



Questions for 2021 District Attorney Candidates

Responses for Candidate (name): **Alvin Bragg**

1. Why are you running for District Attorney and what experience do you have that prepares you for this job?

I am running for Manhattan District Attorney to 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 civil rights unit to handle investigations of police misconduct, and refuses to take campaign donations from any lawyer who appears before the office.

I have spent the better part of two decades 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. 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, a State Senate leader for corruption, and the only misdemeanor I ever took to trial was two people who were blocking access to a Planned Parenthood facility.

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, a deep awareness of the injustices and inequalities that are baked into the criminal justice system, and a commitment of equal justice for all. I grew up in Harlem and am now raising two children here. I've been repeatedly stopped and frisked by the NYPD as a teenager, including three times at gunpoint; and been shot at and had a gun pointed at me by people who were not police officers. I've supported a close family member who moved in with me post-incarceration in the wake of solitary confinement and 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 for nothing on his way home.

This is the experience and commitment you need to reshape and repurpose the DA's office to deliver one standard of justice for all.

2. What do you believe are the most important responsibilities of the District Attorney?

The most important responsibilities are to keep people safe and deliver justice for all. I refuse to accept the false narrative that these are in conflict, and I have spent my life at the intersection of both. When everyone in Manhattan is equally free from violence or the threat of violence, from each other and from the police, and when everyone in Manhattan equally trusts that the criminal justice system is fair and just, we will have achieved true public safety. The District Attorney must enact policies and make decisions that keep Manhattanites safe. The DA must also promote fairness and justice for all. My work and my life teach me that safety and justice work in tandem: you can't have one without the other.

3. The Office of District Attorney encompasses aspects of policy making, *i.e.* what to prioritize in terms of crimes which are prosecuted, and also managerial aspects. If elected:

- How will you decide which crimes to prioritize?
- What steps will you take to manage Execs, Bureau Chiefs and ADAs to effectuate your decisions?

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 persons and serving as Chief Deputy Attorney General, overseeing 1,200 people and some of the office's biggest cases. I've sued the Trump Foundation, sued 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 in our justice system. They must confront the rising gun violence in our city and the mistrust of DA's sex crimes unit. And they must transform the culture and metrics of success of the office.

My plan is to install senior managers at the most critical decision-making points who report either directly to me or to my chief deputies. This is particularly critical at the earliest stages of a case, when we choose whether to prosecute or not, and if so whether to seek pretrial detention. These senior managers will be responsible for ensuring that any staffer who may disagree with a new policy implements it anyway, and can bring to my attention instances in which staffers attempt to undermine or sabotage reform efforts; those staffers will be replaced. This will also include hiring a former public defender to oversee the arraignment/complaint room. I also will be "hands-on": when I was the Chief Deputy at the AG's Office, I prioritized spending time outside of the executive suite to convey my expectations and values directly to as many employees as possible and to get feedback from those interacting with those most affected by our decisions.

We will also establish new metrics to evaluate success and promotion. Reliance on conviction rates to measure success in any prosecutor's office is problematic and invariably results in the over-prosecution of easily proven crimes and the under-prosecution of more challenging crimes. Community engagement, like my long-standing roles as a Sunday School teacher and a Harlem Little League baseball coach, will be valued. I will view those I hire and work with holistically, and, in turn, I expect them to view those they interact with holistically -- from those charged with a crime to witnesses to survivors. I did the direct hiring for the AG's Special Prosecutor's Unit, and I hired prosecutors, for example, who had an advanced degree

in social work, studied racism at a graduate school level, taught in a detention facility, and were directly affected by policing practices.

Though the primary driver of change will be senior managers directly monitoring policy implementation, I also will rigorously evaluate metrics relating to cases to monitor policy implementation both qualitatively and quantitatively. The combination of these efforts will ensure that my new policies are effectively implemented. This internal monitoring will include tracking and addressing the types of racial disparities that were documented in the 2015 Vera Institute review of the DA's Office.

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.

4. Should the Office of District Attorney be responsible for investigating police officers for misconduct/criminal acts and if so, what steps will you take to ensure that it is done fairly?

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 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.

5. Do you support alternatives to incarceration and if so, how and under what circumstances?

The fact that Manhattan leads the way in jail sentences for misdemeanors is the reason why so many people rightly believe that the system is too large. Nobody would say that a system that addresses only murders and rapes is "too large," but a system that keeps those struggling with mental health issues or drug addiction in jail is clearly too large.

When it comes to misdemeanors, our approach should be less punitive, but the problem is that the traditional criminal justice system is designed at its core to dole out punitive punishments and not address root issues like substance use disorder and poverty. This is why my policy will be to divert these cases outside the traditional criminal court processes. Under the new bail laws, those charged with most misdemeanors are released from police custody for a few weeks before making their first court appearance. This gives DAs a perfect opportunity to divert these cases into programming and other non-traditional options and

avoid having the person ever set foot in a courtroom. These types of programming already exist, and I pledge to use the office's asset forfeiture funds to expand them. I will institute a policy in which the default outcome for most of these cases will be this type of programming.

6. What is your position on cash bail?

Jailing people because they are too poor to purchase their freedom is deeply immoral and can have disastrous consequences on communities, families and individuals. Many lose their employment, housing or custody of their children. In New York City, and throughout the country, black and brown people face the brunt of the harms. Black people are over two times more likely to be arrested and once arrested are twice as likely to be jailed before trial. I have seen firsthand how these and other injustices result from the abuse of pretrial incarceration. I have handled bail issues from all sides – as a prosecutor and as a defense lawyer, and most importantly, I have posted bail for family and loved ones. I have had the sinking feeling many times of getting a call in the middle of the night and hearing someone I know and love on the other end. The misuse of pretrial incarceration must stop if we want to end mass incarceration and its devastating consequences.

7. How do you intend to make NYC safer and more fair for all?

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.

8. Do you have any other positions or considerations you'd like our members to know?

1. We need to totally overhaul the way we investigate and prosecute sex crimes in Manhattan to get justice for brave survivors. We will create a high-quality, victim-centered, dedicated sex crimes unit reporting directly to the District Attorney. We also need to conduct a full audit of the prosecution of sexual crimes. And we need to measure outcomes – not just conviction rates. We need increased transparency and increased training; we need to eliminate criminal and civil statutes of limitation barriers, and we need to dedicate resources and lobbying efforts to combat alcohol- and drug-facilitated sexual assault.
2. The Manhattan District Attorney's Office must hold accountable employers who cheat and endanger their employees. This is an urgent matter for fairness, for economic opportunity, and for racial justice. My Economic Justice Initiative will target labor crimes against working people, such as negligence in workplace safety, and cheating workers out of overtime, workers' compensation, paid sick leave, and unemployment insurance by "misclassifying" them as independent contractors, or forcing them to work off the books.
3. As Manhattan District Attorney, I will use all available means to keep our city safe through enforcement, intervention, and prevention of guns. Comprehensive gun-violence reduction can only be achieved through a multi-faceted approach that includes law enforcement, community intervention/improvement, and legislative change. We will not arrest or incarcerate our way out of these problems. By the time a case gets to the point of criminal prosecution, it is already too late. That is why my plan to address gun violence is about more

than just charging and sentencing decisions as a prosecutor, it is about addressing the underlying issues that drive gun violence.

9. Please provide contact information for any additional questions, to get involved in your campaign, etc.

To get involved:

Email: info@AlvinBragg.com

Sign Up: <https://www.alvinbragg.com/volunteer>

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