they would be able to say that I do a good job."

On a personal level? That smile faded fast. "It's not something I really worry about," she said.

Less time in court

If there's been any letdown for Parks Miller, it's that she hasn't been able to spend a lot of time in court.

"As a trial lawyer, that's hard," she said.

She thought she'd have her first trial as top prosecutor in September, handling a rape case in which the victim was dead. It was a case she admitted she might have lost, even if the sole piece of evidence — an audiotape recording of the victim testifying at a preliminary hearing — had been played for jurors.

But three days before the trial, a judge threw out that evidence, and she withdrew the charges.

"She isn't afraid to go to trial, even if it may mean losing the case," said State College Police Chief Tom King. "If the deal presented to her isn't acceptable for the community standard and from a legal standpoint."

She has since been working on several homicide by vehicle cases, and is now "pouring my heart into" the year's two big trials — the first-degree murder case against Mirinda Boob and Ronald Heichel, and the case surrounding a violent robbery spree in which four men have been charged.

She is also working on bigger picture items, such as speeding up the court process for first-time DUI offenders and getting them into counseling and treatment faster.

"Those people are driving around with you and me," she said.

Convincing skeptics

Parks Miller is following in the steps of district attorneys who, for the past 25 years, had been career prosecutors. So some in law enforcement were hesitant when she was elected.

"I heard people commenting in the law enforcement arena, 'It'll be interesting to see how that works,'" King said. "I would much rather have someone who was a very hardworking, assertive, diligent defense attorney than someone lazy, sloppy, who only ever did prosecution work."

About six weeks into her term, King was convinced of her work ethic when police in Centre County were confronted by a spree of violent armed robberies.

“That was her second month on the job, and we had extensive involvement of the DA herself and her staff early on,” King said. “We had very good guidance handling that matter.”

More accessibility — to herself and her staff — has been a key improvement.

“It doesn’t matter if it’s the chief calling her or a patrol officer,” King said. “All the input I’m getting is that she and her staff are very responsive and that’s important.”

Monthly training seminars, and open-door days for police have led to better communication and fewer surprises.

“(The) officer’s a lot less likely to overlook something and then be embarrassed in court,” Grine said.

Coming from a decade of fighting cases made by police, Parks Miller started her term by spending time with officers at checkpoints, and riding along with them on rowdy nights.

Then she developed a protocol for handling child abuse cases, so that police and Children and Youth Services had a clear plan for working together.

“It makes it clear who does what,” she said. “That we want to be involved immediately, and minimize the contact with the child, so they don’t have to go through multiple interviews.”

It’s all part of a “unified vision” for her office.

“I know, if my lawyers get one kind of case, they will know what to do with it,” she said. In the past, “I felt the office was constantly surprised by their own cases. That’s what I don’t believe we have anymore.”



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