# CITIZENS UNION OF THE CITY OF NEW YORK

Candidate Questionnaire Local Candidates Committee NYC District Attorney Elections 2017

Citizens Union appreciates your response to the following questionnaire related to policy issues facing New York City and our interest in reforming city and state government. **Please return the questionnaire to us as soon as possible, and no later than June 28<sup>th</sup>.** Responses to these questions will be one of several factors Citizens Union uses to evaluate candidates running for the New York City Council, and to issue our preference for the Primary and endorsement for the General Election. Please feel free to affix any additional information such as a résumé, campaign brochure, or issue statements.

If you seek our support, we will also need to schedule an interview with you as part of the evaluation process. **Please** contact us if you wish to be interviewed.

We plan to make responses to this questionnaire public on our website, printed voters directory, and other appropriate venues.

We thank you very much for your response.

#### **Biographical Information**

Candidate Name: Eric Gonzalez

Party Affiliation(s): Democratic, WFP

Age: **48** 

Education: BA, Cornell University, 1992; JD, University of Michigan Law School, 1995

Office Sought (including district): Brooklyn District Attorney

Occupation/Employer: Acting Brooklyn District Attorney

Previous Offices, Campaigns and Community/Civic Involvement: No previous offices or campaigns. Scout Leader

(Please feel free to affix any additional information such as a résumé, campaign brochure, or issue statements.)

Additional Staff Contact: Jill Harris, Policy Director			
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	Fax: Email:		

#### Affirmations

Have you completed required campaign finance filings?	YES	
Are you willing to be interviewed by CU's Local Candidates Committee?	YES	

(Please note: interviews are prerequisites of being considered for Citizens Union endorsements.)

Signature of Candidate:	Date:
Eric Gonzalez	7/31

### I. CANDIDATE QUESTIONS

Please state your position on the following issues by using the space provided below each question or a separate sheet of paper to elaborate on your positions on the following questions. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

1. What trends do you see in criminal activity that the district attorney's office should address?

See attached.

2. What role do you think the district attorney plays in anti-corruption efforts and building public trust? What changes would you make to the structure of the office to help bolster public confidence in the DA's office?

See attached.

3. 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?

Where there is an agency responsible for oversight of these issues, such as the NYC Campaign Finance Board, I would defer to them in the first instance, but when a breach of public trust rises to the level of criminal conduct I will not hesitate to bring the resources of my office to investigate and prosecute these cases. My office has a Public Integrity Unit that is charged with investigating and prosecuting cases of public corruption and that unit will be looking very closely at the conduct of elected officials with respect to how they use their resources and influence. This important work is part of my commitment to restoring confidence in the criminal justice system: If average people see that those in positions of power, such as elected officials, can engage in questionable or illegal conduct and not be held accountable, trust in the system is eroded. 4. Do you believe more needs to be done to ease the re-entry of formerly incarcerated persons into society and if so, what would you propose?

See attached.

5. What should the role of the district attorney be in addressing issues relating to terrorism? How would you ensure citizens' privacy rights while fulfilling this role?

I believe that the FBI and other federal agencies, and the NYC Joint Terrorism Task Force, are doing a good job of investigating and responding to terrorist threats, and I see no need for this to become a focus of my office. When we receive information from an arrested individual or a witness about possible terrorist activities, we pass it on to the FBI or other appropriate agency.

6. Do you think that the number of incidents of police misconduct is a problem? If so, what would you propose to facilitate more effective oversight of police misconduct? What data do you have to support your point of view? *See Attached.* 

7. There had been fears that a drop in the reportable instances of Stop, Question, and Frisk could lead to higher crime, but it hasn't. What are your own feelings about the more judicious use of Stop, Question, and Frisk?

See attached.

8. Do you support requiring that police interrogations be videotaped?

Yes. This is current NYPD policy. I have stated that I will refuse to use statements taken in violation of the NYPD protocol, absent a legitimate explanation such as a technical problem with the camera. And even in that rare instance, I have

directed officers to go to a neighboring precinct where they can obtain a recorded statement. This not only reduces the
possibility of coerced confessions and wrongful convictions, but also helps my office show at trial that confessions were
obtained lawfully and are reliable. Moreover, it adds to the transparency of the arrest and evidence-gathering process and
helps to restore confidence in the criminal I justice system.

9. Earlier this year a commission led by Judge Jonathan Lippman and supported by Speaker Mark-Viverito and Mayor de Blasio made recommendations for the closing of the Rikers Island jail complex. How do you feel about the plan to close the complex? What concerns do you have and what are the potential benefits and pitfalls of the plan?

See attached.

10. In November, voters in New York will be asked whether they wish to hold a constitutional convention to amend the New York State Constitution. Do you support holding such a convention?

As the sitting District Attorney, I do not intend to speak out publicly on the issue of the need for a constitutional

convention, but I will say that I do not believe that meaningful criminal justice reform requires this strategy. I try to avoid

taking stands on issues unrelated to the criminal justice system or the conduct of my office.

11. If you support the constitutional convention, what actions, if any, will you take to ensure that it takes place? If you oppose the convention, what will you do to defeat it?

See above.

12. 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?

See attached.

#### **Additional Comments:**

# II. CAMPAIGN PROMISES MADE TO VOTERS (PAST AND CURRENT)

In addition to evaluating stances on the issues above, Citizens Union also assesses incumbents on how well they kept the promises made to voters during the previous election.

As an elected official who is seeking re-election,

• what were the top five promises you made to your constituents when you ran for your current seat and what

progress has been made in keeping those promises, and

• what are the top five promises you are making to voters during this campaign?

Please feel free to use additional paper if the space provided is not sufficient, and to affix additional information such as a résumé, campaign brochure, or issue statements. We thank you very much for your response.

## TOP FIVE CAMPAIGN PROMISES FROM LAST ELECTION AND ACTION ON THEM

1. <u>N/A</u>			
2. <u>N/A</u>			
3. <u>N/A</u>			

5. <u>N/A</u>

## TOP FIVE 2017 CAMPAIGN PROMISES OR GOALS

**1.** *Bail Reform* - I will reduce the number of cases in which my ADAs request bail. I will institute a policy of presumptive ROR (Release on Recognizance) for all misdemeanors with narrowly tailored exceptions, and will have my ADAs also look closely at non-violent felony cases for opportunities to refer defendants to supervised release. I will increase the use of supervised release and other alternatives to cash bail in as many cases as possible, consistent with maintaining public safety. I will publicly announce the results of my bail policy and be held accountable for my promise to reduce reliance on cash bail.

**2.** *Protecting Immigrants -* I will implement a policy of minimizing immigration-related collateral consequences in case dispositions. I will have immigration attorneys in my office to advice my ADAs on their cases, and conduct trainings for my entire staff. I work with defense counsel to advise them, if they are unaware, of potential immigration consequences of plea offers, and will work with them to find just resolutions of cases where deportation or other negative immigration consequences consequences would be an unjust result.

**3**. **Conviction Integrity - I** will maintain my commitment to seeking out, investigating and overturning wrongful convictions from the past, and will take steps to prevent new wrongful convictions in the future. I will have my entire staff trained on the mistakes that contribute to wrongful convictions, from a "win-at-all-costs" mentality that will have no place in my office, to strict compliance with Brady and other discovery obligations, to the science of eyewitness identification and ways to prevent tainted identification procedures, to the problem of coerced confessions and how to avoid them. I will communicate in the strongest terms that avoiding wrongful convictions is a top priority of my office and a personal commitment of mine, and that anyone who works for me must share this commitment.

4. Law Enforcement Assisted Diversion (LEAD) - I will design and work with the Police Department to implement a Law

Enforcement Assisted Diversion (LEAD) program, a pre-arrest program to divert people with drug dependence out of the

criminal justice system and into treatment and other services before arrest charges are filed. This program is modeled on one

that began in Seattle and now also exists in Santa Fe, NM, Ithaca, NY, and a handful of other jurisdictions around the country.

5. Racial disparity study - I will commission a study of racial disparities in my office, set out more fully in response to

Question 12.			

# **III. ETHICAL REPRESENTATION OF CONSTITUENTS**

Citizens Union believes that all New Yorkers deserve to be represented by officials who work for the public interest and honor public trust. With the corruption conviction of recent state legislative leaders, we seek to endorse a candidate who will demonstrate that she/he will honor the full commitment of the oath of office, and will always represent the public interest above all else.

Please tell us how you have and would continue to conduct the political affairs of this office in an upright manner, and restore the public trust in your district.

In my entire career in the Brooklyn DA's office I have striven to conduct myself with the utmost integrity, and as the Acting District Attorney I have insisted and will continue to insist on the highest levels of integrity for my assistants and myself. As noted above, I have retained a Chief Ethics Officer to consult with me and with all members of my staff on ethics issues, as well as conduct regular trainings of my staff.

Ken Thompson inherited a highly politicized office when he became the Brooklyn District Attorney, and he worked hard to change the politicized culture of the office. I have continued in that effort, and I believe I will be successful because I am, and am perceived by my staff as, a career prosecutor, not a politician. Even as I run for this office, I have been scrupulous about keeping the concerns of the DA's office and the concerns of the campaign separate. I created no expectation that my staff work on or otherwise support my campaign, in fact I have done the opposite: I have announced to my staff that I will not accept campaign contributions from staff or their spouses. I look forward, after this election, to getting back to the job I love: working every day to keep Brooklyn safe and create a more fair and just criminal justice system. Please return to: Citizens Union, Local Candidates Committee, 299 Broadway, Suite 700 New York, NY 10007 Via email to <u>candidates@citizensunion.org</u> or fax to 212.227.0345 • Call us at 212-227-0342 with questions.