

Statement of Justice Ann Walsh Bradley:

This is and remains an issue of workplace safety.

My focus from the outset has not been one of criminal prosecution, but rather addressing workplace safety. I contacted law enforcement the very night the incident happened but did not request criminal prosecution. Rather I sought law enforcement's assistance to try to have the entire court address informally this workplace safety issue that has progressed over the years. To that end, Chief of Police Tubbs promptly met with the entire court, but the efforts to address workplace safety concerns were rebuffed. Law enforcement then referred the matter for a formal investigation and I cooperated fully with the investigation.

I well understand the difficulty of gaining any criminal conviction. The prosecution's burden of proof is very heavy, as it should be.

I also know that criminal charges alone would not have addressed our safety in the workplace and the special prosecutor's decision not to file charges does not resolve the safety issue, either.

With the potential for prosecution now eliminated, I will renew my efforts to seek the cooperation of my colleagues on the court to resolve this progressive workplace safety issue. With the continued cooperation of others both on court staff and outside the court, I remain committed to the goal that we can achieve the safe workplace that all employees—private and public—are entitled to have under the law.