

VID Candidate Survey for the Position of NYC District Attorney

Email address *

janos@janosforda.com

Name: *

Janos Marton

District Attorney • Questions

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

Absolutely not. My first priority, above all else, is to reduce the harm to communities caused by mass incarceration and the War on Drugs by shifting office policies and priorities around pre-trial detention and sentencing. In January, I released a plan outlining how we can end the War on Drugs by re-focusing drug policy enforcement using a public health lens, and many months into the race, we remain the only campaign to have released an in-depth plan to end the War on Drugs locally.

Part of my policy entails abolishing the Office of the Special Narcotics Prosecutor. This is a three part plan that calls for withdrawing financial support from the office, replacing Bridget Brennan, and eventually eliminating the office. This unelected, anachronistic position has been held by Bridget Brennan for the past 22 years. Brennan has opposed safe injection sites, claiming they would come at "the expense of public safety" despite all scientific evidence to the contrary. Her office had a budget of \$22 million in 2018 and a staff of over 200, with 60 of the office's ADAs assigned by Cy Vance. As District Attorney, I will direct its \$22 million budget towards harm reduction programs to reduce drug use and protect public health, find two other city DAs to vote for Brennan's removal as Special Narcotics Prosecutor, and ask allies in Albany to abolish the office permanently.

As for sex work, I am in favor of decriminalization - sex workers should be able to work without fear for their safety or fear of arrest. I support the proposed legislation by Senators Salazar and Ramos (A8230/S6419) and since announcing my candidacy, have publicly stated that I will not prosecute sex workers or those who soliciate sex workers.

In all of our policies we center people most directly impacted, and in my conversation with sex workers, they have been clear that sex trafficking is a reality, but that the term is often used as justification for overly broad criminalization of their community. Thus, we will continue to fight sex trafficking, but not at the expense of people who engage in this work volitionally, or in a manner that harms the victims of trafficking.

Supporting links for this response:

- End the War on Drugs by re-focusing drug policy enforcement using a public health lens

<https://medium.com/@janosforda/public-health-first-1f25e2cf274a>

- Abolishing the Office of the Special Narcotics Prosecutor

<https://medium.com/@janosforda/abolish-the-office-of-the-special-narcotics-prosecutor-2f8a2db186a3>

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

The solutions to crises of poverty are usually not solved by the criminal legal system, but by other government agencies, nonprofit organizations, or community-based groups who can offer the services and resources to help people get their lives back on track. As I said to Jacobin Magazine, we should be the most innovative office when it comes to alternative programs and things that actually help people with mental health issues, substance abuse issues, or who just wind up committing crimes out of economic desperation, given the incredible wealth of this borough.

Folks need access to job resources and employment, housing, healthcare, food, and other social services - not to be caged on Rikers Island. As little as a few weeks at Rikers can put someone at a greater disadvantage than they were before by putting them at risk for job loss, which in turn can create an avalanche effect of falling behind on rent and eviction, inability to pay child support and other collateral consequences.

As District Attorney, I will not prosecute crimes of poverty or other charges that are better suited to be handled outside of the criminal legal system. One of the ways we have proposed to do this is by breaking the cycle of incarceration, homelessness, substance use, and unemployment that afflicts so many New Yorkers struggling with mental health. 45% of detainees at Rikers Island have a mental health diagnosis, and although the jail population is decreasing, the percentage of incarcerated people with mental illness is increasing.

I will use virtually all financial resources (approximately \$50 million a year) that our office obtains from financial institution forfeitures to fund community-based mental health programs. Our investment of \$50 million a year would amount to more than a 1000% increase in funding for mental health services currently supported by the District Attorney's office.

Additionally, we cannot discuss crimes of poverty and street-level drugs without acknowledging that open drug trade flourishes in areas with minimal economic investment. The right response to those individuals, who work in dangerous conditions for paltry wages, is to direct them on a path to gainful, legal employment rather than branding them with a criminal record. Surely in the entrepreneurial capital of the country we can establish programs that can help that population.

Finally, the DA's office does have a direct duty to intervene when peoples' crimes are harming others. In those cases, I have still made clear that jail and prison must be used as a last resort. However, as opposed to victimless cases that warrant dismissal, there will be crimes driven by poverty that should result in people being offered a program in lieu of incarceration, and there are many organizations, such as Avenues for Justice or the Fortune Society, that are well-suited to participate in such non-carceral interventions.

In all of our nine policy papers (by far the most in the race), we discuss opportunities for the District Attorney's office to partner with community-based organizations who can provide true assistance and services that benefit people in the ways they truly need. Advancing racial, social and economic justice is at the core of why I'm running for Manhattan DA. I believe in a world that doesn't rely on jails or prisons to solve society's problems.

Supporting links for this response:

- As I said to Jacobin Magazine

<https://jacobinmag.com/2020/12/janos-marton-criminal-justice-system-new-york-city-rikers-island-decarceration>

- Acknowledging that open drug trade flourishes in areas with minimal economic investment

<https://slate.com/news-and-politics/2020/01/manhattan-district-attorney-janos-marton-drug-dealers-policy.html>

- In all of our nine policy papers (by far the most in the race)

<http://janosforda.com/issues>

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

In my two previous roles, at JustLeadershipUSA and ACLU, I've developed the skills we'll need at the top of the DA's office. At JustLeadershipUSA I built a department from scratch that within a few years worked in five states on a multi-million dollar budget that I generated, and managed a coalition of 180 organizations in my capacity running the #CLOSErikers campaign. At the ACLU I oversaw a 50-state operation, making personnel, strategic, and budgetary decisions across the country. In both positions I worked with and in opposition to elected officials (included New York City's district attorneys) and other important political stakeholders. I've actually sat across the table from Cy Vance to negotiate critical policies.

Throughout my career some of my proudest work has been building teams, and learning the craft of supervision, hiring, and knowing how to make the tough decision of letting someone go. As anyone who has been in management or leadership knows, regardless of industry, that learning curve is steep, and we need someone ready to lead and manage 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? *

We need someone who is not a career prosecutor in this job. Our current criminal legal system has no credibility, and trust between law enforcement and marginalized communities is broken. We need a District Attorney who can build back trust with communities and forge a new vision of public safety. That does require someone who understands the criminal legal system inside and out, as I do from my experience as a civil rights litigator and criminal defense counsel, policy counsel at the CCRB, special counsel to the Moreland Commission, director of the #CLOSErikers campaign, and manager of the ACLU's national Smart Justice initiative. (In addition to my own personal experiences with the system.)

The district attorneys across the country I admire most - Chesa Boudin in San Francisco, Larry Krasner in Philadelphia and Eli Savit in Ann Arbor, all came from non-prosecutorial backgrounds.

In direct response to the question however, I will note that as special counsel to the Moreland Commission I investigated corruption in our legislative and election processes, subpoenaing, deposing and investigating Democrats, Republicans, and special interests - even investigating Governor Cuomo. That is the only quasi-prosecutorial role I've held.

During this race I've held dozens of conversations with public defenders, former ADAs, and current ADAs to understand the most critical issues facing our criminal court system today, especially during COVID, and am as well-versed on these issues as any candidate, regardless of their professional background.

Finally, I'll note that I have more management experience than most of the field, which is critical to maintaining staff excellence and morale. I know how to delegate authority, when to listen, when to micromanage, and when to step back. This is a giant office with enormous political and operational responsibilities. Making staff feel valued, trusted, and empowered is how we can achieve transformational change and meet the demands that this office and this moment call for.

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? *

Police accountability is a personal issue for me. Like virtually all young men of color who grow up in this city, I had my share of negative encounters with the police as a teenager and as a young man. I have been subjected to humiliating stops and frisks, arrested unjustly, and jailed. A badge does not make a person immune from the consequences of their actions which is why as Manhattan District Attorney, I will use the office to combat the racist and abusive policing of Manhattan residents.

Holding the NYPD accountable has also been an important part of my professional career. My first job out of law school was working for the legendary civil rights lawyer, Norman Siegel, and we litigated "Operation Lucky Bag", ending an illegal NYPD practice of entrapping people with designer bags left in public places. This unconstitutional practice was authorized high up the chain of command and shows that as much as we must hold individual officers accountable, improper behavior within the NYPD is often systematic.

Later, I joined the Civilian Complaint Review Board as its Policy Counsel, working to turn the agency around in the aftermath of Eric Garner's murder. We worked to improve investigation times and substantiation rates for complaints against NYPD officers. This experience was also deeply frustrating, as I saw first-hand the difficulty in holding both individual officers accountable and changing problematic departmental policies. This year I was part of a successful lawsuit to release NYPD misconduct records, authoring an amicus brief on investigating police misconduct.

As District Attorney, the first step we must take is creating greater independence from the NYPD. I will establish an independent unit for police prosecution focused on police misconduct, including but not limited to excessive force, police domestic violence, lying under oath, and corruption. This unit will not work directly with the police so there is no perceived or actual conflict of interest. It will be tasked with compiling a comprehensive, verified list of police officers credibly accused of misconduct. Our police accountability policy, the most extensive such policy in this race, further explains how our office will pursue individual cases of illegal conduct by officers including allegations of lying on the stand, excessive force, and domestic violence, as well as incidents that occur when they are out of uniform.

Police accountability extends to situations in which officers have committed misconduct that doesn't rise to the level of a crime. If an officer is making a number of bad arrests, misunderstanding Fourth Amendment law around stop and frisk, for example, that is not a criminal offense, but it does undermine public trust, and raise concerns about future arrests the officer brings in. We will enact a vigorous reporting system to internally share evidence of such problematic behavior, and bring that information back to their precinct commander. Continued improper (non-criminal) acts will lead us to reconsider whether we can rely on such officers for investigations. And when necessary, we'll refer to other agencies, like DOI or IAB.

It is important to highlight that our campaign has not been shy about challenging the NYPD's power in New York politics, which is why so much misconduct occurs without accountability. We were the only campaign to publicly push back against the late 2019 plan to add more police officers to the subway system, including Cy Vance's use of forfeiture funds to help pay for it. We were the first campaign to call for cutting the NYPD budget by a \$1 billion, and organized more than 50 2021 candidates around the issue. You don't need to listen to my promises to believe I'll hold the police accountable—you can look at my record.

At the end of the day, however, we will also need to work in partnership with the NYPD on the critical tasks

of responding to crime and keeping Manhattan safe. That means acknowledging the separate roles of NYPD leadership, law enforcement unions, and rank & file officers.

I will be a strong partner with leadership, but will also do everything I can this election cycle to drive a conversation about police reform and police accountability, so that the next mayor, whoever he or she is, appoints a commissioner that is closer to our values than Dermot Shea.

I will take on the police unions. Let's be clear about who they are - right-wing interest groups for 'tough on crime' policies. They will not support my agenda, and I will message back just as hard.

Finally, the rank and file includes thousands of diverse officers trying to make a living in public service. I want them to feel heard and listened to by me and my team, and for them to understand why my vision for criminal justice reform will ultimately make this city and their jobs safer.

Supporting links for this response:

- Authoring an amicus brief

<https://medium.com/@janosforda/ccrb-former-staff-amicus-brief-e5f3f0c85073>

- Our police accountability policy

<https://medium.com/@janosforda/a-call-for-justice-in-policing-7bd537992b4a>

- We were the first campaign to call for cutting the NYPD budget by a \$1 billion

<https://medium.com/@janosforda/new-york-city-2021-candidates-demand-immediate-cuts-to-nypd-budget-d523354e79c>

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

I am running for Manhattan District Attorney because I'm tired of people being locked in cages to solve society's problems, and I want Manhattan to show the rest of the country a better way to keep our neighborhoods safe. This is New York in 2020—we know how to help people break cycles of harm and get their lives back on track. That will require dismantling the carceral system, and there is no single position more equipped to do that in our city or state than the Manhattan District Attorney's office. We need to invest in people and communities, and a District Attorney who will fight for communities to get those resources instead of more spending on police and prisons. I've been involved in activism and politics for 20 years, but this is my first time running for office, because this is the office in which I can make the greatest impact on the lives of people who would be otherwise harmed by our criminal legal system.

If we invest in communities and address the root causes of what causes a person to break the law or harm others, we will make our communities stronger and safer. These values must be supported by bold ideas: I'm the only candidate who has called for cutting our jail population by 80%, abolishing the office of Special Narcotics Prosecutor, and detailed a plan for implementing Restorative Justice. I have also committed to using virtually all financial resources our office obtains from forfeitures through its investigations into illegal conduct by financial companies — at least \$50 million per year — to fund community-based mental health programs, investing in both proven models of success and innovative peer-based approaches, moving as many cases involving mental health out of the criminal court system as possible. In every one of our nine issue papers we list the core values that guide this campaign: freedom, compassion, equity, and opportunity. We can build just communities based on these values and move in the direction of a world without jails or prisons. Manhattan is a special place, the borough that raised me. It's time for Manhattan to lead, and show the rest of the city, state, and country, what transformational justice should look like.

Supporting links for this response:

- Cutting our jail population by 80%

<https://medium.com/@janosforda/a-path-to-80-decarceration-c397e5f348de>

- Abolishing the office of Special Narcotics Prosecutor

<https://filtermag.org/da-candidate-special-narcotics-prosecutor/>

- Detailed a plan for implementing Restorative Justice

<https://medium.com/@janosforda/bringing-restorative-justice-to-manhattan-1d02dd8a7c75>

- Committed to using virtually all financial resources our office obtains from forfeitures through its investigations into illegal conduct by financial companies — at least \$50 million per year — to fund community-based mental health programs

<https://citylimits.org/2020/11/24/da-hopeful-plans-to-use-forfeiture-money-to-fund-mental-health-services/>

- Moving as many cases involving mental health out of the criminal court system as possible

<https://janosforda.medium.com/compassion-first-a-new-approach-to-mental-healthcare-in-manhattan-984cfcfc54a9>

- In every one of our nine issue papers we list the core values that guide this campaign: freedom, compassion, equity, and opportunity.

<https://janosforda.com/issues>

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

Since my teenage years, I've been committed to standing up for people and standing up to power. It's the throughline that's driven all of my work, from serving as college student body president to organizing in Mississippi after Hurricane Katrina to becoming a civil rights lawyer, investigating Albany corruption for the Moreland Commission, and closing jails from New York to St. Louis. The issues we are highlighting in this race are not new for me. And in a race that only one of us can win, ask yourself which candidate is most likely to keep fighting for criminal justice reform the day after this primary is over.

This content is neither created nor endorsed by Google.

Google Forms