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Defense attorney Robin Lord blasts Trenton police after NJ court rules cops must save, share notes

By ARTEMIS COUGHLAN

TRENTON -- Famed defense attorney Robin Kay Lord blasted the Trenton Police Department after Jersey's Supreme Court ruled that cops who investigate crimes cannot destroy their contemporaneous notes after writing up official reports.

"I'm very excited about this. We were not entitled to the notes until the defendant is indicted, and we could get them through discovery," Lord said. "But by that time they are destroyed. It is the practice of the Trenton Police Department to destroy all notes after the report is written to avoid the defense getting a copy of them.

"There has not been one time did I find good information from them for the defense when I did get them."

The state's high court delivered its ruling Wednesday, saying police notes must be preserved and handed over to the prosecutor on the case and defense attorneys.

One of the main reasons preserving the notes is important, Lord said, is to make sure they were transcribed properly or to see if there were other suspects named but eliminated.

In its decision, the Supreme Court said, "The possibility of a

misrecording is precisely why the notes must be maintained. A defendant, protected by ... our rules of discovery, is entitled to test whether the contemporaneous recording is accurate or the final report is inaccurate because of some inconsistency with a contemporaneous recordation.

"It is for the jury to decide the credibility of the contemporaneous or other recordation made while an investigation is on-going prior to preparation of a formal report."

The court ordered prosecutors across the state to draft and implement the new guidelines within 30 days.

Mercer Prosecutor Joseph Bocchini said he expected the ruling. "We studied and anticipated this from the Supreme Court," he said. We'll be looking for input from the attorney general's office for guidance to formulate the directive statewide in the case going forward."

Lord said she hopes the police don't come up with another reason or excuse to destroy the notes.