

DISTRICT ATTORNEY CANDIDATES ARE ASKING FOR YOUR VOTE — ASK THEM WHERE THEY STAND

BECAUSE CRIMINAL JUSTICE REFORM IS LOCAL

When it comes to the criminal justice system, district attorneys are one of the most powerful players. Their job is to represent “The People” in criminal court by enforcing the law and prosecuting those who commit crimes.

Their choices impact major social issues, including economic justice, public health, immigrants’ rights, racial disparities and even the state of our public education system.

DISTRICT ATTORNEYS HAVE THE POWER TO:

DECIDE WHETHER TO CHARGE SOMEONE WITH A CRIME AND WHAT CHARGES TO BRING

D.A.s reflect their community’s priorities. They have an important stake in ensuring justice for everyone. D.A.s can offer alternatives to incarceration, like pretrial diversion programs that give low-level and first offenders supervision or drug and mental health treatment. D.A.s can also decline to bring charges and, for example, end the criminalization of children who merely misbehave in school. D.A.s also have an important role in police accountability because D.A.s can decide whether to charge officers who kill someone in the line of duty and what crime to charge.

CHOOSE WHICH CRIMES TO PROSECUTE

D.A.s have an obligation to consider the societal consequences of prosecutions. They can decide not to punish people for certain crimes. For example, the Manhattan D.A. Cyrus Vance Jr. has decided not to prosecute subway turnstile jumpers, while the late Brooklyn D.A. Ken Thompson had decided not to prosecute low-level marijuana offenses. In both cases, the D.A.s recognized the minor public safety value of such prosecutions, and worried about the the arbitrary enforcement, disproportionate impact on communities of color, and risk to people’s jobs, housing and more.

RECOMMEND WHETHER TO HOLD SOMEONE ON BAIL

D.A.s can decide not to base anyone’s freedom on the size of their bank account. Most people in jail on NYC’s Rikers Island haven’t been convicted of any crime. They are there because they cannot afford bail. This detention before trial ruins the lives of people who are presumed innocent and comes at a great cost to taxpayers.

INFLUENCE STATE AND LOCAL LAWS

As the elected face of the law enforcement community, D.A.s have enormous influence on criminal law and public safety issues. They can sink or uplift reform efforts. For example, for many years New York’s D.A.s vigorously opposed raising the age of criminal responsibility from 16 to 18. As a result, New York was nearly the last state in the nation to do so. Today, the District Attorneys Association of the State of New York continues to oppose Kalief’s Law, which would eliminate unnecessary court delays for New Yorkers. The law was named for Kalief Browder, who spent three years on Rikers Island just awaiting trial for a crime he did not commit.

LIMIT COOPERATION WITH IMMIGRATION ENFORCEMENT.

D.A.s have a responsibility to protect and build trust with immigrants in their community; not to assist Immigration and Customs Enforcement (ICE). When D.A.s share resources and information with ICE, it makes immigrants reluctant to rely on law enforcement or come to them with information. In addition, when making decisions to charge people, offer plea deals, and recommend sentences, D.A.s should consider the potential outsized consequences for immigrants, which can include deportation. Finally, the D.A. can be an important voice in support of needed sanctuary policies and against the harm of immigration arrests at courthouses.

DO YOUR PART!

THIS FALL, YOU HAVE THE CHANCE TO DETERMINE WHO WILL BE YOUR LOCAL DISTRICT ATTORNEY AND TO INFLUENCE CRIMINAL JUSTICE REFORM IN YOUR COMMUNITY.

ASK WHERE YOUR CANDIDATES STAND ON IMPORTANT ISSUES OF CRIMINAL JUSTICE REFORM IN NEW YORK:

- What will you do to support diversion programs that keep people out of jail?
- Criminally prosecuting minor offenses like turnstile jumping or having an open container hurts New Yorkers, criminalizes poverty and wastes resources. Do you support treating these as civil offenses? Will you decline to prosecute low-level nonviolent offenses committed by people who pose no threat?
- Research shows that implicit bias can result in worse plea offers, higher bail and longer sentences for black and Latino people. How will you reduce racial disparities in our criminal justice system?
- Do you support ending the use of cash bail?
- Loopholes in New York laws lead to unreasonable court delays for people who have been charged with a crime. Do you support speedy trial reform in New York? Do you support Kalief's Law, which prevents trial extensions by prosecutors?
- How will you ensure your office does not use resources to enforce the federal government's anti-immigrant policies?

