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FJP Statement on Hearing in *Association of Deputy District Attorneys for Los Angeles County vs. George Gascón*

[Fair and Just Prosecution](#) Executive Director Miriam Krinsky issued the following statement in response to the preliminary injunction hearing held today in the lawsuit brought by the Association of Deputy District Attorneys in the County of Los Angeles (“ADDA”) and challenging the reforms newly-elected District Attorney George Gascón announced when he took office, including new directives ending the practice of charging and seeking sentencing enhancements that result in decades-long sentences:

“As we saw during today’s hearing, some groups and individuals are intent on undermining reforms implemented by District Attorney George Gascón, who was elected by the people of Los Angeles County on a mandate to transform the criminal legal system. DA Gascón’s new directives create a more sensible, humane and effective starting point for charging offenses by ending the use of certain sentencing enhancements that mandate additional time on top of already significant sentences and have fueled mass incarceration in our overcrowded county and state correctional facilities. DA Gascón’s new policies – reforms that reflect *exactly* what he told the voters he would implement if elected – are deeply rooted in evidence. We now know that ‘tough on crime’ policies of past decades failed and that excessive incarceration doesn’t make people safer – instead, it [increases](#) the [risk](#) of future crime, at an [enormous cost](#) to individuals, communities and taxpayers.

This lawsuit reflects a deeply disturbing infringement on the rights of Los Angeles County voters by seeking to block DA Gascón from following through on the promises and vision that got him elected. The ADDA has a long history of opposing reform and [vigorously campaigned](#) against DA Gascón. It’s time for the ADDA to accept that George Gascón won the election and, as such, is the appropriate individual to chart the direction for the DA’s office in this county. DA Gascón, and other elected DAs around the nation, have vast discretion to make policy decisions on how and when to charge cases and what sentences to recommend – those determinations should not be usurped by line prosecutors.

We hope that the court chooses to steer clear of setting a dangerous precedent by interfering with the elected DA’s well settled prosecutorial discretion. If DA Gascón’s policies fail, or if the voters decide they don’t approve of his approach, he can be voted

out of office at the next election. But in the interim, the court should allow him to do his job without interference and reject a legal challenge that is, at bottom, an attempt by some to assert their resistance to change. The court should make clear that, as argued in an [amicus brief](#) filed by 65 current and former elected prosecutors (including two former Los Angeles County District Attorneys), the elected district attorney *alone* has the power to define prosecutorial policy in Los Angeles County. And if the court does for any reason determine that there are legal constraints that impact these directives, we hope that DA Gascón will adjust his policies, as may be needed, but continue to advance the vision of justice the voters elected him to implement.”

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP's work, visit our [website](#) and follow us on [Facebook](#) and [Twitter](#).