



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. answers will be posted online at www.laclu.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 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

As District Attorney my goal is to reduce incarceration by offering rehabilitation to non-violent offenders. My Administration will seek to link individuals with the services they need. We will expand diversion for those with a history of drug abuse and addiction with treatment, mental health care, and job training. We will limit the use of multiple bills to exceptional circumstances, and only with supervisory approval. A percentage cannot be quantified because the DA has no control over the number of arrests made by law enforcement each year.

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

Real criminal justice reform begins with a commitment to reform our bail system. As the former Chief Judge, I was instrumental in spearheading the current pretrial services program at criminal district court. As District Attorney, I will ensure people don't remain in jail simply because they can't afford to pay. My Administration will begin with the premise that people are innocent until proven guilty and the purpose of bail is to ensure individuals return for future court appearances. We will also evaluate individuals charged with violent crimes using a pre-trial risk assessment tool to determine public safety risks, and protect victims and witnesses of violent crime and domestic violence.

As District Attorney my goal is to reduce pretrial incarceration by offering rehabilitation to non-violent offenders. My Administration will seek to link individuals with the services they need. We will expand diversion for those with a history of drug abuse and addiction with treatment, mental health care, and job training.

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

As District Attorney I will ensure that my Administration takes into account the nature of the triggering offenses and the proportionality of the possible punishment upon conviction. We will limit the use of multiple bills to exceptional circumstances and only with supervisory approval.

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

We will not transfer people younger than 18 into adult criminal court as a general rule except in extreme circumstances, and only after a decision is made by me as the top prosecutor in the office.

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

I agree to work to reduce all racial disparities and overcriminalization. Regarding the elimination of unaffordable fines and fees, we will seek to consider alternatives, but much of that is determined by statutory mandates and judicial discretion. With respect to alternatives to incarceration for misdemeanors, we agree that it would be appropriate with all nonviolent offenses while protecting the victims of domestic violence. Municipal offenses are not prosecuted by the District Attorney's office.

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

- Yes
 No

As the next District Attorney for New Orleans, I will not prosecute individuals for simple possession of marijuana. These charges for simple possession will be referred to municipal court and decided by the City attorney's office. My office will focus on felonies and violent offenders. Other low-level drug offenders will be assessed to see if they would benefit from diversion/substance abuse programs or other job or life skill programs.

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

Yes

No

Non-violent misdemeanor offenses will be routinely recommended for pretrial release with appropriate conditions. The District Attorney does not prosecute municipal offenses.

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

The purpose of pretrial incarceration is to detain those who present a danger or risk to public safety.

Violent offenses and the public safety of our victims and witnesses will be of paramount importance in our bond recommendations.

We will work with victims and witnesses starting at the time of offense to assist the court with specific information regarding the necessity of detention.

In all other instances, our goal is to reduce the reliance on jail by offering rehabilitation first for non-violent offenders.

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

Real criminal justice reform begins with a commitment to reform our bail system. As the former Chief Judge, I was instrumental in spearheading the current pretrial services program at criminal district court. As District Attorney, I will ensure people don't remain in jail simply because they can't afford to pay. My Administration will begin with the premise that people are innocent until proven guilty and the purpose of bail is to ensure individuals return for future court appearances. We will also evaluate individuals charged with violent crimes using a pre-trial risk assessment tool to determine public safety risks, and protect victims and witnesses of violent crime and domestic violence. By using a verified risk assessment tool, we will work to eliminate wealth-based inequities in the pretrial detention system.

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

My administration will carefully review all requests for violation of parole or probation with the appropriate law enforcement agencies and/or probation office before making any recommendation. We will also confer with victims and witnesses of violent crime to protect and ensure their safety. Whether a violation is "technical" and does not merit incarceration must be analyzed on a case by case basis, for example we will not recommend incarceration for an individual who fails to pay fines and fees because he is unable to afford the same.

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

Our goal is complete transparency and modernizing the District Attorney's office information systems to provide the maximum possible statistical data regarding arrest and charging decisions to the community. We promise to provide an annual District Attorney's report to the community to show the progress made in reducing crime.

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

As District Attorney, my office will work to create a safe and fair New Orleans for everyone by establishing a Conviction Review Unit aimed at maintaining integrity in the system by reviewing convictions. My office will conduct extensive training to combat prosecutorial misconduct and implement training to educate prosecutors and investigators on implicit bias.

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

As District Attorney, my office will commit to leading reform efforts that protect citizens from abuse of power and hold police officers accountable for their actions.

As District Attorney, I will create an independent unit staffed with experienced prosecutors and investigators to pursue allegations of officer misconduct. My Administration will protect investigations to ensure independence, impartiality and transparency, and will monitor and record repeated complaints of police misconduct while rejecting cases built on police misconduct.

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

As District Attorney, my office will commit to leading reform efforts that protect citizens from abuse of power and hold police officers accountable for their actions.

As District Attorney, I will create an independent unit staffed with experienced prosecutors and investigators to pursue allegations of officer misconduct. My Administration will protect investigations to ensure independence, impartiality and transparency, and will monitor and record repeated complaints of police misconduct while rejecting cases built on police misconduct

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

My office will expedite the prosecutorial charging decision to the maximum extent possible for all individuals who are incarcerated. Public safety of the community and of particular victims and witnesses of violent crimes and domestic violence will always be an important consideration. Working with law enforcement to provide all information and evidence as quickly as possible will accomplish speedy prosecutorial decision making.

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

Yes

No

While my administration expects to establish relationships with victims and witnesses to ensure voluntary participation, we will reserve the right to seek a material witness warrant from the court only when it is in the interest of protecting public safety, and only with my personal approval.

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.

My office will limit the use of multiple bills to exceptional circumstances for the good of public safety, and only with supervisory approval. My Administration will work with the Louisiana District Attorneys Association to achieve a statewide data reporting system. As the District Attorney I will support efforts made to shorten the charging window as it is in the best interest of the state, victims, witnesses and defendants.