



Friday, May 14, 2021

Citizens Union 2021 Candidate Questionnaire - Manhattan District Attorney

Dear Candidate,

Congratulations on your decision to run for Manhattan District Attorney! Citizens Union appreciates your commitment to serve the public.

In the following pages, you will find questions regarding your positions on various reform issues and your plans for office. The form includes the following sections: (1) the functions of the district attorney's office; (2) ethics, corruption, police misconduct; (3) prisons and incarcerated individuals; (4) miscellaneous.

Responses to these questions will be one of several factors Citizens Union uses to evaluate candidates running for office, and to issue our preference for the June primary. Read more about the method, principles, and criteria of the candidate evaluation process [here](#).

**

If you wish to be considered, please submit the questionnaire no later than 48 before your interview.

If you seek our support, we will also need to schedule an interview with you as part of the evaluation process.

**

If you cannot complete the questionnaire in one sitting, you can click Save and Continue Later at the bottom of every page.

Once you submit the questionnaire, you will receive a confirmation email with a PDF file containing your responses. Citizens Union will not be able to see your answers unless you submit the form. We plan to make responses to this questionnaire public on our website, printed voters directory, and other appropriate venues (your contact information will not be published).

For any questions, please email candidates@citizensunion.org

We thank you very much for your response.

GENERAL INFORMATION

Your Info

Name

Alvin Bragg

Seeking office:

Manhattan District Attorney

In which primary

Democratic

Age

47

Education

Harvard University, BA; Harvard Law School

Occupation/Employer

New York Law School, Visiting Professor of Law and Co-Director, Racial Justice Project

Previous Offices, Campaigns and Community/Civic Involvement

Chief Deputy NYS Attorney General; Executive Deputy Attorney General for Social Justice; Assistant US Attorney, Southern District; Chief of Litigation & Investigations, New York City Council.

Website

<https://www.alvinbragg.com/>

Twitter

@AlvinBraggNYC

Facebook

@AlvinBraggNYC

Affirmations**Have you completed the required campaign finance filings?**

Yes

Are you willing to be interviewed by Citizens Union's Local Candidates Committee?

Yes

(Please note: interviews are prerequisites for Citizens Union's endorsements)

Signature



THE OFFICE OF THE DISTRICT ATTORNEY

1. As a district attorney, you will be managing hundreds of attorneys and other staff members. Is there anything in the structure and function of the office of district attorney that you would like to see improved in order to be better positioned to prosecute criminal offenses and promote justice in your borough?

I am the most experienced manager in this race, having managed over 1500 people as Chief Deputy Attorney General. I know from this experience that to achieve justice we must change both the formal structures and policies of the office as well as its culture. As I have detailed in my Day One Memo on my website, I will change many of the structures and formal policies of the office to better focus our efforts on serious crimes and away from minor offenses that do not make us safer. Those efforts will help promote a culture change consistent with my values, but that change will also require reforming how we conduct internal evaluations. As I detail in my Day One Memo, this will mean that promotions will be no longer tied to conviction rates, and will instead reflect a more holistic view of justice that rewards fairness, judgment, and values life experiences as well as professional experiences.

2. Are there any statewide legislative reforms that would be necessary for you to accomplish your goals as district attorney? How would you work with the legislature in Albany, especially in cases of potential disagreements?

I have worked with legislators in Albany on a range of issues including repealing 50-A and other criminal justice reforms. and I would welcome the opportunity to use the bully pulpit of the DA's office to push for reforms to the parole process such as the Less is More Act, get rid of mandatory minimums that hamstring our ability to deliver justice, increase transparency in the grand jury

process, and perhaps most importantly reform the laws that allow police officers to use excessive force and impair our ability to hold them accountable.

3. Do you think there should be term limits for district attorneys?

Yes. As a specialized position requiring technical skill, I think there may be room to allow slightly longer terms than for legislators, perhaps 3 terms instead of 2, but in any event there should be limits.

ETHICS, CORRUPTION, AND POLICE MISCONDUCT

4. What role do you think the district attorney plays in anti-corruption efforts? If have any concrete plans, we would love to hear them.

In my comprehensive plan to fight corruption and white collar crime, available on my website, I detail just how critical the District Attorney's role is in fighting corruption. And my record on this issue is unparalleled in this race: I have prosecuted politicians who took bribes on both sides of the aisle, including investigations that led to the conviction of the former Majority Leader of the New York State Senate, a Council Member, and a Mayor. I led litigation against Donald Trump and his foundation for the misuse of charitable assets for personal and political use, I prosecuted a contractor who pretended to be a disabled veteran so he could get approximately \$16 million worth of contracts, and prosecuted an investment advisor who defrauded elderly clients of millions of dollars, among many other similar cases detailed in my plan. My 7-step plan to combat corruption includes efforts to reallocate resources to focus on corruption cases, focus on the types of corruption cases that directly impact vulnerable New Yorkers, and use sophisticated data analytics to identify corruption, among other key priorities.

5. To what extent would your office use the district attorney's existing authority to investigate and monitor elected officials' conduct in relation to issues like campaign finance compliance and proper use of government resources and influence?

As noted in my answer to question 4, my experience investigating and prosecuting elected officials is

unparalleled in this race, I have successfully prosecuted a sitting Mayor and Majority Leader of the State Senate, among others. As I have detailed in my plan to address white collar crime and corruption, I will reallocate resources from other areas to focus on these cases and ensure accountability and justice for elected officials.

6. We recognize that district attorneys are in a difficult position regarding overseeing police misconduct, as district attorneys' offices work closely with, and rely upon, the police. How do you see the role of the district attorney in the city's response to instances and patterns of police misconduct? What is your vision for oversight of police misconduct, and what data do you have to support your point of view?

Holding law enforcement officers accountable has been my life's work. I have prosecuted an FBI agent for false statements and multiple police officers for killing unarmed civilians, and I am currently working as an advocate for victims of excessive force or police involved killings such as Eric Garner and his family. Even while I prosecuted an FBI agent, I continued to work with the FBI as a federal prosecutor, and the same goes for the NYPD. As I detail in my 6-step plan for police accountability, I will create an independent Police Integrity Unit (PIU) within the District Attorney's Office. Walled off from the rest of the office, the prosecutors in this unit will work exclusively on police misconduct cases and other cases not involving police officer witnesses, reporting directly to me. The separation and independence of these prosecutor will ensure that professional allegiances to law enforcement that have traditionally plagued these prosecutions will not interfere with investigations and charging decisions.

There is ample data supporting my approach, from data on how rare accountability occurs to how often people of color are the victims of police misconduct, all of which are available in my detailed plan for police accountability.

7. During the summer of 2020, BLM protests against police brutality were repeatedly faced with a harsh response, particularly in the form of mass arrests of protesters. What is your approach in responding to mass protests and prosecuting those arrested while attending

protests?

One of my first cases as a civil rights lawyer was suing the state police for using excessive force against peaceful protesters. I will not prosecute any person for expressing their constitutional rights and condemn the NYPD's unlawful and unjustified actions in these protests.

PRISONS AND INCARCERATED INDIVIDUALS

8. As the city prepares to close Rikers Island and replace the complex with smaller neighborhood jails, what do you see as the potential benefits and pitfalls of the plan? Do you believe that the city should consider incarceration alternatives such as community jails?

I have lived with a loved one immediately after being released from prison, and know how critical it is that we treat those we incarcerate with humanity and compassion. Wherever these jails are located, the potential to treat persons who are incarcerated with that humanity and compassion is the greatest potential benefit of these new facilities. The greatest pitfall is that because of the lack of community engagement that led to the choosing of the sites for these new jails, they will never be integrated into the community, thus continuing the demonetization of those that we jail - most of whom are pretrial detainees presumed innocent.

9. What would you take consideration when recommending sentencing of a person with a felony conviction? (e.g. past history, availability of alternatives)

In my "Day One Memo," I detail how prosecutors will be required to analyze felony sentencing. Under my plan, so-called "alternatives to the incarceration" will become the default outcome for most cases, other than for the most serious offenses such as homicide and violent sexual assault. Incarceration will become the "alternative" sentence. Determining when this exception will apply will be guided by what makes us safer, based on a holistic and individualized analysis of the facts of the case and all available information about the defendant. Statutorily authorized sentences will not be a significant factor in this analysis, ADAs will be free

to negotiate whatever sentence is consistent with community safety.

10. What is your opinion on pretrial detention?

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. In my 5-point plan on pretrial detention, I detail why I am opposed to cash bail, as District Attorney why I will use pretrial detention as a last resort, use the least restrictive means of non-monetary conditions, meaningfully address violations of conditions of release, and change the culture of the DA’s office so that pretrial detention is only used when absolutely necessary.

11. How do you see the work of the Conviction Integrity Program under the current DA? What would be your approach and plan for this unit?

Unfortunately, it is impossible to say just how much or how little substantive work the existing Conviction Integrity Unit does, because DA Vance has provided no regular public reporting on its activities. However, what we do know is troubling: in a 2018 interview, Vance could cite only 5 genuine exonerations in 8 years of the CIU’s existence, compared to over 2 dozen in Brooklyn during the same time period.

When I become Manhattan’s District Attorney, I will abolish the existing CIU and start a new unit from scratch, fully resourced, and reporting directly to me. My 8-point plan to reinvent “Conviction Integrity” and free the wrongfully convicted would give this new unit total independence, an independent review board, a clear and open mandate, and follow national best practices in this field. I am proud to have received the endorsement of Peter Neufeld, co-founder of The Innocence Project, and would follow the guidance of experts like himself in revamping this unit.

MISCELLANEOUS

12. How would you handle the various investigations related to former President Trump, currently conducted by the Manhattan DA office?

At the Attorney General’s Office, I helped sue Trump over 100 times, and successfully held him accountable for a wide variety of civil misdeeds. As

DA, I would bring this experience to the world of criminal accountability. Throughout my career I have held the powerful accountable, including successfully prosecuting a Senate Majority Leader, a Mayor, and a sitting District Attorney. I would bring all these skills and experiences to addressing the investigation of Mr. Trump.

13. In light of everything we have discussed above, why do you want to be a district attorney?

I'm running to make the District Attorney's office the beacon of progressive reform it should be. One that proves we can keep neighborhoods safe and end the racial disparities that are still deeply ingrained in the system.

I've spent the better part of two decades in the courtroom, standing up to the powerful and fighting for justice. As the Chief Deputy Attorney General in New York State, I managed a 1,500-person staff and led some of the office's biggest cases—from launching the probe of the Trump Foundation to cracking down on tenant harassment to leading investigations of police-involved killings, putting a spotlight on workplace discrimination and leading an investigation that helped end stop and frisk. Prior to that, I served as an Assistant U.S. Attorney in New York's Southern District under Preet Bharara and I'm now representing the family of Eric Garner in a case against the mayor that seeks key details about Mr. Garner's death.

The unfairness in our criminal justice system is not something I first learned from his textbooks at Harvard Law School or even from cases I've handled on the job. I experienced the injustice myself, growing up in Central Harlem—where I was stopped and frisked at gunpoint, three times, by the NYPD simply because of the color of my skin. And he's seen up close the trauma the system imposes on those swept into it, helping his own brother-in-law rebuild his life after time in prison. That experience led Alvin to become an outspoken critic of solitary confinement and advocate even more strongly for expanding re-entry programs.

Together, we can reshape and re-imagine the DA's office to make all of us safer and the City more just. From day one, I will work to build an office that delivers one standard of justice for all – an office that ends racial disparities, refuses to criminalize

poverty, demands justice for the brave survivors of sexual assault, brings new funding and focus to reentry programs, creates a civil rights unit to handle investigations of police misconduct, focuses on cases – like unlawful gun sales by licensed firearms companies who flout the law – that actually make us safer, and refuses to take campaign donations from any lawyer who appears before the office.

14. Have you ever been disciplined or had a complaint against you by an agency charged with lawyer discipline?

No

If so, please describe the situation and the punishment meted out.

15. What experience have you had, if any, with good government and reform issues? (e.g. voting and elections, campaign finance, ethics, police accountability, government transparency and oversight). If you've worked to advance these goals, we'd love to hear about it.

We must have one standard of justice. We cannot have a system that allows those with power and influence to evade accountability when they commit crimes. I have prosecuted all types of serious crimes, from those involving an international drug cartel to a FBI agent who lied and obstructed justice, and of all these cases there is little I am more proud of than my record of aggressively prosecuting white collar crime and public corruption. Of all of the candidates for Manhattan District Attorney, my dedication to rooting out white collar crime is unmatched. My track record speaks for itself and includes:

- Prosecuting politicians who took bribes on both sides of the aisle, including investigations that led to convictions of the former Majority Leader of the New York State Senate, a City Council Member, and a Mayor.
- Leading litigation against Donald Trump and his foundation for misuse of charitable assets for personal and political use.
- Prosecuting a sitting Mayor who pled guilty to stealing campaign funds.

- Securing a conviction at trial of a contractor who pretended to be a disabled veteran so he could get approximately \$16 million worth of contracts that had been set aside by the Department of Veterans Affairs to assist disabled veterans.
- Securing a conviction at trial of a contractor who was responsible for overseeing a project to bring Internet access to City schools, and who instead funneled millions of dollars from the project to line his own pockets.
- Securing a conviction at a trial of a lawyer for mortgage fraud in connection with two separate schemes involving millions of dollars of losses.
- Overseeing prosecution of an investment advisor who defrauded elderly clients of millions of dollars.
- Prosecuting the owner of a pharmacy who pled guilty to health care fraud relating to filling false prescriptions for Oxycodone.
- Directing several wage-and-hour investigations that resulted in millions of dollars of back pay and damages for low-wage workers.
- Prosecuting executives in the insurance industry for bid rigging.

And in this campaign:

- We will not accept contributions from any lawyer who represents a client in any case or matter presently pending with the Manhattan District Attorney's Office, or represented a client in a case or matter resolved with the Manhattan District Attorney's Office within the past 4 years.
- We will not accept contributions from any person who was prosecuted by or know they were investigated by the Manhattan District Attorney's Office within the past 4 years.
- We will not accept more than \$3,850 in total contributions from any active member of the New York State Bar.
- We will not accept contributions from contract lobbyists registered in NYC.
- We will not accept contributions from any law enforcement union.
- We will not accept any contributions from corporations (even though NYS allows corporations to contribute up to \$5,000).

16. What are the top three campaign promises or goals, and what action will you take to achieve them if elected? Feel free to reference an answer above rather than restate it.

First: Ending racial disparities and mass incarceration – by increasing accountability and transparency, changing performance metrics, and establishing new metrics.

Second: Transforming office with new sex crimes & police accountability units – create new units from scratch that report directly to DA, make them victim centered and trauma informed, and publishing real time data to monitor success.

Third: Stopping gun violence – by stopping the guns from coming here through using a portal developed in the AG office to track origins of guns used in crimes.

What else would you like us to know about yourself?

Please feel free to attach any additional information such as resume, campaign brochures, or issues statements.



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Please review your answers by clicking PREVIEW ANSWERS below. You can submit the questionnaire at the bottom of the preview page by clicking SUBMIT.

Once you click SUBMIT, you will receive a confirmation email with a PDF file containing your responses. If you don't see the email, please check your spam box.

If you have any further questions, you may contact us at candidates@citizensunion.org.