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INTRODUCTION

As our society re-examines longstanding practices in criminal justice enforcement and prosecution, Queens needs a District Attorney with the experience and perspective to understand these changes and implement them in the most effective and efficient way possible. Mass incarceration and stop & frisk are ending, but we still need our DA to keep our families and neighborhoods safe, while preserving the rights of the accused and enforcing justice fairly for all people.

Below is an outline for how Melinda Katz can achieve these goals and why her experience is exactly what we need in this vital office. Each of the ideas below will be more fully spelled out in a series of upcoming white papers that will be released at least monthly over the coming year, but this document is intended to lay out the broad agenda for making the DA a partner for justice with every community throughout our diverse borough.

THE RIGHT EXPERIENCE for a DIFFERENT KIND OF DISTRICT ATTORNEY

Throughout her career in service to the people of Queens, from being a member of the New York State Assembly, to the New York City Council, to Queens Borough President, Melinda Katz has brought a different, community-centered approach to government. Whether it was passing laws to protect child victims of sexual abuse, creating jobs and affordable housing, reducing domestic violence, “revamping” not-for-profit Boards responsible for utilizing government money or protecting immigrants, Melinda knows that when elected officials listen and work with the community, real progress is made.

As a lifelong resident of our Borough, Melinda has seen the many changes that have taken place here as we’ve become more cosmopolitan and more diverse, while still retaining the family-oriented neighborhoods that have always defined us. Working with our communities to manage the challenges these changes bring, she’s found that real community engagement brings innovative ideas and creates a real partnership that produces the results we need.

Melinda's belief in partnering with communities to solve complex social problems is the exact approach we need in our next District Attorney.

- ▶ **When you've met with victims of child sex abuse and domestic violence** and heard their stories, as Melinda did in the Assembly, you're going to draft better legislation to aid victims and prevent future acts of abuse.
- ▶ **When you talk to community residents** about the sometimes conflicting need for affordable housing against legitimate fears of overdevelopment, as she did on the City Council, you can bring people together and craft the right kind of zoning laws and development decisions, while creating much needed jobs in our Borough.
- ▶ **When you sit with immigrant families** and hear the desperation of living here under Trump's rule; go to communities where gun violence spreads like a disease that needs to be cured; or spend time with parents in schools that need more resources to educate our kids, as she does as Borough President, you hear the real concerns and get first-hand knowledge of what's working and what's not.

Melinda has succeeded in her career because she's always been willing to listen, to break from the practices and limitations of the past, and to work hand-in-hand with community leaders on the challenges they face and then create effective change.

And that's why her experience makes her uniquely qualified to be our next District Attorney.

Melinda would also bring a unique personal understanding of the impact of crime on families and communities. Having gone through the trauma of losing her mother to a drunk driver, Melinda knows the impact to a family when crimes are committed, and she understands that regardless of whatever penalties are assigned, the damage cannot be undone. Preventing crime and stopping people from becoming victims in the first place will always be the better solution.

EXPERIENCE

Throughout her career, Melinda has worked to expand all people's access to justice and gained experience in the legal, legislative and community services arenas.

After graduating Summa Cum Laude with honors from the University of Massachusetts, Melinda attended St. John's School of Law and authored for the Legal Journal. Upon earning her law degree, Melinda interned for then-Judge (and future US Attorney General) Michael Mukasey for the Southern District of NY, and interned with the US Attorney's office in the Southern District of NY. She later served as an adjunct professor of constitutional law at Queens College.

In her five years as an Assemblymember, Melinda authored and passed crucial legislation, including the first bill to extend the Statute of Limitations for sexual abuse of a child, a law that increased to a felony certain classes of endangerment of the welfare of a child (Keindl's law) and created legislation that provided women direct access to gynecological services by a doctor.

As a member of the New York City Council, Melinda served as Chair of the key Land Use Committee, using her legal foundation to steward major projects and work with communities and the administration to pull NYC out from the economic downturn that occurred after 2001.

Melinda has extensive experience in private practice, working as an associate for Weil Gotshal and a shareholder of Greenberg Traurig, a position she held until her election as the 19th Borough President of Queens.

In her current role as Queens Borough President, Melinda is partnering with communities to partake in the new law allowing individuals with two misdemeanors or a non-violent felony and misdemeanor that were over ten years ago, to seal their convictions and worked with the District Attorney on warrant forgiveness in order to promote second chances.

MAKING THE DA a PARTNER FOR JUSTICE

The first responsibility of the Queens District Attorney is making our community safer. But safety doesn't come from a jail cell, it comes from partnering with the community to reduce crime before it happens. It comes from addressing the real issues of police-community conflict and opening lines of communication to make crime reduction everyone's responsibility. It comes from getting guns off the street and helping young people find alternatives to violence to deal with conflict. It comes from reaching out to victims to make them feel safe about reporting crimes. It does come from fairly investigation accusations and prosecuting criminals, but it also comes from making sure no one is wrongly prosecuted, incarcerated, or forced to sit in a jail cell for years on end without a trial.

Melinda's history of working with the Queens community to address issues ranging from child sex abuse to gun violence has given her a unique perspective on crime reduction and criminal justice.

As District Attorney, she'll continue using this same approach, make the DA's office a partner with every community to reduce crime in every corner of the borough, while making sure that every community feels protected and respected by law enforcement.

Law enforcement and our approach to criminal justice must change. The era of stop & frisk, arrest quotas, and mass incarceration must end, and a new era of community-based, prevention-driven justice must begin. And it starts with us. ALL of us.

ARREST, BAIL and SENTENCING REFORMS

For too long, our criminal justice system has been built on a foundation of mass incarceration, including jailing people only accused of a crime and then using onerous cash bail as a means of forcing them to accept unfair plea deals. Bail that is financially out of reach for a lower-income defendant means a jail sentence whether someone is guilty or not. Overly long wait times for trial are a coercive and unfair means of forcing plea bargains, regardless of the facts of the case. Unfairly long sentences for minor offenses drive up the costs of incarceration for taxpayers without providing any societal benefit and undermine the chances for some to successfully rehabilitate themselves.

New York State law has not evolved as it should on many of these matters, but as District Attorney, Melinda will order reforms Albany refuses to make by:

- **Creating an internal committee** charged with drafting legislation, lobbying Albany, and focusing on criminal justice reforms needed in the State of New York. In addition to the reforms below, this committee will continually monitor the outcomes and needs of the Court System in order to keep working towards equity. This committee will include not only Assistant District Attorneys, but also advocacy and community groups
- **Ending the practice of requesting cash bail for all misdemeanors** and non-violent felonies, and using supervised release such as ankle bracelets, for repeat offenders and others as needed.
- **Requiring that any case** that has gone longer than 6 months without a trial date being set will immediately be reviewed for appropriate disposition.
- **Ending the current practice of refusing to consider plea bargains** once an indictment has been made, so that no one is unfairly coerced into accepting a plea deal for a crime they didn't commit or before seeing the evidence against them.
- **Getting discovery to defense** as soon as possible to give the accused the right to know the evidence against them

ENDING PROSECUTION of MARIJUANA ARRESTS

With the well-documented racial disparity of marijuana arrests despite similar levels of usage across racial lines, Melinda will refuse to prosecute low-level marijuana arrests within Queens and will instead urge the legislature to legalize adult recreational cannabis and expunge all convictions for past arrests. However, with the potential for legalization of recreational marijuana comes a greater need for strict enforcement of laws against driving under the influence and education campaigns to prevent drivers from putting themselves and others in danger.

TREATING GUN VIOLENCE as a PUBLIC HEALTH ISSUE

While overall crime is down across the City, we still have dangerous levels of violent crimes in many neighborhoods; crime that has proven highly resistant to traditional law enforcement models. Part of the problem is a failure to recognize that crime acts much like a disease and exists as a public health threat, and thus demands a public health response if we are going to cure it.

Working with community groups throughout Queens, Melinda has used the Borough President's office to drive such a program, introducing the concept of "violence intervention" and other wrap-around services for people on both sides of the issue. The results are clear: One of the highest crime areas in Southeast Queens went from 17 shootings and 4 gun deaths per year to zero. Similar results have been seen in Brooklyn and the Bronx, proving that this new model works, and works well. Those are real results which save lives, save young people's futures and save taxpayer dollars.

As District Attorney, Melinda will partner with civic organizations, faith organizations and community leaders in all Queens communities plagued by gun violence to bring in an effective public health response and decrease the need for prosecutions and incarceration by decreasing the incidences of violence in the community.

We know, however, that there will still be crime, and that people will go to jail for their actions. But we have done a historically poor job of aiding the formerly incarcerated with re-entry into their community when they leave jail, which leaves many desperate and unable to find employment, increasing the chance of recidivism and a downward spiral into a life of crime. This is a cycle we must break.

When someone has paid their debt to society, we want to be able to offer every opportunity of full employment, to re-engage fully in their community and to successfully build a new life. Often the key to this is simply finding a job, but many jobs were denied to anyone with a criminal record, driving people back toward a life of crime. "Ban the box" laws are an important first step in reversing this, keeping questions about someone's criminal history off of job applications. Equally important though, is giving someone the ability to seal their non-violent conviction record so they can move on with their lives.

As Borough President, Melinda heard far too often about people who simply could not find work, despite a willingness and ability to do a good job, because of their criminal record or an outstanding warrant for a minor quality-of-life violation. She organized with community organizations, partnered with Legal Aid attorneys to help people get their arrest record permanently sealed and worked with District Attorney Brown to give people a "Second Chance" to clear outstanding warrants with no further penalties.

WORK SITE ACCOUNTABILITY and WORKER PROTECTIONS

In a borough as diverse as Queens, many employers unfortunately try to take advantage of workers' immigration status, language barriers, inexperience and/or financial situation to violate their rights when it comes to wages and workplace safety. This can have deeply tragic consequences, and our next District Attorney must hold employers accountable for their actions.

With Queens developing at a rapid pace, the opportunity for construction injuries is rising, and the incentive for developers to try to cut corners grows larger every day. That puts workers at risk, and our DA needs to proactively fight back. Melinda will assign an investigator to every single workplace accident that results in a serious injury. Developers and construction companies will be held accountable if they fail to follow the law and keep their workers safe, as they are now being held accountable in Brooklyn.¹ This will not only provide justice for victims of workplace safety violations, but will also send a clear message to developers that any effort to cut corners will have severe consequences. Melinda's plan for workplace safety includes:

- **Construction Codes:** Use Construction Codes to enforce construction safety and crack down on illegal conversions. While these are classified as misdemeanors, the DA would have a wider range of charges to bring that could result in jail time for those who violate the Construction Codes - something that is not currently happening in most criminal prosecutions involving construction accidents.
- **License Surrenders:** Include surrender of any DOB license or privilege (or other agency privileges) as part of plea negotiations. A criminal conviction does not automatically lead to license revocation and such surrenders would send strong messages to the industry.
- **Workplace Safety Training:** Utilize asset forfeiture funds to help with the city's mandatory construction safety training programs, required under Local Law 196.
- **Construction Safety Task Force:** Work with DOB and/or DOI on investigating construction worksite safety violations, including a multi-agency Construction Safety Task Force.

More and more workers are being victimized by wage theft, being paid less than the minimum wage, less than the proper wage or unfairly cheated out of overtime benefits. As District Attorney, Melinda will work with labor unions and other organizations to create a multilingual outreach program informing workers of their rights. She will establish free and anonymous means for workers to report wage theft and overtime violations, and aggressively prosecute those employers who refuse to follow the law.

1: [nytimes.com/2017/05/10/nyregion/brooklyn-construction-worker-death-criminal-charges.html](https://www.nytimes.com/2017/05/10/nyregion/brooklyn-construction-worker-death-criminal-charges.html)

ENFORCING HATE CRIME LAWS

Since the election of Donald Trump, our nation has seen a disturbing rise in Hate Crimes of all sorts. Vandalism and violent attacks in churches and synagogues, mass shootings in LGBTQ-friendly nightlife establishments, harassment and other crimes are becoming disturbingly common, and we need a District Attorney ready to use the full power of the law to fight back.

Here in Queens, with the rich diversity that defines our borough, the impact of these types of attacks is magnified many times over. We have felt the bitter sting of bias-related violence against our neighbors of different faiths, ethnicities, sexual orientation and gender identity right here in our own borough, and that makes it personal. As our Borough President and a lifelong Queens resident, Melinda knows that we need to do more. She has stood side-by-side with so many who have been a victim of hate crimes to offer support and solidarity. She's spoken out loudly against discrimination of all kinds, promoted diversity and hosted Hate Crimes forums with the current District Attorney.

As our DA, Melinda will make hate crime prevention and prosecution a top priority. She will reach out to impacted communities to build awareness of hate crime laws and how to use them, and bring a new focus to hate crime prosecution within the office.

PROTECTING VULNERABLE RESIDENTS

Targeted victimization of the vulnerable occurs in too many ways to count, but the District Attorney must be a leader in working with communities and constituencies to recognize, reduce and prosecute these particular kinds of crimes.

The particularly loathsome criminals that prey on seniors and children leave behind victims who need extra support, understanding and protection from the District Attorney's Office. As an Assemblymember, Melinda successfully led the fight to pass legislation to aid in the prosecution of child abusers, and she has been a strong advocate for seniors throughout her career in public service.

- **Children:** One unique challenge facing the next District Attorney involves the likelihood of the State Legislature finally passing the Child Victims Act, which will open the door to many old cases being resurrected and victims seeking justice. As an Assemblymember, Melinda tolled the Statute of Limitations for children to report sexual abuse. She also increased the penalty for Endangerment of the Welfare of a Child including sex offenses, to a felony with Keindl's law. As District Attorney, Melinda will advocate for passage of the Child Victims Act, while simultaneously preparing her office to work with victims' organizations to assist all survivors seeking justice within whatever look-back window the state legislature provides.

As DA, Melinda will do more to protect children from falling victims to online sexual predators. As a mother of two, she knows how tough it can be for parents to keep up with all that their children are doing, so she will work with parents from all communities in Queens to develop new educational programs and tools to assist parents, run ongoing sting operations, and provide free assistance to organizations which employ people in frequent contact with children to effectively screen out potential hires who would put children at risk.

➤ **Elder Abuse and Fraud:** The scourge of elder abuse, for seniors living at home and those in larger facilities, continues to cause untold pain and anguish to its victims. As District Attorney, Melinda will ensure that seniors, their families and other caregivers are provided information on identifying signs of elder abuse, as well as information on reporting suspected abuse.

Identity theft and other scams which frequently target seniors are on the rise, including real estate fraud which attempts to literally steal seniors' homes out from under them. Education is the key to preventing these types of scams from taking place, and Melinda will also aggressively investigate and prosecute fraudsters when these scams do occur.

➤ **People with Mental Illness:** Despite the frequent presentation in the media of people with mental illness as criminals, the reality is that they are far, far more likely to be victims of crime than perpetrators. And when people with mental illness do find themselves rightly or wrongly accused of breaking the law, the outcome can be disastrous if the police are not prepared to understand the impact of an individual's disability.

Partnering with family members and advocates, Melinda will work with law enforcement to develop proper strategies for effectively identifying and dealing with individuals with mental illness without resorting to lethal force and addressing the specific challenges that people with mental illness face when they are victims of crime.

When a person with mental illness is accused of a crime, it demands specific protocols within the District Attorney's office, working with advocates and mental health professionals to determine the appropriate course of action from a prosecutorial and/or treatment perspective.

As District Attorney, Melinda will also be a strong advocate for mental health services in our prisons. Too many people are released from jail without adequate care to respond to their mental health needs. Treatment needs to be a systematic and coordinated plan to assure the best for the individual upon release.

➤ **Immigrants:** Beyond wage theft mentioned above, many immigrants - whether documented or undocumented - are targeted for crimes ranging from green card scams, real estate fraud, sex trafficking, violent crimes and domestic abuse. Often, the victim is fearful of talking to police or the District Attorney due to their immigration status.

Melinda knows that all people in our country are entitled to the full protection of the law, regardless of immigration status. She will create an Immigrant Justice Unit within the District Attorney's office to work with immigrant communities to develop best practices models to encourage all victims to come forward while also providing sanctuary and protect them from the overreach of the current administration in Washington.

➤ **LGBTQ:** While our country has made positive strides toward greater equality, much of that progress is being threatened by the Trump administration and its allies, and civil rights protections for the LGBTQ community will fall to District Attorneys and Attorneys General across the country.

In fact, Melinda cosponsored legislation 25 years ago to include sexual orientation in the protected class for the State of New York. She also fought for the hate crimes legislation to increase penalties for those that commit crimes against the community. With Melinda's long history for support for LGBTQ equality, she will convene a LGBTQ Rights Advisory Board to address specific concerns of the LGBTQ community, including bullying, threats and employment or housing discrimination.

CRIMES AGAINST WOMEN

Queens has never had a woman as a District Attorney,² so as its first, Melinda will bring a new perspective to the many crimes against women and the best means to reduce and eliminate them.

In the Assembly, Melinda fought for the Domestic Violence and Intervention Act to give law enforcement more tools to stop domestic violence and keep victims safer. As Director of Community Boards for Borough President Shulman, Melinda headed up her committee on Domestic Violence. As the Borough President, Melinda is the awardee of the Improving Criminal Justice Responses grant from the Department of Justice, to combat domestic violence using a wholistic approach. Partnering with the Queens District Attorney and Safe Horizons, this grant is part of the Violence against Women Act, a federal program providing prosecution and social services to those families victimized by this crime. As our DA, she'll work with police and women's organizations to continue this work with education, intervention strategies, prosecutions and protection for victims.

2: https://en.wikipedia.org/wiki/Queens_County_District_Attorney

Domestic violence is a particular challenge in immigrant communities, where women are often reluctant to report abuse to police because of fears of deportation.³ Through her Immigrant Justice Unit, Melinda will partner with immigrant advocacy groups to educate women about their rights, protect them from Trump's ICE, assist them in leaving an abusive situation and prosecute abusers as appropriate.

Similarly, victims of human trafficking are double-victimized by the Trump administration, which sends ICE agents to wait outside the sex trafficking courthouse to arrest victims. Melinda will increase enforcement against sex traffickers and keep the focus on prosecuting perpetrators, not victims.

CONVICTION INTEGRITY UNIT for **WRONGFUL CONVICTIONS**

Across the city and country, advances in DNA technology and other investigative tools have led to many wrongful convictions being overturned. While the Queens DA does not have the reputation for wrongful convictions that the former DA of Brooklyn did, the job of the District Attorney is to ensure that justice is done, not ensure that someone is jailed for a crime whether they are the guilty party or not.

As our next District Attorney, Melinda will work with defense attorneys and community leaders to determine what cases may demand further review, and establish a Conviction Review Commission to examine cases and make recommendations for exoneration. Wrongful convictions are a national concern, and new models show the way for doing it properly to ensure that justice is truly served. Every wrongful conviction not only destroys the life of the individual wrongly convicted and his or her family, but also further undermines everyone's faith in our criminal justice system.

2: [nytimes.com/2018/06/03/us/immigrants-houston-domestic-violence.html](https://www.nytimes.com/2018/06/03/us/immigrants-houston-domestic-violence.html)

REFORMING SEIZED ASSET PROTOCOLS and REFOCUSING SPENDING ON CRIME PREVENTION

Each year, millions of dollars are seized by the District Attorney's office and become available for crime prevention efforts, but taxpayers deserve to know exactly how these funds are spent. As District Attorney, Melinda will bring an unprecedented level of transparency to the use of seized assets by annually reporting on what programs are funded and how they make our families and neighborhoods safer.

Melinda believes that the District Attorney's office must be a partner with communities throughout Queens on public safety. Using her broad experiences in public service, Melinda will refocus spending of seized assets funds on critical programs that can have a systemic impact on crime prevention and reduction, including:

- **Addressing the heroin and opioid crisis:** Increase the number of overdose clinics and help victims of addiction get access to services after overdose treatment. Melinda will create a program modeled after Staten Island's successful Heroin Overdose Prevention and Education (HOPE) program, providing a one-stop shop for those struggling with addiction as well as their families and loved ones.
- **Reducing gun violence:** Approaching gun violence as a public health issue as much as a criminal issue. Using the successful Cure Violence model and introducing the concept of violence interrupters as a means of prevention, Melinda will partner with community groups to stop crime before it happens.
- **Giving family members the tools they need to deal with unexpected situations:** When a parent or grandparent finds a gun in their child or grandchild's possessions or a family member suspects opioid abuse or involvement in gang activities, there must be a system in place to someone get the help needed to deal with the individual circumstances, not just an option that automatically leads to incarceration.
- **Providing alternatives to drunk and drugged driving:** It is well known that there are certain days on which driving under the influence of alcohol or drugs occurs at a higher rate than normal, including the night before Thanksgiving, Christmas, New Year's and St. Patrick's Day. By smartly using seized asset funds and partnering with ride-sharing services such as Uber, the DA's office can provide free rides for individuals who may find themselves out late with their vehicle and in need of a safe ride home.

There is clearly much that can be done while serving as the District Attorney of this great County. This Borough should be the center of equity and our system should reflect the great opportunities owed to our families. 48 percent of Queens' population was born outside the United States. It is that diversity that gives us our strength. Whatever your ethnicity, background, immigrations status or economic means; whether you are a third-generation Queens resident or someone who came here yesterday to provide your family a better life; whatever your gender identification or sexual orientation, Justice must ALWAYS look the same. All too often, it does not. As the District Attorney, Melinda will use her life's experience to achieve fairness in the criminal justice system.

It is always the right time to fight for a more just society, but the moment we are living in now creates an unprecedented opportunity to achieve that goal like never before. A lifetime of experiences, both personal and professional, have prepared Melinda Katz to be the vehicle by which we can win this fight by making her Queens' first-ever woman District Attorney. It's time to truly make the DA a partner in justice for every community in our great Borough.