

## Judge denies Qinxuan Pan's request for private prison access to case documents

by Ben Lambert



The case of Qinxuan Pan, accused of killing Yale graduate student Kevin Jiang, was continued again Friday.

**T**he suspect accused in the slaying of Yale graduate student Kevin Jiang will not be able to have prosecutors send case documents directly to him at Cheshire Correctional Institution, a judge ruled Friday.

Instead, the documents must be available — at least for now — for Qinxuan Pan to review after the material is sent to the legal library at the correctional institution, according to the ruling by Judge Gerald J. Harmon.

Attorney Norm Pattis, representing Pan, had petitioned Harmon to allow Pan private access to documents concerning his case, receiving them from the prosecution through the discovery process, rather than sending them to the prison library.

Pattis said Pan reported the library was “run by other prisoners,” but allowing him to review the documents in his cell, where he is alone in protective custody, would ensure that they did not fall into the hands of others.

Harmon declined to grant the request Friday, saying it was policy to send documents to the legal libraries at correctional institutions and ruled that they should try that procedure before changing it. The state, the judge said, would safeguard the documents to ensure Pan can access them.

The overall case against Pan was continued again Friday, as those involved in the proceedings in New Haven agreed to wait on a decision from the Connecticut Supreme Court regarding the appropriateness of the suspect's bond.

Pattis asked Harmon to put off a planned probable cause hearing for the time being, allowing the Supreme Court more time to deliberate.

The case was continued to Dec. 16.

After the proceedings, Pattis said he was pleased with the documents turned over by the prosecution to date, pointing to what he said were "inconsistencies" and "insinuations" in the state's case.

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Asked for an example, Pattis reiterated concerns regarding the identification of a

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suspect in the case. He previously noted that witnesses initially reported that people of other races were involved in the incident.

Pan previously filed a petition for the Connecticut Supreme Court to review his \$20 million bond, arguing it was disproportionately high.

Under the state constitution, defendants have the right to be "released on bail upon sufficient security"; the justices considered the meaning of that phrase during a Sept. 8 hearing.

During that hearing, Pattis raised the example of Peter Manfredonia, accused of two killings, kidnapping, home invasion and other crimes, in which bond initially was set at \$5 million.

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criminal courts,” said Pattis. “Every case involving Yale seems to acquire a special gravitas.”

Senior Assistant U.S. Attorney Timothy Sugrue argued that the court should uphold the bond, which he said took into account the totality of factors, including nature of the alleged crime, the likelihood of flight and the possibility of harm coming to the community, as well as Pan’s alleged resources.

The state is obligated to offer some bond to the defendant, Sugrue said, but in this case believes there is no amount that reasonably could assure he would reappear in court if released from custody.

“If he’s out, he’s gone,” said Sugrue . “He’s a serious and acute flight risk.”

Pattis said Friday that the Supreme Court did not necessarily need to make a decision before the case in New Haven could move forward.

Jiang was shot to death on Lawrence Street in the city’s East Rock neighborhood Feb. 6. Those who knew Jiang have described him as a person of faith and energy, including his parents, speaking during his funeral at Trinity Baptist Church in New Haven.

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New Haven police obtained a warrant charging Pan with Jiang’s slaying in late February. The department had named him as a person of interest in the case Feb. 10.

Pan, formerly a graduate student at the Massachusetts Institute of Technology, was not arrested until May 13 in Montgomery, Ala., following a search by U.S. marshals and others.

Pan was living in Malden, Mass., on the day he allegedly drove to New Haven and killed Jiang. ■