

Transcription of 11.21.17 Press Release by then-District Attorney Stacy Parks Miller.

I am astonished at the recent comments from District Attorney-elect [Bernie] Cantorna that he intends to try and offload the cases arising out of the tragic death of Tim Piazza to the Pennsylvania Office of Attorney General. With very few exceptions, the presumption is that all cases in Pennsylvania are prosecuted by county district attorneys and by law NOT the Attorney General. A county district attorney has jurisdiction over every criminal violation of Pennsylvania law occurring within the county. When a DA does refer a case, the referring County foots that bill.

Under the law, a county district attorney may refer a case to the Attorney General if a REAL (as opposed to a pretext) conflict of interest exists, and must convince the Attorney General of the validity of any such conflict. A second reason for a county district attorney to refer a case to the Attorney General is if the county district attorney believes he and his office are unable to handle the cases because the cases are too hard and the local district attorney lacks the ability and resources to adequately undertake the prosecutions. Obviously, my office has the resources and my team is very capable as we have not had an issue handling the matter.

I find it impossible to believe that any legitimate well-intentioned candidate running for district attorney in any county would consult with a criminal suspect to defend that person in connection with a case he knows his office will be prosecuting should his quest for election be successful. Bernie Cantorna announced his run for District Attorney in December of 2016. Timothy Piazza tragically died in February of 2017. Therefore, if he actually consulted with a criminal defendant in this matter, he did so knowing it would prevent him from seeking justice for Tim if he were elected. That would be unthinkable.

He did not publicly represent any of these Defendants to date. If he merely represented one of the current charged Defendants on a prior matter previously, this does NOT require or provide grounds for recusal. (This office is not suggesting any of these Defendants have prior matters.)

The conflict must be real and not manufactured to avoid carrying out the duties inherent in the Office of District Attorney. I am quite certain, that the Attorney General will be looking closely to evaluate the legitimacy of the claim by Mr. Cantorna here. They have not accepted the matter and will not review it until after January. He was asked to not make any public statements about his future intentions in this case, but he disregarded that request for reasons unknown.

If the claim of conflict is really a pretext to hide cover for a lack of ability to prosecute a case of the severity and magnitude that led to the killing of Tim Piazza, then Mr. Cantorna should simply admit it. He owes the truth to the family and the public. There can be no shame in doing so, since the voters elected him knowing his experience trying criminal cases was limited to a single criminal trial as a defense attorney during my tenure and absolutely no experience whatsoever as a prosecutor. The career staff in my office is more than able to seek justice for the Piazza family. The Assistant District Attorneys under me bring years of prosecutorial experience with them, have developed this case under my lead from the day my office was notified of Tim's case, and are intimately familiar with the extensive details of this case inside and out. If he has a real conflict, rather than try to transfer it to the Attorney General before he even arrives, he can insulate himself and let my talented Centre County prosecutors who are devoted to this case do their job. While I may be exiting, there is no substitute for the remaining talented prosecutors who have lived this case for last 11 months and know the players, worked as a team, know thousands of pages of evidence and have spent countless sleepless hours and by now lived through multiple hearings against the Defendants and their lawyers. They are dedicated to justice for Tim Piazza. This type of decision can rob this case of those unquestionable advantages, no matter how competently the Attorney General crime division operates.

I am disappointed that, already, Mr. Cantorna has made statements that he is unwilling to make the tough choices and take in the tough cases and fight hard for the people of Centre County and those victims and their families hurt by crime here. It is critical that he step up and assume the mantle as the county's chief law enforcement officer, but I fear he is off to a bad start. I am disappointed but wholly unsurprised. I will continue to everything in my power to continue to help the Piazza family and seek justice for Tim, in or out of this office.