

VID Candidate Survey for the Position of NYC District Attorney

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District Attorney • Questions

Will you prosecute drug possession? Will you prosecute sex workers? What about sex purchasers or those who facilitate sex work? *

Reversing the effects of mass incarcerations is an urgent moral, civil rights, and human rights issue. The War on Drugs has been a failure. We need public health solutions to these problems, and a community-based approach. So, my starting point would be to decline sending drug possession cases through the traditional criminal justice system. Instead, I would send these individuals to community-based programming without having them ever set foot in a courtroom. And I will not prosecute any persons accused of selling sex, and support the repeal of any laws on this topic, including the infamous “walking while trans” prohibition in Penal Law section 240.37. As for those who buy sex, I have no interest in prosecuting anybody engaged in consensual sex. Importantly, declinations and pretrial diversion must be equally employed across race and gender. Data shows that is not the case now. My guiding principal will be, “What makes us safer?” and these prosecutions will not do anything to make us safer. That’s how my DA’s office will deal with these issues.

If you don't charge crimes of poverty and other minor crimes, how will you help get services to those in need of them? *

I come from a background of service - growing up in Harlem the son of a dad who oversaw homeless shelters and a mom who was an educator – and believe we have, for far too long, used the criminal system to address non-criminal problems. Arrests and prosecutions for misdemeanors and violations can significantly affect people's lives even when they result in convictions for minor offenses, short sentences, or probation, costing people their employment, housing, student loans, immigration status, and even their children, and contributing to a cycle of incarceration and poverty that is hard to break. Well-designed programs that divert people – particularly individuals in crisis and youth - from jail or prison, or from the justice system entirely, can conserve resources, reduce re-offending, and diminish the collateral harms of criminal prosecution. These programs keep people in the community instead of locked up. We can do this by investing forfeiture funds in not-for-profits that are already successfully providing these services with a much better outcome for the individuals and the community.

What management experience do you have to prepare you to run an office of this size? *

I am the only candidate for Manhattan DA with deep experience managing lawyers to bring justice for New Yorkers, including starting a unit from scratch to investigate police killings of unarmed civilians. I served as Chief Deputy Attorney General, overseeing 1,200 people and some of the office's biggest cases. I've sued the Trump Foundation, prosecuted Harvey Weinstein for a hostile workplace, and stood up for survivors of crime and their families. I've hired people, and also fired them.

The next Manhattan DA must be ready on Day 1. They will inherit an ongoing investigation of Donald Trump. They must address the history of racial discrimination and inequalities baked into our justice system. And they must confront the rising gun violence in our city and the mistrust of DA's sex crimes unit. It's not enough to talk about good ideas or intentions. I have the management experience, real life experience, and passion to get the job done.

This is not only my work, it is my life – I'm ready to serve on Day 1.

What prosecutorial experience do you have, to understand the jobs of those you are supervising? What experience do you have with this office specifically? *

I have spent the better part of two decades in the courtroom, standing up to the powerful and fighting to defend the rights of those without status or power, the New Yorkers who need justice most – and deserve it. It's not just that I have prosecutorial experience, it is that I've been the right kind of prosecutor. I've taken on big, structural cases that actually make us safer and more just – directing a groundbreaking case against one of the city's worst landlords, prosecuting employers for wage theft and over worker safety, holding Trump and his family accountable for their misuse of Trump Foundation funds, prosecuting the head of a \$30 million business that laundered millions of dollars for a violent criminal enterprise, the owner of a pharmacy who engaged in health care fraud, and a State Senate leader for corruption. The only misdemeanor I ever prosecuted were two people who were blocking access to a Planned Parenthood facility.

But just as important as my reform credentials are my lived experiences: growing up in Harlem and now raising two children here; having been repeatedly stopped and frisked by the NYPD as a teenager, including three times at gunpoint; having had guns pointed at me three times by people who were not police officers; having supported a close family member who moved in with me post-incarceration in the wake of solitary confinement and after having witnessed a drug-related murder. I know what it means to live in a community where crime is a meaningful problem, but also what it means to live in a community where you worry that your son, like I was, will be thrown up against a wall by the police for nothing on his way home.

All of this provides me with a deep personal understanding of the injustices and inequalities that are baked into the criminal justice system. This is the experience and commitment you need to reshape and re-purpose the DA's office to end racial disparities, build trust in the office for survivors, deliver one standard of justice for all, and focus on cases – like unlawful gun sales by licensed firearms companies who flout the law – that actually make us safer.

How aggressively do you plan to prosecute police officers for excessive use of force? What about lying? If aggressively, how do you plan to turn around and work with them in your other cases? *

Acts of police misconduct undermine the entire justice system. As DA, I will create a dedicated unit to handle investigations of police misconduct thoroughly, transparently and independently of the police department and create and publish a list of police who the office will no longer use as witnesses. We must hold police accountable and have prosecutors who are independent from police. This has been my life's work.

As a civil rights lawyer, I sued the New York State Police for using excessive force on protesters. Later, I prosecuted a sitting DA for not doing a proper investigation of an officer who shot and killed an unarmed Black man, and I prosecuted an FBI agent for lying and obstructing justice. I created and headed the unit in the New York State Attorney General's office responsible for investigating police killings. And now I'm representing Eric Garner's mother and other police accountability organizers in a case against the mayor seeking key details about Mr. Garner's death.

When I prosecuted the FBI agent, I was at the same time working with other FBI agents on other important cases. Obviously this caused tension and difficult moments. But we worked through it with honest, open, often difficult conversations. Similarly on a larger scale, as DA we will need this kind of honest dialogue. And I believe I am best positioned to make this happen – having been impacted personally from unjust police practices and at the same time worked with law enforcement on important large-scale prosecutions.

What is your vision for using this office to make Manhattan a better place? *

From day one, I will bring long overdue, fundamental reform to the way this critical office approaches criminal justice and make the office the progressive leader it should be on criminal justice reform. One that makes us safer by refusing to criminalize poverty, ends racial disparities, demands justice for the brave survivors of sexual assault, makes incarceration a measure of last resort, brings new funding and focus to reentry programs, creates a dedicated unit to handle investigations of police misconduct, and refuses to take campaign donations from any lawyer who appears before the office. My election will not only be a symbolic change to the face of the office, but it will bring the perspective of someone who has lived their whole life in an impacted community, has a deep awareness of the injustices and inequalities that are baked into the criminal justice system, and a commitment of equal justice for all.

Is there anything else you would like us to know about you?

I thank you for taking the time to consider my candidacy. I am sorry we don't have the opportunity to meet in person, and for me to hear your thoughts and concerns. Please do not hesitate to reach out directly to me with your ideas. I ask for your support in your club vote, and again on June 22nd.

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