

## Connecticut Supreme Court “On Circuit” at University of Hartford Oct. 16

**UNIVERSITY  
OF HARTFORD**

The [Connecticut Supreme Court](#) will hear arguments in two criminal cases on Wednesday, Oct. 16, at the University of Hartford, located at 200 Bloomfield Ave., West Hartford, CT.

The visit is part of the Supreme Court’s [“On Circuit”](#) program, which provides students, educators, and the public with a greater understanding of the appellate process. Since the program began in 1986, the court has heard arguments at [several universities and colleges](#).

- **When & where:** Wednesday, Oct. 16, 2019, in the university’s Lincoln Theater on campus (Building 14 on [this printable map](#) with parking available in Lot F in front of the theater). The first argument will start at **10 a.m.**; the second case is scheduled to start at **11:30 a.m.** A 20-minute question-and-answer period with counsel from the case, students, and faculty will follow each argument. Please allow enough time to clear security upon arrival; also, no backpacks will be allowed inside the theater.
- **First case to be heard:** The 10 a.m. case is [State of Connecticut v. Jasmine Lamantia](#), from the New London Judicial District’s G.A. 21. The case involves witness tampering and whether the evidence was sufficient to prove that the defendant intended to induce a witness to testify falsely in an imminent or pending official proceeding ([case detail and briefs](#)).
- **Second case to be heard:** The 11:30 a.m. case is [State of Connecticut v. Thomas William Sawyer](#), from the Ansonia-Milford Judicial District. The question before the Supreme Court is whether a search warrant affidavit established probable cause to believe that the defendant possessed child pornography and whether Connecticut’s Constitution requires a ‘more probable than not’ standard of proof to establish probable cause for a search ([case detail and briefs](#)).  
*(Full summaries of both cases are below contact information.)*
- **Camera rules:** If a media organization wishes to submit a camera request, please review [Chapter 70 of the Connecticut Practice Book](#) and the [Protocol for the Broadcasting, Televising, Recording or Photographing of Supreme Court Oral Arguments](#).
- **Quotes regarding the visit:**
  - *Chief Justice Richard A. Robinson:* “Without a doubt, one of the highlights for the Supreme Court is the “On Circuit” program, and we anticipate another successful event this year. This will be the first time we have heard arguments at the University of Hartford, and we are looking forward to the opportunity to educate students about the appellate process. We want to thank the University of Hartford for its graciousness and assistance in planning the event, and also the volunteer attorneys and university faculty who have familiarized the students with the cases and appellate process.”

- *Jilda M. Aliotta, Associate Professor in the Department of Politics, Economics & International Studies: "This event allows those with specific interests, such as pre-law students, as well as those with a casual interest, to see the court in action. It is experiential learning at its best, and we are very grateful that the justices chose the University of Hartford as this year's site to hear arguments."*
- **Contact information:** External Affairs Division, Connecticut Judicial Branch, 860-757-2270.

**Full case summaries --**

*STATE v. JASMINE LAMANTIA, Judicial District of New London at G.A. 21*

***Criminal; Witness Tampering; Whether Evidence Sufficient to Prove that Defendant Intended to Induce Witness to Testify Falsely in Imminent or Pending Official Proceeding.*** *The defendant and her boyfriend, Jason Rajewski, went to a party at a house in Preston. The defendant entered the house while Rajewski remained outside. David Moulson, the defendant's former boyfriend, arrived at the house, exited his car, and confronted Rajewski. Rajewski and Moulson engaged in a verbal and physical confrontation that ended with Rajewski striking Moulson and causing him to bleed. Moulson called the police, and Rajewski left after the defendant told him about the call. A police officer spoke to Moulson in the defendant's presence, and Moulson identified Rajewski as his assailant. The officer then went to Rajewski's residence, and Rajewski presented his cell phone to the officer. The phone contained text messages from the defendant stating that the police were coming, that she and Rajewski "needed to stick with the same story," that he should delete the messages, that he should "make sure [he was] bloody," and that he should tell the police that he had been involved in an altercation at a bar before the party and had come to the party because he was concerned for the defendant's safety in Moulson's presence. Rajewski replied to the defendant in the text messages that he was going to tell the truth. The defendant was subsequently charged with and convicted after a jury trial of tampering with a witness in violation of General Statutes § 53a-151, which provides that "[a] person is guilty . . . if, believing that an official proceeding is pending or about to be instituted, he induces or attempts to induce a witness to testify falsely [or] withhold testimony." The defendant appealed, claiming that the evidence was insufficient to prove that she sent the text messages to Rajewski with the intent to induce him to testify falsely in an official proceeding. She argued that, at the time she sent the texts, it simply was not probable that a "criminal court proceeding" would occur in which Rajewski would be called to testify. The Appellate Court (181 Conn. App. 648) rejected that claim and affirmed the defendant's conviction. The Appellate Court noted that the term "official proceeding" in § 53a-151 was not limited to a prosecution of Rajewski and it found that the jury could have concluded that the defendant believed that an official proceeding against her or any of the other participants in the altercation was likely to result. The Appellate Court held that there was sufficient evidence for the jury to reasonably find that, at the time she sent the text messages, the defendant was aware of the police investigation, that she believed that an official proceeding would probably result therefrom, and that she tampered with Rajewski when she sent the text messages telling him to lie to the police. The defendant was granted certification to appeal from the Appellate Court's decision. The Supreme Court will decide whether the Appellate Court properly concluded that the evidence was sufficient to prove beyond a reasonable doubt that the defendant intended to induce a witness to testify falsely in an official proceeding that she believed to be pending or imminent in violation of General Statutes § 53a-151 (a).*

**STATE V. THOMAS WILLIAM SAWYER, Ansonia-Milford Judicial District**

***Criminal; Search and Seizure; Whether Search Warrant Affidavit Established Probable Cause to Believe That Defendant Possessed Child Pornography; Whether Connecticut Constitution Requires "More Probable Than Not" Standard of Proof to Establish Probable Cause for Search.*** In July, 2015, the defendant was a member of the Holy Cross Brotherhood and living in a four-bedroom suite in the rectory of Saint Vianney Church in West Haven. Brother Lawrence Lussier, who also lived in the rectory, contacted the West Haven police to notify them that he believed that the defendant was viewing child pornography on his computer. Lussier told the police that he had observed the defendant looking at two images on his computer—one of a naked boy who appeared to be approximately eight or nine years old standing with his genitals exposed and one of a naked girl with her hands covering her genital area. Based on the information supplied by Lussier, the police obtained a warrant to search the defendant's residence, and the police seized the defendant's computers during the search. The defendant was arrested and charged with possession of child pornography in the second degree after a forensic analysis of his computers uncovered 427 still image files that appeared to depict child pornography as well as a number of video files. The defendant moved to suppress the evidence obtained in the search, claiming that the search warrant affidavit failed to establish probable cause to believe that the images described by Lussier constituted "child pornography" in that they depicted individuals under sixteen years of age engaging in "sexually explicit conduct" as defined in General Statutes § 53a-193 (14). The trial court denied the motion to suppress, ruling that the judge who issued the warrant was entitled to draw a reasonable inference from Lussier's observations that the defendant was in fact in possession of child pornography. The trial court also ruled that the question of whether the pictures actually depicted "sexually explicit conduct" was not a relevant inquiry for the court that issued the warrant. Following the denial of his motion to suppress, the defendant pleaded nolo contendere to the child pornography charge, conditioned on his right to appeal and challenge the suppression ruling. On appeal, the defendant claims that the warrant affidavit did not establish probable cause to justify the issuance of the search warrant in violation of his constitutional right to be free from unreasonable search and seizure. The defendant claims that the judge who issued the search warrant unreasonably inferred that, based on Lussier's description of two images of nude children, illegal images of children would be found on the defendant's computers. The defendant also asserts that the trial court improperly found that the question of whether the pictures observed by Lussier actually constituted child pornography was not relevant to the determination of whether there was probable cause to justify issuance of the search warrant. Finally, the defendant urges that the Supreme Court should interpret our state constitution as requiring a "more probable than not" standard of proof for establishing probable cause justifying the issuance of a search warrant or, in the alternative, that such a heightened standard should apply in cases, like this one, where a search warrant issued even though it was not known at the time whether any criminal activity has occurred.