



## THE VILLAGE REFORM DEMOCRATIC CLUB

### Questions for 2021 District Attorney Candidates

**Responses for Candidate (name): Diana Florence**

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 DA because I believe people deserve a district attorney who will create a justice system that does not discriminate between rich or poor. My experience in the Manhattan District attorney's office has shown me that the "concierge form of justice," in which the powerful and connected often get a break in their convictions and sentencing, is wrong and must be changed. I became an assistant district attorney not to serve the rich, but everyone--equally. People deserve better than what this office currently offers.

As the only sibling of David, who is autistic and does not speak, I have used my voice to protect and advocate for him. And I have continued to do this for people who previously did not have a voice and were steamrolled and undermined by our criminal justice system. To this lack of fairness, I say "no more."

I served as Chief of the Construction Fraud Task Force, and there I held the powerful accountable and championed people without a voice. One of those people was Carlos Moncayo, who was a 22 year old carpenter when he was buried alive in a 14 foot unprotected trench in the middle of a multi-million dollar construction site right here in lower Manhattan. Because he was undocumented, and he didn't speak the language, his death wasn't supposed to matter. It mattered to me.

I successfully prosecuted the company for manslaughter. It was my honor to get justice for Carlos and his family, as well as other workers victimized by greed and corruption. Also, when I secured the largest wage theft conviction in the country, 500 workers were returned six million dollars in wages. I am proud of these cases because they matter to everyday New Yorkers.

Why does this matter? I say that when justice is denied to specific people, justice is denied to everyone. And the loss of confidence in our criminal justice system hurts us all and promotes disregard for the law.

And due to these efforts, I have the support from over a dozen labor unions which includes hundreds of thousands of essential workers like bus drivers, sanitation workers, construction workers who know that the District Attorney's Office can be a place of opportunity, not obstacle.

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

I want to use the resources of the DA's Office to tackle the crimes of power such as housing fraud, corruption, domestic violence and gender based violence, etc. These crimes have ripple effects in communities for years by limiting tax revenues and this spending on schools, healthcare, housing and transportation. When you focus on rooting out corruption, you can replenish tax coffers that can be reinvested into these communities.

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?

Managing the office and the decisions made there is the responsibility of the person at the top. I will train and hold my staff accountable to the principles I stand for. I am committed to challenging the secretive, reactive, and regressive insiders' club that exists now. I propose to change the Manhattan DA's Office performance standards by rejecting a model based on the number of convictions, trial wins or length of sentences and replacing it with new sentencing guidelines, DANY Asset Forfeiture Investment Fund (participatory Budget) and DA's Staff – Diversity & Re-Training. I will also reserve spaces to hire legal and non-legal staff that graduate from CUNY or SUNY.

The crimes I will prioritize are those that not only injure people physically but economically. I will institute a fairness doctrine that removes the current favoritism to white and white collar defendants. A stolen cellphone will not be criminalized more than the theft of wages from 100 workers. Sadly, currently, this is not the case.

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?

As District Attorney, I will create a new unit to partner with the Civilian Complaint Review Board. Under a memo of understanding, the CCRB will refer potentially criminal conduct to the DA's Police Accountability Unit and proactively investigate criminality committed by the police. As District Attorney, the defense will be informed of any negative or relevant information about officers involved in cases. I will advocate before the City Council to create a publicly searchable website -- 50a.com -- that will contain

NYPD and CCRB misconduct records. I will move for the public disclosure of grand jury minutes where a grand jury fails to indict a police officer on the top charge or publication of a grand jury report detailing wrongdoing or recommending policy changes, including revisions to state law or police department policy.

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

Absolutely. The substance of diversion programs should be left to the experts, not prosecutors or the legal community. For example, looking at mental health I support the deference to the science and medical community in determining when patients have failed treatment. I support the application of common sense reforms in crafting programs to make them consistent with the everyday reality of people's lives. Another example: when looking at young adults, I would divert these cases to family court. We need to ensure we individualize each case.

6. What is your position on cash bail?

I support eliminating the use of cash bail and oppose the use of dangerousness algorithms. Bail is about ensuring a return to court-- it has never been about anything else in this state. I support funding of an alternate nonmonetary based system that ensures return to court, such as apps or texting alternatives, that deemphasizes pretrial incarceration and keeps the person in their communities and with their families.

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

I intend to make NYC safe through three parts: Safe at Home, Safe at Work and Safe on the Street:

**First - We need to keep people safe at home:** Protecting tenants from unscrupulous landlords who overcharge must be rigorously investigated and prosecuted. This is not the case now.

My newly-created Housing Bureau will investigate and prosecute systemic fraud in the housing arena, from rent stabilized apartments to NYCHA. These investigations will center on tenant inequities, such as illegal rent de-stabilization due to inflated and nonexistent improvements, fraudulent deed cases, tenant harassment, overbilling for poor or fraudulent repairs and falsifying inspections for mold, asbestos, pests, and lead-based peeling paint within the home.

Particular attention will be paid to fraud committed by landlords who falsify "individual apartment improvement (IAI)" costs to collect more rent on rent stabilized apartments than they are entitled to receive. Because these falsifications have thrived unchecked in housing court, it has resulted in the monthly theft of hundreds of thousands of dollars in illegal rent from tenants across Manhattan.

**Second - We need to keep people safe at work:**

Every worker deserves to be paid for every hour worked – from gig workers, to freelancers, to part time employees and full-time staff. Everyone should be able to go to work knowing that at the end of their day, at the end of their shift, they will be able to return home safely to their families.

For years - vulnerable communities have suffered from many unfair and illegal encroachments on their health and safety, and the DA has not held those accountable. For example, when a worker doesn't get paid for hours of work they are just a paycheck away from getting evicted from their home or not being able to provide food for their family. This and other abuses must stop now.

**Third - We need to keep people safe on the street:**

Keeping guns off the street is the most important aspect of public safety and community engagement and it will be the cornerstone of my work as the Manhattan District Attorney. Working collaboratively to understand the issues impacting a community and working collaboratively to find appropriate solutions to problems is the key to real public safety. When elected, I will prioritize a robust community outreach plan establishing a DA presence in local libraries, community centers, NYCHA properties and public hospitals. Trust is fostered in partnership. That is the approach I took when prosecuting cases addressing worker safety and wage theft. I brought together people and organizations who traditionally might be reluctant to speak with the DA's Office (undocumented persons, Unions, etc.) and worked with them to address issues directly impacting them. I forged coalitions that weren't solely focused on prosecutions but were equally committed to seeking wage restoration and providing certified safety training to workers normally excluded because of their citizenship status or limited access to such programs and training. Mistrust of law enforcement is rooted in the notion that the police (and by extension the DA's Office) are an occupying force, arriving in a moment of crisis (or creating a moment of crisis) and ultimately leaving a community more fractured. I am committed to bringing real resources to the community and establishing working collaborations with groups throughout Manhattan.

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

It is my belief that the Manhattan district attorney's office has three priorities:

A. It needs the progressive ideas that will bring it into the 21st Century with non-biased/ equal fairness for all defendants. This is why, so far, 13 labor unions have endorsed me due to my successful work on wage theft and other criminal prosecutions.

B. The ability to, on day one, manage a large legal staff. I have that experience and understand how this office works.

- C. The understanding of how to prosecute corruption and other cases that involve theft, money laundering, and corporate greed. These cases are often complex and require outside organizations' trust and assistance in order to be successful. My record is full of such successfully prosecuted cases.

After working closely with these unions, I am proud to be their endorsed candidate for Manhattan DA:

Teamsters Joint Council 16  
Building and Construction Trades Council of Greater New York  
New York City and Vicinity District Council of Carpenters  
New York State Iron Workers District Council  
Mason Tenders' District Council of Greater New York Long Island  
Laborers' Local 7 District Council of the Operative Plasterers' & Cement Masons' International Association  
Local Union 262 & Local Union 780  
Heat and Frost Insulators Local 12  
Bricklayers & Allied Craftworkers Local Union No. 1  
Bricklayers & Allied Craftworkers Local Union No. 7 (Tile, Marble & Terrazzo)  
Sheet Metal Workers' Local 2  
Building Materials Teamsters Local 282  
IronWorkers Local 361  
Plumbers Local 1

These unions endorsed me because they saw that I fiercely fought for their workers to be treated fairly under the law. No one else in this race has my record of standing up to power. As DA, my priority will always be prosecuting crimes of power, not just crimes of poverty, and I will do this alongside the community I serve.

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

If you would like to reach out, follow or join me on the campaign:

[info@dianaforda.com](mailto:info@dianaforda.com)

<https://dianaforda.com/volunteer/>

<https://www.facebook.com/dianaforda/>

<https://twitter.com/dianajflorence?lang=en>

<https://dianaforda.com>

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