



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](#).

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**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.

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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public on our website, printed voters directory, and other appropriate venues (your contact information will not be published).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](mailto:candidates@citizensunion.org)

We thank you very much for your response.

## GENERAL INFORMATION

### Your Info

**Name**

Liz Crotty

**Seeking office:**

Manhattan District Attorney

**In which primary**

Democratic

**Age**

50

**Education**

Fordham University School of Law

**Occupation/Employer**

Crotty Saland PC

**Previous Offices, Campaigns and  
Community/Civic Involvement**

Board member, Manhattan District Attorneys  
Association

NY Bar Association Judiciary Committee

Former member, International Human Rights  
Committee, Bar of the City of New York

**Website**

lizcrotty2021.com

**Twitter**

@lizcrotty2021

**Facebook**

lizcrotty2021

**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 have spent my entire legal career on both sides of the courtroom, including six years as an Assistant District Attorney under Robert Morgenthau and the last 12 as a defense attorney. Public safety is a team effort, involving police, prosecutors, the courts, the defense bar and communities, always keeping in mind both the rights of the defendant and the rights of victims to seek justice from the criminal justice state. I will be a hands-on District Attorney tackling crime in the streets and in the suites of Manhattan, and among the reforms I would implement are:

- Creating a dedicated bureau assigned to oversee sex crimes and domestic violence
- Beefing up the major economic crimes and fraud bureau, including setting up a structure for residents of Manhattan to bring smaller allegations of fraud and corruption directly to the District Attorney's office.
- Creating community bureaus with Assistant District Attorneys assigned to specific neighborhoods where they could interface with community groups and tenant leaders, so they know someone to call to report problems that should be brought to the office's attention
- Beefing up the Conviction Review Unit and staffing it independently with staff who have not had prior connections to the case under review

**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 would work with legislators to reform the bail reform law to ensure more cases are bail eligible, and to the greatest extent possible permit greater discretion for police officers, prosecutors and judges in making decisions about arrests, prosecutions and disposition of cases. Just as mandatory minimum sentences which took discretion away from judges in the federal system have led to injustices, taking discretion away from state-level officials in criminal justice can block an equitable and compassionate consideration of all factors that go into providing justice in the criminal justice system.

The legislature constantly reviews statutory definitions of offenses, such as a current discussion which would lower jumping a turnstile, for example, from a misdemeanor to a summons. It is my obligation as a District Attorney to work under the laws passes by the legislature, which I would of course do.

There are always going to be disagreements in dealing with the Legislature, and that is why a District Attorney's reputation for integrity and a non-partisan approach to the law is so essential. You state your case as clearly and strongly as possible, and respect that the legislators have the final say on what the law should be.

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

I have not come to a conclusive opinion on this question, but it seems to me that two or three terms is the appropriate amount of time for a District Attorney to serve. In general, I support term limits in every elective office.

## **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.**

The District Attorney has a robust role to play through its public corruption bureau that works closely with the Department of Investigation and

other organizations to ensure ethical and legal government operations. When fiscal waste crosses the line into a violation of law, it is the District Attorney's job to take on that investigation. In addition, corruption in financial markets and other private sector dealings often falls under the jurisdiction of the Manhattan District Attorney, and the office is justifiably proud of its role in ensuring a level playing field in financial matters that not only affect Manhattan, but with impact across the country and the world. I was intimately involved in what became known as the two –year Oil for Food investigation involving corruption in how Sadaam Hussein was abusing United Nations programs designed to support the Iraqi people. While much of the attention has been on crime on the streets, I have experience in, and will continue to aggressively pursue, crime in the suites.

**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?**

Public integrity is essential for elected officials, as well as for all public employees. While most cases presumably would come to the District Attorney's office upon referral from the Department of Investigation or the Campaign Finance Board, at least as it relates to city government, or comparable structure in the state government, the District Attorney's office must always be prepared to investigate allegations of wrong-doing by elected officials with no fear, favor or partisan concern. That is the standard I grew up with in the office under Robert Morgenthau, and that is the standard I would apply.

**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?**

Police officers have a very difficult job and the overwhelming majority do that job very well under difficult circumstances. The demonization of police

officers, including by several of the other candidates for Manhattan DA, does a disservice to the officers and to the critical role they play as partners in public safety along with prosecutors, courts, the defense bar and the community. In cases in which a police officer has been convicted or otherwise called out for misconduct in his or her official capacity, it is appropriate to review cases but there can be no blanket dismissal of cases without a detailed examination of the facts in the case.

The District Attorney is there to prosecute crime, including if the accused is a police officer. The primary role for investigation allegations of police misconduct fall on the Internal Affairs Bureau and the Civilian Complaint Review Board. Should cases be referred to us, they would be investigated fully and impartially to make a decision whether criminal charges are justified.

**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?**

First of all, the First Amendment Right to gather to petition the government for the redress of grievances is a sacrosanct right for all Americans and all New Yorkers, and I embrace that right as essential to a functioning democracy. When it comes to issues such as the BLM protests, the District Attorney's office is downstream in the criminal justice process, getting involved once a case has been brought after an arrest. Those same complaints about police brutality came at the same time the city was forced into a nighttime curfew because of widespread looting and destruction of property. It is the job of the District Attorney, once cases are brought to her office, to consider the facts and the law in each case. That would include whether defendants were rounded up in mass arrests without individual actions that could be attributed to them, and would also consider whether individuals were using the confusion of street protests to commit crimes that would be worthy of sanction by criminal justice authorities. Again, each case must be approached individually without the kind of blanket pre-emptive decision based on the political passions of the moment.

# 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?**

The DA does not have jurisdiction over of the city Department of Corrections, but can and should use its authority to enforce rules and laws overseeing operations at the city jails should a case be brought before the office. It is incumbent upon the city to move make a final decision on its borough-based jails plan before closing Rikers. And it is also incumbent upon the next DA to be committed to holding those who break the law accountable, whether it requires jail, an alternative to jail or a fine, including changes to the bail reform laws to make more offenses bail eligible, including defendants accused of multiple offenses as well as hate crimes and a wider range of domestic violence offenses. Requiring a defendant to appear before a judge is often the only opportunity to get people the help they need, whether mental health or substance abuse services or the like, while maintaining public safety on the streets. Upon conviction through a plea or a trial, the potential for a jail sentence should those conditions not be met is an essential element in holding defendants to account.

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

Every case is different and a sentencing recommendation should be appropriate to the facts and the law that is pertinent to that case. A defendant's past history should be part of that consideration, as should the nature and seriousness of the case leading to a conviction. The recommendation should consider alternatives to incarceration in cases in which mental health or substance abuse intervention would be appropriate, and the concerns and views of the victim of the offense should be heard as well. A key factor is to ensure the defendant understands there are consequences for criminal acts leading to a

conviction so it is a confluence of factors particular to the facts and law in each case that should drive a recommendation, rather than a one-size-fits-all approach.

**10. What is your opinion on pretrial detention?**

To the degree this question is about bail reform, the bail reform law must be reformed to make more offenses bail eligible, including misdemeanor hate crimes which are currently bail eligible only if an element of arson or assault is present, as well as in cases in which an accused has been arrested multiple times for an offense for which no bail is deemed appropriate for a first or second arrest. Bringing an accused before a judge might be the only opportunity to condition that defendant's release on mental health or substance abuse interventions. And dangerousness to the community is an appropriate consideration in considering whether to ask for bail. Pretrial detention is appropriate in cases where if found guilty

While many of the other candidates in this race believe dangerousness is not an appropriate consideration in making decisions concerning pre-trial detention, that ignores the rights of victims who have been invisible in the public debate concerning the next Manhattan District Attorney. These are the decisions that must be made after a careful weighing of the particular facts on each case, and not pre-judged based on political positioning that has nothing to do with those facts.

**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?**

The Conviction Integrity Unit is an essential part of a District Attorney's office which must keep the public in mind when it comes to public safety and never lose sight of the need for justice in the criminal justice system. I am committed to ensuring the unit is staffed independently from anyone on the staff who might have had any role to play in a case that is being reviewed. We must never fear a review of part work.

**MISCELLANEOUS**

**12. How would you handle the various investigations related to former President**



**Trump, currently conducted by the Manhattan DA office?**

To the degree that those investigation begun under current DA Vance will likely extend into the administration of the next District Attorney, it would be inappropriate to comment absent a full understanding of the evidence and facts of the cases.

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

I was raised in Manhattan in a family dedicated to public service, which is in my DNA, and I have spent my legal career on both sides of the courtroom seeking justice. In my six years as an ADA under Robert Morgenthau, and my 12 years as a defense attorney handling cases from simple criminal trials to complex financial investigations, I have come to understand crime and its impacts on victims, communities and the defendant. I understand this office from the ground up and what we need to change to make it more fair in meeting the ultimate goal of public safety for everyone who comes before it.

**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.**

I have dedicated my career to public accountability, both as a prosecutor and a defense attorney, and have carried that into my political activities. I worked in 2008 in Scranton, Pa., for President Obama's election, and worked as a volunteer on numerous local elections. Now I am a first time candidate, learning it is a very difficult experience when your name is on the ballot. But ethics, integrity and fair play remain the same imperatives.

**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: Beef up the white collar and major economic fraud units so every day New Yorkers have an avenue to report smaller frauds and business improprieties

Second: Work to rationalize the bail reform laws to make more offenses, particularly hate crimes, bail eligible and to restore sensible discretion to courts and prosecutors and police officers to maximize the opportunity for courts to seek justice in considering cases

Third: Beef up the conviction review unit and staff it independently from anyone in the office who might have worked on a case under question.

**What else would you like us to know about yourself?**

As a born and bred New Yorker with public service in her DNA, this is the position my career has prepared me for. I have been endorsed by, among others, Richard Ravitch and former police commissioners Ray Kelly and Richard Condon, who have dedicated their lives to service to the city as I have tried to do. I am struck by the other candidates in the race who seem to be committed to less and less accountability for those who commit crimes on the streets and in the suites of New York, and choose to demonize police officers for some perceived political advantage that does a disservice to those officers and to the residents who rely on those officers to keep them safe. My experience on both sides of the courtroom has taught me you must take every case on its own merits, study the facts and apply the law, without having some preconceived political notion that would determine your decision before even looking at the facts and the law.

Also, I have a dog named Samantha.

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

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](mailto:candidates@citizensunion.org).