



Sunday, May 16, 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.

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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public on our website, printed voters directory, and other appropriate venues (your contact information will not be published).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

We thank you very much for your response.

GENERAL INFORMATION

Your Info

Name

Lucy J Lang

Seeking office:

Manhattan District Attorney

In which primary

Democratic

Age

40

Education

Swarthmore College, Columbia Law School

Occupation/Employer

N/A

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

Assistant District Attorney, Manhattan District Attorney's Office 2006-2016 (appointed by DA Robert M. Morgenthau), Special Counsel for Policy and Projects, Manhattan District Attorney's office 2016-2018 (appointed by DA Cyrus R. Vance), Director, Institute for innovation in Prosecution, John Jay College, CUNY 2018-2020 (appointed by John Jay College President Karol Mason)

As an Assistant District Attorney, I was prohibited from participating in community boards or holding office in community organizations. I was permitted to and did serve as a member of the 122nd Street between 7th and 8th Block Association from 2006-2018, as a member of the Advisory Board for the Police Athletic League from 2008 - present, and have worked closely with the Advisory Council for Avenues for Justice Youth Program, the Osborne Association, the Fortune Society, the Institute for Justice and Opportunity, and have worked with numerous arts and cultural organizations throughout Manhattan for more than 15 years to expand educational access programs.

Website

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

Twitter

<https://twitter.com/LucyLangNYC>

Facebook

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

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 unrivalled experience with implementing reform and creating national models for change in prosecutors' offices. As Executive Director of the Institute for Innovation in Prosecution, I worked with prosecutor offices of hundreds of assistant district attorneys on projects related to data analysis of racial disparities, police accountability, and gun violence, and led the development of new training models adopted by prosecutors across the country. While at the Manhattan District Attorney's office, I created a first-of-its-kind, semester-long college in prison program that brought together assistant district attorneys and incarcerated people to study criminal justice side by side in New York State prisons. The semester-long program is now a national model for legal education and reentry support. As Director of the Manhattan District Attorney's DANY Academy, I created, oversaw, and administered specialized training for the entire 500-lawyer DA's Office on issues including the

neurobiology of trauma, alternatives to incarceration, and procedural justice. As an assistant district attorney, I supervised large teams of detectives, ADAs, and paralegals over multi-year investigations, and pioneered inter-agency and community group collaborations to develop new models for addressing community needs at the conclusion of criminal investigations. There are a number of reforms I would implement on both a structural and policy level. I will ensure the District Attorney no longer prosecutes crimes of poverty and consensual sex between adults. I will also reorganize a number of bureaus in the office to more effectively promote my vision. I will transform the sex crimes unit, reorganize the economic crimes bureau, and change the way ADAs are evaluated, to name a few.

Sex crimes plan:

<https://www.votelucylang.com/en/sex-crimes>

Financial crimes plan:

<https://www.votelucylang.com/en/financial-crimes>

New way to evaluate ADAs:

<https://www.votelucylang.com/en/metrics>

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 spent the last few years working with DAs offices around the country to implement meaningful reforms to end mass incarceration, reduce racial disparities, shrink the criminal justice footprint, and keep communities safe. I have been successful in helping to achieve these goals regardless of state law and intend on doing exactly the same thing here in Manhattan whether through legislative reform or the exercising of prosecutorial discretion.

There would be some reforms that would be helpful to have legislative support in implementing--decriminalizing possession of drugs for personal use and ending the criminalization of private consensual sex between adults--and I intend to work with the legislature to achieve these goals. I have a long track record of leading interagency collaboration and will bring that experience to bear here.

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

Yes.

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 is critical in combating public corruption. These underreported crimes have devastating effects on New Yorkers and erode the legitimacy of our public institutions. To that end, I have laid out a comprehensive plan for how I would combat public corruption

(<https://www.votelucylang.com/en/public-corruption>).

I will:

Build a robust Public Corruption Unit (PCU) to proactively investigate criminal conduct by public officials and law enforcement. Under my administration a standalone unit of full time lawyers and investigators will be dedicated to investigating and prosecuting public officials and law enforcement who violate the public trust. The unit will collaborate with federal and state agencies on these critical investigations, and will take a proactive approach by analyzing data from various public data streams to help identify corruption hotspots. This Unit will report directly to the District Attorney, and all decisions will be subject to a look-back by the DA's general counsel as a check against subconscious bias.

Invest in full-time legal staff within the PCU to oversee investigations into police misconduct and brutality, as outlined in my plans for Police Accountability (<https://www.votelucylang.com/en/police-accountability>).

Create a publicly advertised process for anonymous reporting of official misconduct. By its very nature corruption is a crime of power, and the people most aware of it may fear retaliation and alienation from entrenched officials, including law enforcement, should they attempt to address it. As DA, I will build

and publicize a secure process for whistleblowers to report corruption concerns.

Focus on common practices within private industries where corruption can take root. The PCU will proactively monitor private sector practices that have high likelihood of public corruption incidents, and in such instances will share data and resources with the Economic Crimes Bureau. For example, officials who violate competitive bid processes by giving public contracts to specific private contractors leads to more taxpayer money spent, less qualified workers, and a disproportionately negative impact on minority- and women-owned contractors. The PCU will seek to effectively address wrongdoing by public officials that enables and encourages malfeasance in the private sector.

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?

I would use the full power and authority of my office to work to fight corruption anywhere in my jurisdiction and that includes campaign finance and use of government resources and influence. The Manhattan DA has jurisdiction over and these cases would fit well within the purview of my newly built Public Corruption Unit. This Unit will take a proactive and aggressive approach to finding and pursuing corruption wherever it is taking root.

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?

I am proud to have the support of Victoria Davis, Valerie Castile, and Valerie Bell, family members who have lost loved ones to police and alongside whom I have developed best practices (<https://www.prosecution.org/iip-oif-toolkit>) for handling such situations.

I have also released a comprehensive plan for

preventing police misconduct from happening in the first place and holding police accountable when they do engage in misconduct.

New Yorkers know that our law enforcement officers must be held to the highest standards of accountability. I am committed to doing more than just prosecuting officers who break the law; I am committed to real, transformative change that protects our communities – even when that means limiting police and community interaction by reducing policing in the first place.

As DA, I will be committed to ensuring that police work collaboratively with our communities. This starts by narrowing the scope of police interventions to situations that warrant them, is aided by a commitment to only moving forward with cases where a criminal response is just, and is bolstered by a promise to provide accountability when officers violate the laws they are there to enforce. To foster a new approach to policing, I will:

Support, partner with, and work to expand community-based initiatives that utilize local community members – instead of law enforcement – to respond to and interrupt violence.

Use my platform to advocate for the legislative decriminalization of crimes related to homelessness, poverty, and substance abuse – especially those that are known to result in huge racial disparities in arrests.

Take a proactive role in improving NYPD training and policy to be in line with the Office's moral and ethical standards and philosophy.

Closely monitor police actions and intervene where there is a high-risk for police misconduct, for example on law enforcement policy around handling protestors.

Ensure a public health approach to public health issues by working with law enforcement, social services, community partners, and public health officials to devise policies and practices for cases that do not fall within the traditional needs of the justice system.

Build on the Office's existing mechanisms for identifying officers with whom prosecutors should not work because of credibility issues.

To hold police accountable when they create harm, I will:

Thoroughly and independently investigate instances of police misconduct including – but not limited to – excessive force.

Call on the grand jury to publish and release a detailed report including the facts following every

serious investigation of police misconduct where the DA's Office declines to charge. This report should include details about the case and an analysis of why charges were inappropriate. Communicate clear policies to NYPD about when the DA's Office will not bring charges in cases based on extensive involvement of officers with histories of serious misconduct. Establish clear policies that require DAs to review body-worn camera video before bringing charges that are frequently seen in police misconduct cases (e.g. assaulting an officer, resisting arrest).

The NYS Bar Association Task force on Racial Justice on which I serve, will soon be releasing a report with comprehensive data-based recommendations for further tackling these issues.

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?

I would not prosecute these cases and would work with the NYPD to ensure that people have the right to safely protest free from harassment by the police or anyone else.

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?

We must close Rikers, but we also must make sure not to grow the population of the Chinatown jail.

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

I believe we need to take a holistic approach to all case evaluation and limit the use of incarceration as much as possible. To that end, I will strive to use alternatives where appropriate and will work to build out a robust restorative justice practice in my

office. I would consider, among other factors, past trauma in a person's life, their community ties, available alternatives and treatment, and the needs of the survivor.

10. What is your opinion on pretrial detention?

I am committed to substantially reducing the number of people subjected to pretrial incarceration, which will require a comprehensive build out of supervised release to enable people to successfully remain in their communities, and to advocating for a transformation of detention conditions. I will bring together NYC's incredible community organizations to build out supervised release such that, where appropriate, people are matched with credible messengers and peer navigators to ensure their return to court, while significantly reducing pretrial incarceration.

I will only request pretrial detention only 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?

The current Conviction Integrity Program does not do nearly enough to write past wrongs and ensure that all outcomes are just and bolster the public's confidence in the system. I will transform the current Conviction Integrity Unit into a model Retroactive Review Unit (RRU) that will be far more active and well-resourced. The RRU will report directly to me, be granted a broad mandate for reviewing claims, receive all necessary funding, publish its policies and procedures, and issue public annual reports.

The RRU will continue to fulfill the functions of the Integrity Program, including investigating post-conviction claims of innocence and preventing future wrongful convictions. In addition the RRU will also explore avenues for proactive sealing and expungement on a system and case level, identify opportunities to support parole and clemency applications, conduct sentence reviews, and, where appropriate, advocate for needed legislative change, including collateral review of sentences that are unduly harsh and excessive.

To transform Manhattan's Conviction Integrity Unit into the RRU, I will focus on:

Wrongful Convictions – the RRU will be able to review a broad range of cases including both felonies and misdemeanors. Crucially, the RRU will cast a wide net by reducing structural limitations on eligibility that traditionally inhibit the scope of a case review unit, including guilty pleas, due process claims that support allegations of innocence, cases where a sentence has already been completed, and resubmission of a petition as new evidence comes to light. The unit will be guided by factual merit, not procedural hang-ups. The RRU will also work closely with defense attorneys and community organizations to facilitate case referrals and review. The criteria for reviewing cases will include but not be limited to new facts that support a credible claim of innocence, corrupt law enforcement practices, and evidence of a constitutional violation in proceedings.

Sealing – the RRU will be mandated to work with community partners to facilitate the sealing of cases eligible under New York law. Lucy’s RRU will have an explicit policy of supporting applications for sealing as a default. The RRU will work to raise awareness about the eligibility for case sealing and organize application workshops among other community events – in partnership with community organizations and the defense bar – to increase the number of applications for sealing. In many instances, however, sealing is not enough. As discussed below, the RRU will also support legislation designed to expand the use of expungement.

Sentence Reviews – the RRU will take a proactive role in reviewing overly punitive sentences. This practice will reduce extreme sentences – disproportionately given to people of color – account for people’s capacity to grow and change while incarcerated, improve the ability for people to reintegrate, and reflect recent developments in our understanding of criminal conduct and rehabilitation. The RRU will support applications for parole and clemency in appropriate cases and promote legislation that would allow a court to recall a case in order to reduce a sentence.

Legislative Review and Advocacy – the RRU will issue recommendations and support for legislative change in accordance with its mandate. This may include advocating for legislation that allows cases to be resentenced if it is determined a sentence is overly punitive and increasing the availability of sealing and expungement. The RRU will work collaboratively with the defense bar and community groups to make change at the legislative level.

Annual Reporting: To publicize their work and

progress and to hold the DA's Office accountable, the RRU will publish an annual report with statistics of cases reviewed, actions taken, uncovered misconduct in the Office, any changes in policies or procedures used by the RRU, and metrics and accomplishments from the most recent year.

MISCELLANEOUS

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

While I cannot comment on any ongoing investigation in the Manhattan DA Office, I am the only candidate who has laid out a comprehensive plan for directing resources towards Economic Crimes, which must include better allocation of time and talent towards these critically important investigations. Since the first day of my campaign, I have also had a published Equal Access plan, publicising my commitment to end the practice of back-room meetings between private defense counsel and the DA, and to avoiding even the appearance of impropriety in such cases. Beyond these structural changes, though, the most important qualities the next Manhattan DA can bring are a full understanding of Manhattan criminal courts and experience building and managing complex investigations. As a former assistant district attorney in this borough, I have deep experience handling complex cases in Manhattan criminal courts, managing teams of line prosecutors and building strong investigations under New York State law. I'm ready to step in and effectively oversee every pending criminal matter immediately, while simultaneously implementing the much-needed reforms that the office needs to end mass incarceration, advance racial and gender equity, and prioritize the safety of our communities.

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

Because the District Attorney can do so much more than just prosecute cases and function as a mass incarceration factory. The DA has the chance to help people at the lowest moments of their lives transform incredible members of our community. I know because I have seen this happen time and again while working in criminal justice reform. We need to shift the way we see the people the system touches, take a trauma-informed approach, promote restorative alternatives, and treat everyone and that is what I have spent my career doing.

As the leader of a national criminal justice reform organization and former assistant district attorney, I have long recognized that the role of the District Attorney encompasses much more than prosecution: It requires doing the work of getting to know and collaborating with all of Manhattan's communities; it requires prioritizing prevention and rehabilitation. My sense of mission was shaped in large part by my grandfather, who grew up the son of a socialist labor organizer and New York City public school teacher. After achieving unanticipated business success, he decided to use his good fortune to adopt a class of middle schoolers in the New York City public schools to support them throughout their education and pay for them to attend college. He went on to establish the I Have a Dream Foundation, which supports public school students across the country, and later dedicated his remaining assets to supporting non-profits throughout New York.

It was my grandfather's commitment to education and my first-hand experience working in the justice system, which led me to create a first-of-its-kind college-in-prison course to bring together Assistant District Attorneys and incarcerated students to work on criminal justice reform side-by-side inside New York State prisons. The class has since become a gold standard for legal education in district attorneys' offices and is a new national model for changing the dynamic between district attorneys and the communities they serve. The success of this program and my desire to advocate for reforms in the criminal justice system led me to become the Director of the Institute for Innovation in Prosecution (IIP) at John Jay College of Criminal Justice (CUNY). There I worked with government, crime survivors, and system-impacted people on innovative criminal justice reforms related to trauma, racial justice, restorative justice, data transparency, and police accountability. In partnership with the Vera Institute, at the IIP I brought together advocates, scholars, crime survivors, formerly incarcerated community members, and district attorneys to begin a process of racial reckoning for American district attorneys, equipping them to begin dismantling mass incarceration and addressing racial injustice. I also worked alongside survivors of sexual and domestic violence, social workers, and psychologists to build training programs for assistant district attorneys to understand the implications and manifestations of trauma.

Prior to leading the Institute for Innovation in Prosecution, I worked in the Manhattan District Attorney's Office, where I handled domestic violence cases, murders, and gun violence, including the successful prosecution of two men for a 2015 mass shooting of five people that left a young father dead. In response to a letter I received from a tenants' association at a public housing complex in Manhattan, who were living in fear of the violence and drug dealing that prevented their children from going outside and using the playgrounds, I oversaw a complicated murder and drug trafficking conspiracy case that helped to finally reclaim the neighborhood for families. Recognizing that prosecution alone would not solve the challenges faced by local residents, I worked in collaboration with the local tenants' association, NYCHA, the NYC Parks Department, and the NYPD, in a first-ever coalition to replant the courtyards, refurbish the buildings, and develop a gardening program that enabled children and their families to safely regain use of their playground.

I have dedicated my career as a criminal justice reform leader and as an Assistant District Attorney to upholding racial and gender equity, promoting the dignity of all New Yorkers, and prioritizing the safety of all.

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 served for many years on the NYC Bar Judiciary Committee for many years vetting candidates for judgeships and DA's Offices. I have also led a working group while at the Institute for Innovation in Prosecution (<https://www.prosecution.org/>) on police accountability in the wake of killings that has been used by DA offices around the country. I am currently serving on the NYS Bar Association Task Force on racial justice and policing.

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: I will prioritize and direct resources towards investigations into large scale white collar crimes, rather than the kind of misdirected and wrong-headed prosecution of local businesses as exemplified in the terrible Abacus bank prosecution.

Second: I will create a Worker Protection Unit that thoroughly investigates all allegations of employers who steal from workers or otherwise engage in criminal conduct that harms workers. By thoroughly investigating allegations of wage theft and other criminal activity, I will help ensure that workers benefit from the laws designed to protect them.

Third: Under my leadership, the District Attorney's Office will take a proactive approach to violent street crime. This will include the creation of a specialized gun court to handle all cases of gun violence and possession. Concentrating these cases within the purview of trauma-informed judges and staff will not only fast-track their processing, but also ensure dignity for all who touch the system with outcomes that address the unique features of the person charged and the crime itself. By rejecting the traditional justice system approach – which prescribes identical mandatory minimum sentences in all cases of possession – these courts will harness all resources

What else would you like us to know about yourself?

As an ADA, I investigated a murder on upper Broadway, in which two masked men opened fire in a busy street, shooting four people nonfatally and murdering a fifth. Over the course of an 18-month investigation and a six-week jury trial, I spent countless hours with the heartbroken mother of the murdered young man, culminating in a guilty verdict against the two masked men. I called the victim's mother the morning after the verdict, and when I asked how she was, she replied, "I slept all night for the first time since my son was killed. But when I woke up, all I could think about were the mothers of those two young men."

I was myself the mother of two young children. If a mother could find compassion for the men who killed her son, then surely others could too. The desire to help myself and others further understand the experiences of people we had prosecuted led me to create a college class that would allow prosecutors to study alongside incarcerated students. The class centered on the lived experiences of the students and readings about justice, violence, punishment, and race. For the final assignment, students presented jointly crafted policy proposals to local lawmakers. This class is being replicated in other jurisdictions nationally,

and significantly changing the relationship between prosecutors and the communities they are sworn to serve. I have lived in Harlem for nearly twenty years, and my 5- and 6-year-old children remind me daily of the things that the criminal legal system has long ignored: that doing something wrong doesn't make someone a bad person, that kids warrant treatment as kids, and that punishment does not equate with accountability. Dismantling these long-held fallacies of the criminal legal system, however, requires more than this recognition alone. I know how to implement the transformative change the system needs because I have worked to reform it, both from the inside as an Assistant DA who served under two DAs, and from the outside as director of the Institute for Innovation in Prosecution who has worked closely with countless other DAs and their communities. I'm running for District Attorney to realize the full potential of what a DA can do: promote the dignity of every New Yorker, uphold racial and gender equity, and prioritize the prevention of crime, for all of us and all of our kids.

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.