

VID Candidate Survey for the Position of NYC District Attorney

Email address *

talifw@taliforda.com

Name: *

Tali Farhadian Weinstein

District Attorney • Questions

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

For too long, prosecutors have brought drug prosecutions that do nothing to advance public safety and that have grossly and disproportionately burdened people of color and poor people. I will approach drug use as the public health threat it is, and will prioritize treatment and harm-reduction over incarceration. This means declining to prosecute most minor marijuana possession cases (as the Brooklyn District Attorney did when I was General Counsel), as well as other low-level offenses that pose no public safety threat. It also means that in cases where criminal charges and sanctions are appropriate, I will instruct A.D.A.s not to default to excessive punitive measures and to consider incarceration as a last resort.

I will decline to prosecute those who sell sex, but continue to pursue purchasers and facilitators of the selling of sex when public safety requires I do so. I'm committed in the first instance to protecting the most vulnerable among us, and to using all tools and resources available to build cases against the most serious offenses – like sex trafficking. This approach is also consistent with my commitment to combat gender-based violence, and to put victims first.

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

As part of the leadership team in the Brooklyn District Attorney's office, I learned that prosecutors must create and deploy a variety of strategies to direct, divert, or encourage those who commit such offenses to engage the services they need. This can include diverting individuals to services immediately after arrest or indictment. It is also crucial for the district attorney's office to employ staff like social workers, to help design diversion programs and to identify appropriate candidates for them.

I also intend to use the office's forfeiture asset funds to support local and community organizations that work to disrupt and prevent criminal activity before it occurs, as well as to provide services to those in need.

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

Most recently and most relevant, I was the General Counsel of the Brooklyn District Attorney's Office, under the leadership of Eric Gonzalez – the fourth largest district attorney's office in the country. I directly managed multiple bureaus of the office (including the Appeals Bureau, where we developed all of our legal positions), directed complex litigations, and developed and oversaw office-wide policies. I also served as a close advisor to the District Attorney and was an important part of the leadership team charged with implementing the office's criminal justice reform agenda. I understand how to create institutional change from within a local prosecutor's office because I have done it. In fact, I am the only candidate in this race who has led the implementation of criminal justice reforms within a district attorney's office. For instance, I created and oversaw two new bureaus – the first Post-Conviction Justice Bureau in the country, and the Law Enforcement

Accountability Bureau. I also created and managed the deployment of various new policies including, for example, regarding parole positions; and helped develop and deploy a new internal evaluation process for line prosecutors.

I also have experience navigating complex litigation that ushers in widespread reform. In Brooklyn, I led the team that successfully sued I.C.E. over the agency's policy of arresting non-citizens in and around state courthouses, working with colleagues in the Domestic Violence Bureau, the Civil Litigation Bureau, and other parts of the office. Together with the New York State attorney general's office, we established that the I.C.E. policy interfered with local prosecution's core mission – pursuing justice and delivering on safety.

During Barack Obama's presidency, I worked in the U.S. Department of Justice as Counsel to Attorney General Eric Holder. In this role, I helped the Attorney General manage numerous components of the Department and with specific projects, such as developing guidance for thousands of federal prosecutors nationwide about how to use their discretion in charging decisions.

Finally, I am an expert in the transformation of local district attorneys offices; I teach Criminal Justice Reform and the District Attorney at NYU School of Law and have spoken frequently on this subject.

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

As an Assistant U.S. Attorney for six years, I investigated and prosecuted cases ranging from gun violence and murders to public corruption, tax and other frauds, and national security matters. I have conducted investigations that took many years each and involved working with numerous law enforcement agents and task forces. I understand the challenges of investigation and prosecution and have the experience to carry out complex cases because I have done them – from violent crime to tax evasion. Previously, as Counsel to the Attorney General, I helped develop policies that applied to prosecutors nationwide.

In the Brooklyn District Attorney's Office, I managed the Appeals Bureau, the Post-Conviction Justice Bureau (including the Conviction Review Unit), the Law Enforcement Accountability Bureau, and the Civil Litigation Bureau. For specific policies, I supervised A.D.A.s in other units and across the office. As Chief Ethics and Professional Responsibility Officer, I worked with line prosecutors to provide guidance on a variety of matters involving ethics and practice.

As General Counsel in Brooklyn, I also collaborated and coordinated with other DA's offices, including DANY, and other city agencies involved in law enforcement in New York City.

I have worked with countless prosecutors – federal and state – as a manager and as a colleague, and likewise with countless law enforcement agents. Finally, I draw on my experiences across American legal institutions – including federal courts and the Supreme Court – and my knowledge of how federal and state jurisdiction overlap or complement one another, to form my vision and capacity to lead the Manhattan district attorney's office.

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? *

I've spent most of my career in law enforcement and have always been guided by the principle that everyone is equal under the law – no matter the uniform, position, or power a person may hold. When the police commit crimes, they should be held accountable, whether it is for the use of force or lying under oath.

As General Counsel for the Brooklyn District Attorney's Office, I helped create and supervised a new stand-alone Law Enforcement Accountability Bureau, which investigated and prosecuted the police for an array of crimes including false statements. I appreciate that the question includes lying under oath and false statements because I believe officers' commission of those crimes greatly degrades trust in the criminal justice system. I also led the team that created an internal process for identifying officers that the district attorney's office (not courts or outside institutions) considered unreliable, to ensure prosecutors do not work with those officers in any capacity – a first in New York City. I supervised a new team in charge of gathering, managing, and disclosing information related to officers' credibility.

I know from my work as a prosecutor, making cases with police and other law enforcement agents, that holding the police accountable for their offenses – as we do with anyone else – need not and does not conflict with our daily partnership with the police. The police are our partners in delivering public safety.

As Manhattan's district attorney, I will build on my experiences across law enforcement to continue to work with police while also standing firm in: making sure police officers' credibility is regularly assessed and fairly disclosed; supporting evidence-based policies and legislation for police reform and supporting community-based alternatives to policing wherever possible; thoroughly investigating claims of police misconduct; and holding law enforcement officers accountable when they offend – from false statements and perjury to serious acts of violence and excessive use of force.

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

I believe prosecutors must do less to do more. The district attorney must lighten the heavy hand of the criminal justice system by foregoing prosecutions that send people into the system unnecessarily and unfairly, and that perpetuate racial injustice and poverty. Then, as prosecutors, we must use our resources to pursue the cases that legitimately promote public safety. The areas I believe we must do more include fighting gun violence and gender-based violence, both of which have been greatly exacerbated by covid-19. This work – of managing our discretion in service of justice and safety – is the core of good, ethical, and effective prosecution.

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

My journey as an immigrant – coming to the U.S., at four years old, to flee antisemitism and violence in Iran – informs everything I do. When my mother, brother, and I arrived at J.F.K. airport, the first American we met was an Immigration and Naturalization Service officer. We had what were likely fake tourist visas in our hands, and he could have turned us away – setting me on an entirely different course in life. But that law enforcement officer made a different decision, and used discretion and compassion to allow us to enter the country.

I have thought a lot about that night in the years since, and I share that experience with you because it has shaped my understanding of the power and responsibility of law enforcement. As a child, I attributed my freedom in this country to a small miracle – the accident of having arrived on December 24th, Christmas Eve. Maybe, I used to think, that was why the officer exercised the law with mercy and compassion. Of course now as an adult and as a lawyer I understand more, that in a democracy, anyone who has the power to enforce the law also has the power – and the duty – to enforce it with discretion. Not every crime should lead to punishment. Not every punishment should be meted out at the maximum. Law enforcement requires us to exercise our humanity and sense of justice, always mindful of the demands of safety, in individual cases. I have spent most of my career in public service, trying to live and work by these principles. I intend to approach the awesome power and responsibility of the district attorney in the same way.

This content is neither created nor endorsed by Google.

Google Forms