



The What A Difference a DA Makes (WADADAM) voter education campaign is a network of more than 600 Massachusetts organizations and individuals dedicated to highlighting the life-changing impact district attorneys (DAs) have on our communities and our entire Commonwealth.

Voters have spoken loud and clear: our criminal legal system is not working. Instead of focusing on rehabilitation and helping our neighbors become productive members of our communities, our criminal legal system measures success by how many people are behind bars.

As a network, we are committed to ensuring that all Massachusetts voters have the information they need to decide which DA candidate will best help build a criminal legal system that promotes safety, fairness, and justice.

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GENERAL

1.) Please describe your qualifications and experience that make you the best candidate to reform the role of district attorney.

I am a career prosecutor (26 years) with experience in both the state and federal systems. I have been the lead prosecutor on over 30 first degree murder trials and I have briefed and argued 25 cases before the full bench of the Supreme Judicial Court- the only prosecutor in Massachusetts, I believe, to have done this. My experience from starting as a new ADA out of law school to reaching the highest levels has given me broad perspective. I have the prosecutorial bona fides and leadership skills to lend a significant and credible voice to progressive issues, such as bail reform, diversion, education, and community outreach.

2.) What is your current assessment of your local District Attorney's Office? What are the issues that need the most improvement or transformation?

The Plymouth County District Attorney's Office has been led astray. To begin, the office has a bloated budget at the top, caused by cronyism, which has had a trickle-down effect on a lack of prosecutorial staffing in the lower courts. In addition, the office has dismissed at least 6 murder cases recently due to prosecutorial misfeasance and malfeasance. Furthermore, the office has misguided and draconian policies on issues like plea bargaining and minimum mandatory sentencing resulting in racially and financially disparate incarceration. This all stems from failed leadership. With my skills I'll change the culture of the office so that it properly serves the people of Plymouth County.

3.) Since the 1980s, the population of incarcerated people in Massachusetts has quadrupled. While the incarcerated population is decreasing, the Commonwealth still faces over-incarceration and a high recidivism rate. If elected, what policies or initiatives do you plan to introduce to further decrease the number of people who are incarcerated and reduce recidivism while keeping the public safe?

I will save recommending incarceration for serious and violent offenders. In other cases, I will work with defense counsel and the court to get people the help they need to keep them from reoffending. I am the author of a written proposal to eliminate our cash bail system, which continues to needlessly incarcerate those in poverty. We need to use tools such as adult diversion and pre-trial probation to help people and keep them out of jail.

4.) Recent Massachusetts data shows that people who suffer from substance use disorder are 120 times more likely to die of an overdose upon release from incarceration than others who are not incarcerated. How do you plan to deal with defendants living with substance use disorder?

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not incarcerated. How do you plan to deal with defendants living with substance use disorder?

We need to consider the case of each drug dependent person individually. One of the problems with our system is that we have lost sight of the “human factor”. In some cases, outpatient treatment with a drug such as Suboxone may work better than inpatient treatment where Suboxone isn’t available. Substance abuse is a complex problem with no one-size- fits-all solutions; we must respond accordingly.

.5) With the decline in funding and placements for mental health services, our jails and prisons have become de facto treatment facilities for people living with mental health issues and mental illness. What is your understanding of how district attorneys can improve public safety through mental health treatment? What would you do to increase opportunities for treatment?

First, we need to do better at identifying those who have mental health impairments; only then can we direct people to treatment, as opposed to incarceration. It may sound simplistic but I believe prosecutors need to confer more with defense counsel to identify those with mental health issues and the connection to the case. Once mental health issues are properly identified, in many instances, treatment can be recommended rather than incarceration.

Ideally, trainings will be implemented related to mental illness and there would be ongoing conversations with experts regarding effective treatment.

6) Public safety has historically relied on outdated language and “tough-on-crime” policies. There is, however, significant research and examples that show restorative justice, diversion, education, and treatment increase public safety. As district attorney, how will you work to change the public’s understanding of how public safety can be achieved?

The message I will deliver is that incarceration should be viewed as a last resort- for violent offenders, child abusers, opioid traffickers, and others who put public safety at risk or refuse to conform their conduct to requirements of the law. We need to use all tools at our disposal to keep first time and minor offenders from graduating to more serious crime. Working together with educators, social service agencies, mental health providers, programs centered on job skills and the community at large is vital. I would use my vast experience and collaboration with the community to spread my message.

RACIAL JUSTICE

1) Despite having the lowest incarceration rate in the nation, Massachusetts has one of the highest racial disparities in incarceration rates. Do you believe the District Attorney’s Office contributes to racial disparities in the criminal legal system?

Yes No

If yes, please identify the ways in which the policies and practices have contributed, and what you would do as DA to reduce or eliminate them.

Minimum mandatories for some drug offenders, such as school zones, have contributed to these disparities. The recently passed crime bill will substantially help in this regard. Also, I believe our cash bail system has a disparate impact on people of color. I would push for the elimination of the cash bail system. Pretrial incarceration should be an exception, not the norm.

If no, why not?

2) People of color and language minorities are significantly underrepresented in district attorneys' offices. What do you plan to do to increase the diversity of the staff to better reflect the demographics of the community?

An initial step is to actively recruit. Law school job fairs and clinics are a way to establish connections to make this happen. The key is the being proactive on behalf of the district attorney's office in reaching out- it doesn't happen on its own. Prioritizing and respecting diversity is imperative.

In addition, it's equally important to offer supportive policies, mentoring programs for example, and professional development within work environments. Not only is recruiting vital but so is retaining employees.

3) Will you commit to collecting, analyzing and reporting data on the race of the people your office prosecutes or advocates for including but not limited to: bail request, recommendations for diversion, charging decisions, sentencing recommendations, motions for civil asset forfeiture, and victim witness assistance funds?

Yes No

If no, why not?

TRANSPARENCY

1) The annual reports from the Massachusetts District Attorneys Association (MDAA) to the Legislature have been quite low in substance, suggesting differing data collection across Massachusetts and a lack of attention on data quality. What would you do to improve data collection?

Data collection must be given priority; a skilled employee in the IT department should be assigned the specific task of data collection. In addition, categories of race and gender should be reflected on all case dispositions sheets.

2) Will you agree to consistently collect and make charge and disposition data publicly available - including demographic data such as race, age, and gender?

Yes No

If no, why not?

3) Will you regularly share and make available reports on the collection, retention and use of civil asset forfeiture funds?

Yes No

If no, why not?

ACCOUNTABILITY

1) From signing police overtime slips for court appearances to investigating police-involved shootings, district attorneys have an important role to play with respect to police accountability. What will you do to ensure that the District Attorney's Office holds police accountable for misconduct?

I've longed believed that the AG's Office should have a Special Prosecution Unit that is dedicated to investigating police misconduct. The DA investigating the police with whom s/he regularly works, presents a bad look- an obvious appearance of political whitewash each and every time. An independent prosecutor is needed to ensure public trust.

2) According to the National Registry of Exonerations, more than 50 percent of known wrongful convictions involve official misconduct, including the withholding of exculpatory evidence from people charged with crimes. What steps will you take to reform current discovery practices so that people charged with crimes actually have all the information they need to defend themselves?

First, a genuine open file policy is needed. Equally important, however, is the culture of the office. The DA must impart the message that prosecutors are ministers of justice, and the qualities like fairness and integrity are paramount. All cases and investigations must be viewed through that all-important lens.

COMMUNITY ENGAGEMENT

1) Do you support the creation of a community advisory board that would regularly engage with the District Attorney's Office on prosecution priorities, victim needs, community based alternatives to incarceration and other training and office policies?

Yes

No

If no, why not?

2) Please list five community based organizations that you have worked with and/or plan to work with to increase diversion, lower recidivism and/or provide education, training, and treatment as an alternative to incarceration.

1. Massachusetts Bail Fund
2. Families for Justice As Healing
3. Plymouth County Outreach Hope
4. Committee for Social Justice
5. ACLU

3) Please list five community based organizations that you have worked with and/or plan to work with to increase support to victims of crimes including but not limited to counseling, relocation or other financial services, and restorative justice opportunities.

1. Moms Demand Action
2. Reinventing Justice
3. Our Restorative Justice (OurRJ)
4. Communities for Restorative Justice
5. Families for Justice as Healing

4) Reform movements tend to make lofty assertions about how society or a particular institution must change. Those leading the move for reform, however, often leave out the people most directly impacted. What role do you see formerly incarcerated people playing in your administration and any reforms it will make?

I firmly believe in continuing legal education and training. I would prioritize bringing in, as guest speakers, those who were formerly incarcerated to discuss what incarceration is really like, including the many collateral effects it has on one's life.

I would hold open meetings on a regular basis with the community and reach out so all folks have a seat at the table, including those who were formerly incarcerated.

IMMIGRATION

1) Recently, low-level criminal offenses have been used as the basis for deportation proceedings against individuals who, in most instances, have made meaningful contributions to their communities and families. These offenses, which could be dealt with through non-criminal proceedings or diversion, result in disrupted lives and families being torn apart. If elected, what will you do to interrupt the use of the crimi-

nal justice system to deport people charged with minor offenses?

I would mandate that all prosecutors review and consider immigration consequences when considering charging and sentencing decisions. Because immigration law can be quite complicated, it will be important to collaborate with experts in the field, have strong knowledge within the office, possibly a point person, and continuously educate ourselves.

PRIVACY

1) Electronic surveillance techniques give law enforcement significant power to obtain extremely sensitive information about people. In a free society, people must know what their government is doing behind closed doors. If elected, will you release annual transparency reports, detailing how many times your office issued surveillance demands on companies or applied for warrants or other court orders to conduct electronic surveillance? Will you disclose the type of investigation (e.g. drugs, assault, larceny, etc.) and the type of legal demand (e.g. subpoena, court order, warrant, wiretap order) your office sought?

Yes No

If no, why not?

2) Technology moves much faster than the law - and historically, prosecutors in Massachusetts have pushed back against efforts to update privacy law. Other states have passed privacy laws dealing with license plate readers, drones, stingrays, and demands to companies like Google and Facebook for user information, but Massachusetts has not. If elected, will you support privacy legislation to require warrants for electronic surveillance?

Yes No

If no, why not?

3) Law enforcement can obtain huge quantities of information about people in Massachusetts without obtaining a court order, using an administrative subpoena that merely requires the signature of a district attorney. The state of California has passed privacy legislation to require a warrant for law enforcement access to sensitive metadata like call records, IP addresses, and credit card and banking information. If elected, will you support similar legislation in Massachusetts?

Yes No

If no, why not?

4) In the last several legislative sessions, DAs have pushed for a broad expansion of Massachusetts' wiretap statute. The justification for some of this expansion has been to solve gang-related homicides; currently, gang activity is not considered organized crime for purposes of the statute. Would you support an expansion limited to homicide only?

Yes No

But also kidnapping/abduction cases

If no, why not?

BAIL

1) In light of the recent Commonwealth v. Brangan decision, the practice of requesting bail out of concern for public safety - but not pursuant to a 58A dangerousness hearing under - should no longer happen. Will you commit to ensuring that assistant district attorneys will not misuse the dangerousness hearing?

Yes No

If yes, how?

All such hearing requests will need supervisory approval. Also, I will compile a non-exhaustive list of felonies for which a prosecutor may, but need not, move for a dangerous hearing.

If no, why not?

2) We know that, too often, innocent people plead guilty to crimes they did not commit. One reason for this: they cannot afford bail amounts and would rather plead guilty than suffer pre-trial detention to fight the charges against them. What are the top three policies you would implement to change bail practices so that they do not force people to plead guilty to crimes they did not commit?

I hope to spearhead a movement detailed on my website to eliminate cash bail in Massachusetts. However, under the current system I would move to detain dangerous individuals and would only request cash bail on those who have committed serious felonies and represent a major risk of flight.

PAROLE

1) The Massachusetts Parole Board has a reputation of granting relatively low rate of parole. The DA plays an important role in parole hearings, including in new juvenile life without parole cases now constitutionally required to go in front of the board, If elected, would you consider an individual review of cases coming in front of parole such that your office would only ask the parole board to deny parole in cases where remorse is clearly not shown?

I don't think that cases of remorse should be the only factor. I believe the nature and circumstances of the underlying crime and the disciplinary record as well as betterment efforts should also be considered by prosecutors.

JUVENILE JUSTICE

1) DAs have a major gatekeeper role in who enters and who is excluded from the justice system. Most DAs have diversion programs for young people, but there is no information available to show if these diversionary programs are offered fairly and do not contribute to racial and ethnic disparities. Will you commit to publicly releasing non-identifying prosecution and diversion data to address this gap in transparency?

Yes No

If no, why not?

2) Young adults, including those in their late teens, have the worst outcomes of any age group in the criminal justice system. What reforms do you support that would improve how young people are better situated to mature into more positive adults?

More adult diversion is necessary for first time and minor offenders. In addition, pretrial probation is underutilized by prosecutors. Finally, community outreach can be implemented in more effective ways. Continuing education on child/teen development is important. The office needs to constantly remember that the juvenile justice system is not supposed to be punitive; the overarching goal is rehabilitation and getting children/teens the help they need.

MANDATORY MINIMUMS

1) An overwhelming number of cases are resolved by guilty plea, driving the rates of incarceration and racial disparities in sentencing. Too often, guilty pleas are leveraged through the threat of facing lengthy mandatory minimum sentences. If elected, will

you reform this practice?

Yes No

If yes, how so?

The new crime bill has started the ball rolling on this issue. I believe each case must be considered individually so that we are not incarcerating those who are drug dependent merely to support their dependency.

If no, why not?

CRIMINAL LAW REFORM

1) As a member of the MDAA, will you advocate for the support of policies that will reduce mass incarceration and racial disparity in the criminal legal system?

Yes No

If no, why not?

2) Although some mandatory minimum offenses were repealed, new ones were created and others stayed on the books. Do you support the repeal of all mandatory minimum sentences for any drug offense?

Yes No

If no, why not?

Given that heroin and fentanyl are killing so many people and ruining so many lives, minimum mandatory sentences for trafficking in these drugs are appropriate.

3) The Commonwealth v. Brangan decision and the recent bill changing the bail statute will hopefully reduce the number of people being detained pre-trial merely because they are too poor to afford bail. Despite these recent reforms, there are still significant numbers of people held on cash bail. Do you support ending cash bail?

Yes No

I have drafted a written proposal to end cash bail; refer to my website.