



### **Orleans Parish District Attorney Candidate Questionnaire**

Since 1956, the ACLU of Louisiana has worked to advance and preserve the individual rights and liberties guaranteed by the Constitution and laws of the United States and the State of Louisiana. We are part of a nationwide network of affiliates that fights tirelessly in all 50 states, Puerto Rico, and Washington, D.C. The ACLU's Campaign for Smart Justice is a nationwide effort to cut the nation's prison population in half while combating racism in the criminal legal system. As part of this mission, the ACLU of Louisiana is educating voters about the role county attorneys play in mass incarceration. As a member of the [People's DA Coalition](#), we will also provide voters with information about where candidates for District Attorney stand on critical criminal legal reform issues, such as prosecutorial transparency, policies that reduce incarceration, eliminating racial disparities in the criminal legal system, and holding police accountable for misconduct.

All candidates running for Orleans Parish District Attorney will receive this questionnaire and answers will be posted online at [www.laaclu.org](http://www.laaclu.org). Through this campaign, the ACLU of Louisiana hopes to make voters more aware of the power of this elected position and hold candidates accountable to their communities' fundamental need for justice, safety, and respect.

Please write your answers in this document and email your responses to Chris Kaiser at [ckaiser@laaclu.org](mailto:ckaiser@laaclu.org) on or before September 18, 2020.

**For each of the following questions below, please indicate yes or no to the pledge, and provide a brief explanation if you would like.**

1. Do you pledge to reduce the number and length of state prison admissions coming from your office? If yes, please identify a percentage by which you plan to reduce state prison admissions by the end of your first term, and what specific combination of reforms you anticipate will achieve your goal.

- Yes
- No

It is extremely difficult to provide a percentage without having the current actual data of the office. However, I can pledge that my policy of not using the habitual offender laws and actually having a much more robust and rigorous screening division with an eye towards declining & diverting cases that should not be prosecuted will drastically reduce Orleans Parish's state prison admissions.

2. Do you pledge to reduce the number of people locked up in the Orleans Justice Center awaiting their day in court? If yes, please identify a percentage by which you plan to reduce the number of people incarcerated pretrial by the end of your first term, and what specific combination of reforms you anticipate will achieve your goal.

- Yes
- No

It's extremely difficult to provide a percentage without having the current actual data of the office. However, I can pledge that the lion's share of level non-violent accused will be allowed to remain in their homes and communities while awaiting resolution of their cases.

3. Do you pledge to stop seeking any “enhancements” under Louisiana’s Habitual Offender law--which add even more prison time on top of already extremely long prison sentences--to reduce incarceration and disproportionate sentences?

Yes

No

4. Do you pledge to treat kids as kids and not transfer people younger than 18 into adult criminal court to be prosecuted as adults?

Yes

No

5. Do you pledge to reduce racial disparities and overcriminalization by eliminating unaffordable fines and fees and always seeking alternatives to incarceration for misdemeanors and municipal offenses, which have long-standing patterns of racially disparate impacts on African-Americans?

Yes

No

6. Do you pledge to decline to prosecute marijuana possession charges, which disproportionately impact black communities?

Yes

No

7. Do you pledge to eliminate requests for pretrial incarceration for people accused only of municipal or non-violent misdemeanor offenses?

Yes

No

8. Do you pledge to not seek pretrial incarceration unless there is specific evidence that the person's release would pose a danger to an individual's safety? If yes, please identify what specific policies you will adopt to accomplish this pledge.

Yes

No

I will ensure that suspects who are dangerous to others will still be held, while implementing safe alternatives to cash bail for those charged with nonviolent offenses, including monitoring and regular check-ins.

9. Do you pledge to reduce wealth-based incarceration by always requesting bond reduction for people unable to afford the amount of money bail initially set, so that it matches their ability to pay? If yes, please identify what specific policies you will adopt to accurately determine a person's ability to pay.

- Yes
- No

I believe alternatives to money bell would be more productive than simply reduced bond amounts.

10. Do you pledge to end incarceration for technical, non-criminal violations of probation or parole, by always recommending release of people incarcerated for technical violations?

- Yes
- No

11. Do you pledge to ensure transparency by collecting and publishing quarterly statistical information, disaggregated by race and gender, on all key stages of prosecutorial decision-making, such as charging decisions, bail recommendations, declinations, diversion program offers and placements, convictions, plea bargains, and sentencing enhancements, and posting all office policies online?

Yes

No

During My tenure on the City Council, I pushed for use of technology and data to enhance the lives of New Orleanians. I established the first of their kind, public-facing dashboards to track neighborhood crime trends, track police incidents of misconduct, jail population, money bail, traffic camera tickets and local COVID-19 spread. These dashboards were posted to the City Council website and provided residents 24 hour access to updates on what was occurring in their city from the comfort of their homes.

Transparency will be the cornerstone of the DA's office just as it was during my tenure on the Council.

- As District Attorney, I will allow every New Orleanian to see what their money is paying his office to do.

12. Do you pledge to re-establish a Conviction Integrity Unit to review innocence claims, due process violations, coercive plea bargains, corrupt or racist police practices, and excessive sentences?

Yes

No

Shortly after taking office, I will re-establish a new, more robust Conviction Integrity Unit in partnership with Innocence Project New Orleans and other stakeholders in New Orleans to provide for case review outside of the more costly litigation context.

I will ensure that the CIU is independent, fund it properly, and fully staff it with attorneys dedicated to its mission.

I will utilize the CIU to:

- review individual cases for claims of actual innocence as well as claims of due process violations and corrupt law enforcement practices, in order to determine whether the outcomes were tainted by unjust practices, faulty evidence, bias, or ineffective assistance of counsel;
- search for patterns of misconduct (e.g. *Brady* violations) that could lead to additional questionable convictions;
- review cases in which the convictions may have been obtained justly but the sentences imposed were potentially excessive; and
- review each case in which the conviction was overturned on appeal in order to determine whether a re-trial would serve the interests of justice.

I will :

- Engage with local law firms and law schools to bring their perspectives and resources to the CIU in order to increase the unit's effectiveness.
- Support compensation, full restoration of rights, and expungement for those wrongfully convicted.
- Disclose any newly discovered evidence that might reveal a prior conviction to be erroneous or obtained by prosecutor or law enforcement misconduct
- Permit the review of cases in which guilty verdicts were rendered by non-unanimous juries.
- Enact policies to hold Assistant DAs accountable when they commit ethical violations like the concealing of evidence that resulted in John Thompson's wrongful conviction.
- Implement preventative measures that will result in fewer wrongful convictions occurring in the first place, e.g. mandating that exculpatory evidence is shared with the defense as quickly as possible and uncovering unethical police work and publicly reporting it.

13. Do you pledge to hold police accountable by ensuring independent investigations when police kill or seriously injure a member of the public? Please explain.

Yes

No



Abuses of authority by those crowned with the public trust have been consistently ignored by the past District Attorneys. As NOPD leadership has realized in the wake of the current federal consent decree, outside pressure can improve both the culture and policies of local law enforcement. I will maintain that pressure for reform by properly screening and refusing cases that involve abusive or discriminatory actions by the police.

I will also proactively notify NOPD leadership of problematic reports or other evidence of questionable police work, as is the prosecutor's duty. This will not only serve to increase accountability and identify patterns of police misconduct, but also provide a tremendous learning opportunity to help build better officers, and in turn, make better case investigations.

Recognizing the high standards that a position of public trust commands, I will not hesitate to prosecute officers for abuses when appropriate in my own office and seek assistance from the DOJ.

The current DA commits to accepting at least 90% of cases that come across his desk. With this, he essentially commits to accepting and prosecuting a number of bad cases involving improper or unconstitutional arrests, thereby encouraging and endorsing a culture of bad behavior that he is legally sworn to fight. This very pattern of blind case acceptance is often a gateway for even more outrageous law enforcement behavior.

14. Do you pledge to hold police accountable by documenting all police officers who have a pattern of dishonesty, perjury, excessive force, and other misconduct, and committing not to use or rely on those officers' reports or testimony in prosecutions?

Yes

No

15. Do you pledge to formally charge people accused of crimes within 5 days of incarceration, except for charges carrying up to life in prison, or agree to their release without bond?

Yes

No

16. Do you pledge to never lock crime survivors in jail in order to secure their testimony?

Yes

No

17. Please indicate whether you pledge to publicly support any of the following legislative reforms which would reduce mass incarceration and end policies that have disproportionately impacted communities of color:

- Repealing Louisiana's Habitual Offender laws
- Statewide mandates for data reporting from prosecutors' offices
- Abolishing the death penalty
- Shortening the "charging window" in which the state has to file charges and bring a person before a judge for arraignment.