



CITY OF HARTFORD

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The Honorable Pedro E. Segarra, Mayor
City of Hartford
550 Main Street
Hartford, CT 06103

Sometime between 4:30 PM and 7:00PM last Friday (June 26, 2010), the Chief Operating Officer left a message on my home phone (not on my office or cell phone) to the effect that I should submit my resignation as I am a department head... that all department heads were being or had been asked to resign.

My first reaction was "By What Authority?" While I have not yet done any formal research on the issue, the only experience I have had with mass resignations in a State or municipal setting is when a newly elected Governor asks and gets the resignations of department heads – á la what Governor Rell did when she was elected Governor some four years ago. But Hartford does not have a newly elected Chief Executive Officer.

I spent many hours this weekend contemplating what I would do. I intend by this letter to share some, to many, of those considerations.

A. The lawyer's role and responsibility

First, and foremost, I am a lawyer – now for some forty-four (44) years. I owe a duty to my client, to the courts and judges of the State and Federal judicial systems. I estimate that my name is on well in excess of fifty to seventy-five active court cases. I am scheduled to begin trial in a case on August 17, 2010. I have numerous pretrials in cases pending before and after that date, including at least two tax appeal pretrials this week. I do not have to tell you about the ongoing Sheff case responsibility.

The Rules of Professional Conduct govern my behavior as a lawyer. I owe the Client, the Tribunal and the judicial system duties and responsibilities, which I may not simply abandon for political expediency.

B. The Corporation Counsel Office.

I have served as Corporation Counsel since March 2004. The office is just nine (9) lawyers, although the Ordinances prescribe that it be fifteen (15). Six of the lawyers working in the office I recruited and hired. I am-and the City ought be – extremely proud of the quality of service the City's law office provides.

I have in the past submitted the attached memorandum describing the makeup, the operations and expenditures of the Office of the Corporation Counsel.

C. Quality of the Performance

Over the past several years, a number of incidents or issues have colored my relationship with the City Council. The first that comes to mind involved the attempt to remove a sitting, elected Council President – ostensibly because of his close relationship to then Mayor Perez. That effort was aborted when research done in my office, and an opinion I rendered disclosed a **liberty interest** in the position, which entitled the then Council President to notice and a hearing.

Elsewhere, I published a memorandum in a very controversial case involving an ex-police officer who had been acquitted in the shooting of a citizen. Two judges had endorsed a settlement of the case worked out over the course of many months, which would have ended all involvement with the claimant officer and saved the City many, many tens of thousands of dollars. The Council rejected the proposal three (3) times. The City continues to face a worse judgment monetarily and the threat of further employment and financial burden from that officer.

I wrote an opinion that said that the Council lacks subpoena power. And I opined concerning the propriety of transfers relative to the General Fund Budget. I wrote and signed every opinion that was generated from my office. Frequently the basic research was done by very competent Assistants and law student interns, but the final product was always mine and was always supported by substantial precedent.

I do not apologize for my work. The requirement of the position is frequently to take a stand and to defend it competently in the interest of fairness and justice. I have always done that, tirelessly.

It is no small feat to perform competently all of the work visited on the Office of Corporation Counsel. I have always been a good soldier – prepared to put in the time and the effort. I invite the new Administration to take the temperature of any number of department heads, division and office representatives for an appraisal of the work done for them by my office – by me. Speak to judges, other lawyers, Bar Association folks, Hartford citizens, and get a real picture of me, my work, my reputation.

D. The Resignations

Earlier I wrote that I was told all department heads were asked to resign. That statement is bolstered by the language attributed to Mayor Segarra in the Hartford Courant on Saturday...

Segarra said Friday that he has requested letters of resignation from all of the city's department heads and from Corporation Counsel John Rose.

Information I have received as well as simple logic suggests that that statement is untrue. First, the Fire Chief was just approved by the Council. What is the sense of asking for his resignation? The Police Chief is in the midst of contract renegotiation. What is the point of asking for his resignation? The head of DPW is brand new/approved.

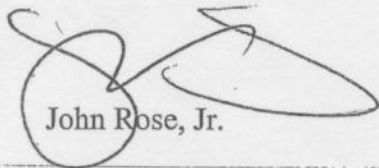
The new Mayor reported that his would be a caretaker mayoralty... that he would not run for mayor following the interim term between now and the next mayoral election. I am strained to understand the requirement to have sitting department heads resign – be replaced – in a caretaker administration. The Charter makes provision for removing department heads for cause.

Finally, I believe that it is wholly inappropriate to treat me or my office as a political football. If the rationale for the all-inclusive request for resignations is to avoid a confrontation or the possibility (indeed inevitability) of losing a for cause removal from this office, then that is politics at its worst.

The new Mayor has not spoken to me. I have served and would continue to serve the City competently and well. Ever the good soldier. My loyalties are to the client, to the law and the judicial system.

If the Mayor truly wants my resignation, I hereby offer it, effective on the last day of the current mayoral term. Beyond that, I retain my options.

Yours truly,



John Rose, Jr.

JR/eg