

IN CASE YOU MISSED IT...
Recent News Items and Articles of Interest
January 2023

Rob Bonta (California)

[Attorney General Bonta Joins Multistate Coalition Supporting New York Gun Safety Law](#)

January 19, 2023 | AG Press Office

After New York’s Concealed Carry Improvement Act (CCIA) was passed in July 2022, a lawsuit was filed in New York District Court challenging the new law. The district court imposed limits on enforcing the CCIA and New York State appealed. On appeal, California Attorney General Rob Bonta joined 15 other attorneys general – including Attorneys General from D.C., Delaware, Illinois, Massachusetts and Minnesota – in an amicus brief urging the appellate court to reverse the district court’s order and arguing that the law is in line with a long tradition of constitutionally acceptable regulations designed to meet states’ responsibility to protect their residents from gun violence.

AG Bonta: “[W]e believe in the power of commonsense gun laws to protect our communities. Nobody should have to fear gun violence while at work, in school, or at prayer. That’s why laws such as New York’s are critical....”

Sherry Boston (DeKalb County, Georgia)

[War On Drugs is Cautionary Tale For Abortion Prosecution](#) (Opinion)

January 20, 2023 | Law 360

In this opinion piece, DeKalb County District Attorney Sherry Boston explained why we must learn from the failed war on drugs and reject efforts to criminalize abortion, arguing that criminalization will only erode trust in our legal system and thereby threaten public safety.

DA Boston: “Just as overly punitive sentencing does not prevent drug access or use, criminalizing abortions will not stop people from having abortions. It will simply increase the likelihood that women will obtain unsafe abortions or attempt to end their own pregnancies without medical assistance.”

Alvin Bragg (New York County, NY)

[Manhattan DA Alvin Bragg Has Had a Few Good Weeks](#)

January 3, 2023 | City & State New York

Manhattan District Attorney Alvin Bragg spoke about recent criminal legal system reforms and needed future changes. He noted the creation by his office of a Pathways to Public Safety Division to promote restorative justice and alternatives to incarceration, called for improved technology to help his office comply with recent discovery reforms, described his office’s investment in mental health initiatives, and recounted efforts to reduce the population at Rikers.

[Manhattan District Attorney: Homeless in NYC Need Services and Support, Not Jail](#) (Opinion)

January 24, 2023 | Teen Vogue

To promote well-being for all in his community, DA Bragg recently announced a \$9 million initiative that will help connect unhoused people across Manhattan with voluntary community-

based resources, including housing assistance and treatment for mental illness and substance use disorders. In this Teen Vogue op-ed, DA Bragg discusses how prosecutors can improve public safety and reduce recidivism in their communities by keeping unhoused people out of the criminal legal system, treating them with respect, and helping meet their basic needs so they are set up for success.

DA Bragg: *“Enough is enough. To end the cycle of recidivism, to restore the sense of safety that New Yorkers deserve, and to get people in crisis the help they need, we must connect those struggling with community-based services — in a way that honors their dignity and humanity.”*

John Choi (Ramsey County, MN)

[Guilty Verdicts in Doubt as Ramsey County Reviews Cases Linked to Ex-Medical Examiner](#)

January 21, 2023 | Star Tribune

Ramsey County Attorney John Choi is reexamining dozens of cases that relied on information and testimony from prior discredited county medical examiner Dr. Michael McGee. After criticism emerged on two separate death investigations handled by Dr. McGee, including a finding by a judge that his testimony was "unreliable, misleading and inaccurate," DA Choi and his office worked with an outside firm to comb through hundreds of cases in which Dr. Michael McGee was a witness, and they will now closely review files and transcripts in over 70 cases.

CA Choi: *“It’s really important that we are committed to the integrity of our convictions. My job is not to be there to protect a conviction at all costs. My job is to do justice and to do that job without fear or favor. I will do whatever justice requires as a result of this review.”*

Laura Conover (Pima County, AZ)

[Pima Prosecutor Says Planned Death Penalty Study Not Enough](#)

January 24, 2023 | The Daily Courier

Pima County Attorney Laura Conover is urging Governor Katie Hobbs to expand the scope of a planned study of Arizona’s death penalty system to evaluate biases and inequities within the justice system.

Matthew Ellis (Wasco County, OR)

[DA to Ask for 159 + Convictions be Reversed Involving Discredited TD Police Officer](#)

January 25, 2023 | CCC News

Wasco County District Attorney Matthew Ellis is asking courts to dismiss or expunge nearly 160 convictions connected to a former discredited police officer. The officer was found to have produced unreliable investigative work and, shortly after he took office, DA Ellis found a decade-old letter describing the officer’s dishonesty in a desk drawer. DA Ellis partnered with the group FA:IR Law Project to conduct a review of cases that involved the officer and ensure that justice is done.

DA Ellis: *“The people of Wasco County elected me to restore their faith in the justice system. Clearing convictions made unreliable by [the discredited officer’s] involvement is a start. My office is committed to work with law enforcement and our community partners to ensure we prevent this type of situation from recurring.”*

Kim Foxx (Cook County, IL)

[Cook County State's Attorney Kim Foxx Remains Committed to Pretrial Fairness & Elimination of Bail Bonds](#)

January 2, 2023 | Davis Vanguard

Cook County State's Attorney Kim Foxx discussed the negative impact of pretrial bail and concerns with freedom being linked to economic status. SA Foxx noted that her office remains committed to ensuring pretrial fairness and eliminating bail bonds.

SA Foxx: *"Particularly as it relates to the issues of pretrial detention, (there) are the people who plead guilty to crimes because they want to go home... someone is looking at perhaps a probation, and the incentive is, all right, if I plead guilty to this, I get to go home...."*

José Garza (Travis County, TX)

[Court Revives Claims by Texas Death Row Inmate Backed by DA](#)

January 9, 2023 | Associated Press

The U.S. Supreme Court revived the appeal of an individual currently on death row after Travis County District Attorney José Garza refused to stand behind the conviction due to problems in a lab that called into question the reliability of critical DNA evidence. In its filing with the Supreme Court, Garza's office noted that prosecutors have a duty to see justice done and that, by refusing to revisit the conviction, the lower appellate court "undermined the District Attorney's historical role in the criminal justice system."

[Travis County DA José Garza Releases 2022 Year in Review](#)

January 24, 2023 | Fox 7 Austin

DA Garza released a letter reflecting on his office's work in 2022 and outlining priorities for 2023. The letter described Garza's commitment to present to the grand jury cases involving concerning police conduct, his office's work in supporting crime victims, and efforts to promote gun violence prevention.

DA Garza: *"The change that I promised to make when I ran for office was that when it comes to allegations of police violence, we would let our community decide when that conduct was unlawful and when a law enforcement officer should be held accountable for that conduct."*

George Gascón (Los Angeles County, CA)

[What Does the Future of Prosecution Look Like – These Five Prosecutors Offer Different Viewpoints](#)

January 30, 2023 | Davis Vanguard

Los Angeles County District Attorney George Gascón participated in a panel as part of the University of San Francisco Law School's "The Future of Prosecution" symposium. He talked about the criminogenic nature of our current jails and prisons, why he chose to reject use of the death penalty, and the pervasive racial injustice inherent in the current system.

DA Gascón: *"[T]hey're coming back, about 95% of the people that we incarcerate come back, they don't generally [improve] in [prisons and jails], because rehabilitation really hasn't been imbedded in our carceral systems. So people come out of prisons and jail generally are worse than when they went in."*

Eric Gonzalez (Kings County, NY)

[Brooklyn DA on Crime Prevention and Prosecution](#)

January 11, 2023 | WNYC

Brooklyn District Attorney Eric Gonzalez joined WNYC's Brian Lehrer to discuss gun violence, public safety, bail reform, and what his office is doing to promote safe and healthy communities. DA Gonzalez took questions from listeners on a range of topics including cannabis and immigration policies.

DA Gonzalez: *"[I]f we want to continue to be safe [it's important] that our undocumented population or non-citizen population feels comfortable calling the police, working with the prosecutor to report crime, to come to court, and testify when they witnessed crime. It's so important that we have the confidence in people who are not citizens that they can safely participate in the government processes, especially with the police and the prosecutor."*

Larry Krasner (City and County of Philadelphia, PA)

[Court Throws Out Krasner Impeachment](#)

January 14, 2023 | The Davis Vanguard

A court declared that Philadelphia District Attorney Larry Krasner's reform policies and ideas on criminal justice are not a basis for impeachment and that none of his conduct in office constitutes what would be required for impeachment. Krasner was elected by a wide margin in 2017 and again in 2021.

DA Krasner: *"The Commonwealth Court ruling is a victory for Philly voters, whose votes still count no matter how hard some politicians try to erase them. The order and opinion are also a victory for all of us in Pennsylvania and across the United States who believe in and cherish popular democracy."*

[Philadelphia DA Larry Krasner Impeachment Trial Indefinitely Halted](#)

January 17, 2023 | The Daily Pennsylvanian

The Pennsylvania Senate voted in early January to postpone indefinitely the impeachment trial of Philadelphia District Attorney Larry Krasner. The decision was made after a Commonwealth Court ruled that the charges of "misbehavior in office" were insufficiently proven.

DA Krasner: *"History will harshly judge this anti-democratic authoritarian effort to erase Philly's votes — votes by Black, brown, and broke people in Philadelphia.... Philadelphians' votes, and Philadelphia voters, should not be erased."*

Leesa Manion (King County, WA)

[Leesa Manion the First Woman, Person of Color to Serve as King County Prosecutor](#)

January 9, 2023 | King 5 News

Newly elected King County Prosecutor Leesa Manion was sworn into office as the first woman and person of color to serve as King County Prosecuting Attorney and the first Korean American woman in the country to be elected as an office's chief prosecutor. In her inaugural address, PA Manion talked about the importance of diversity and opportunities to reduce gun violence through collaboration.

PA Manion: *"Together we made history.... Representation matters. Together we can and will ensure, that while I am the first woman to hold this role, I will not be the last."*

Steve Mulroy (Shelby County, TN)

[DA Targeting Unfair Employers with New Wage Theft Initiative](#)

January 9, 2023 | News Channel 3 Memphis

Shelby County District Attorney Steve Mulroy recently announced that his office would prioritize addressing wage theft by proactively seeking out cases and informing community members on best practices for documenting and reporting violations. Wage theft is one of the most common crimes in the United States but the least likely to be prosecuted. DA Mulroy has committed to protecting workers' rights and holding exploitative employers accountable.

DA Mulroy: *"[Wage theft] hurts the workers being defrauded.... But it also hurts the legitimate employers playing by the rules."*

[Shelby Co. DA Steve Mulroy Weighs in on Tyre Nichols Death Investigation](#)

January 18, 2023 | Fox 13 Memphis

DA Mulroy spoke about the challenges around balancing both transparency and the integrity of an ongoing investigation, the decision surrounding releasing the body camera footage following the killing of Tyre Nichols, and the importance of his office's new Justice Review Unit to investigate and, where appropriate, prosecute police killings.

DA Mulroy: *"My strong belief is that if there's going to be a release of the video, then it needs to be everything, not selected excerpts, and it should be released without comment. We don't want to prejudice anyone involved in the investigation or any potential defendant..."*

[Tennessee's Shelby County District Attorney Steve Mulroy on Tyre Nichols Case, Video Release](#)

January 27, 2023 | CBS News

DA Mulroy spoke with CBS news about the issue of systemic problems in policing, and the need for reforms.

DA Mulroy: *"I think it's the case that the majority of police are well-intended dedicated well-meaning people, but I also think at the same time it can be the case that there is a problem with the overall culture.... I hope...this will spark a broader conversation about how we can change [police] culture, how we can improve supervision on the part of the police within the police and also independently, for example civilian review boards."*

Pamela Price (Alameda County, CA)

[DA Price Announces Public Accountability Unit](#)

January 31, 2023 | Alameda Post

Alameda County District Attorney Pamela Price launched a new Public Accountability Unit tasked with reviewing officer-involved shootings and in-custody deaths. The new unit will be housed in the office's Civil Rights Bureau and will reopen several cases her predecessor opted not to charge.

DA Price: *"I promised accountability. This unit and its work are the start of the reckoning Alameda County has asked for holding people accountable for their misconduct."*

Mimi Rocah (Westchester County, NY)

[Misdemeanor Mental Health Court Launches in Westchester](#)

January 26, 2023 | The Examiner News

Westchester County District Attorney Mimi Rocah announced the launch of the Westchester Misdemeanor Wellness Court (WMWC), which will offer community-based mental health

treatment and services to eligible individuals as an alternative to conventional prosecution. DA Rocah: *“I am grateful to the courts and our partner advocates for heeding our call and helping us bring to Westchester County a misdemeanor mental health court, which will serve as a practical and humane alternative for individuals who commit low-level crimes and are in need of treatment and services. In addition to it being the right thing to do, the WMWC will also be an effective early intervention tool, to help prevent some individuals from committing more serious or violent felony crimes in the future.”*

Mike Schmidt (Multnomah County, OR)

[Multnomah County’s Top Prosecutor Is Betting His Future on an Aggressive Program Designed to Keep Violent Offenders Out of Prison](#)

January 25, 2023 | Willamette Weekly

Multnomah County District Attorney Mike Schmidt discussed the Strategic Treatment and Engagement Program (STEP), noting that none of the program’s first 60 participants has been referred back to his office for new charges. STEP offers intensive community probation for serious offenses in exchange for a guilty plea. After a defendant is interviewed by an evaluator and a judge, prosecutors can elect to reduce the charge, and in lieu of prison time most individuals commit to a minimum of one year of intensive behavioral health treatment.

DA Schmidt: *“Working to improve the criminal justice system and public safety are not mutually exclusive. In fact, they are inextricably linked.”*

Raúl Torrez (New Mexico)

[New Mexico Attorney General Files Legal Challenge Against Local Abortion Bans](#)

January 25, 2023 | Kiowa County Press (KCP)

Amid attempts by some localities in his state to enact bans against abortion, New Mexico Attorney General Raúl Torrez is standing up for reproductive freedom by filing a legal challenge to strike down these unconstitutional intrusions on personal liberty.

AG Torrez: *“Women in every corner of New Mexico should rest assured that we will push back against any attempt to infringe on their inalienable right to make the most personal decision about their lives, their health, and their families.”*

Monique Worrell (9th Judicial Circuit, FL)

[State Attorney Pushes to Hold Officers Accountable for Violating Rules](#)

January 17, 2023 | WFTV9

Ninth Judicial Circuit State Attorney Monique Worrell advocated for reforms in holding police accountable for misconduct. Proposed reforms include standardizing *Brady* list procedures, creating a duty for officers to intervene when they see misconduct, and increasing punishment for law enforcement officers who commit certain crimes.

SA Worrell: *“We must hold officers accountable when they break the law, instead of excusing or turning a blind eye to their misconduct. Law enforcement officers are people, capable of human error. There are also bad actors who abuse their power, and that breach of trust requires that they be held accountable for the harm they cause.”*

Additional Articles

[‘You’re a Slave’: Inside Louisiana’s Forced Prison Labor and a Failed Overhaul Attempt](#)

January 3, 2023 | The Washington Post

This comprehensive article highlights the injustices of Louisiana’s antiquated and cruel system of forced prison labor and failed attempts at reform. The piece discusses the practice of low-wage work in prisons across the country -- hundreds of thousands of people who are incarcerated in the U.S. are forced into involuntary servitude, providing billions in services and goods for little to no pay. The repercussions for refusal to work can be serious, and include solitary confinement, physical abuse, and restrictions on family visits.

[Locking up the Mentally Ill Has a Long History](#) (Opinion)

January 3, 2023 | The Washington Post

Lewis & Clark College Professor Elliott Young describes how new efforts to forcibly hospitalize individuals with mental illness are ill advised and need to be viewed in the context of a long history that has entangled mental health responses with the criminal legal system. As the piece notes, in past decades, “psychiatric facilities closed, while jails and prisons proliferated. Although these institutions had different stated purposes, people without financial resources who experienced mental illness frequently became enmeshed in the criminal legal system.”

[2023 Presents Reform Opportunities for Prosecutors Across the Nation](#)

January 6, 2023 | The Crime Report

Last year, voters demonstrated their continuing appetite for justice reform with the election and re-election of inspiring reform-minded prosecutors. FJP’s Miriam Krinsky wrote about this new group of elected prosecutors who assumed office in 2023 and the ongoing opportunities – and dire need -- for change in the criminal legal system.

Miriam Krinsky: *"Our nation is in the throes of both overdose and mental health crises that can't be cured by more police and incarceration but are better addressed with compassionate policies grounded in public health. Prosecutors are on the front lines of these issues every day and should champion effective strategies like creating alternative responder models, refusing to enforce draconian drug-induced homicide laws and eliminating the use of jail as the answer to individuals in need of help who don't pose any threat to public safety."*

[Police Are Using DNA Evidence in the Idaho Case. Here Are The Potential Pitfalls](#) (Opinion)

January 10, 2023 | NBC News

FJP’s Rebecca Blair and Miriam Krinsky wrote about the potential and pitfalls of DNA testing, including new techniques that allow for analysis with smaller genetic samples. They noted that protocols around handling DNA evidence and using that evidence in investigations are just as important as improvements in the technology itself.

Blair & Krinsky: *"It's important that we build a greater understanding among both the criminal justice field and the public of how DNA is used, what it can tell us definitively and what it cannot."*

[‘It’s Not Just a Jail Break’: Juvenile Prison Populations Reach All-Time Lows](#)

January 10, 2023 | Youth Today

Youth Today reports that the number of children incarcerated in U.S. youth prisons fell to a record low in 2020, but there are still far too many young people behind bars who could safely remain in their communities. Research has clearly shown that youth prisons are ineffective, inhumane, and may in fact increase the likelihood that young people will reoffend. Our criminal legal system must invest in responses that will improve outcomes and promote public safety for all.

[How Local D.A.s Can Help Protect Immigrant Families from Dangerous Federal Policies](#)

(Opinion)

January 19, 2023 | Los Angeles Times

Los Angeles County District Attorney George Gascón and FJP Executive Director Miriam Krinsky explain how elected prosecutors can be unexpected leaders in the immigration debate by implementing policies that support immigrant communities, build local trust, and promote public safety for all.

DA Gascon and Miriam Krinsky: *“Elected prosecutors should prevent their local criminal legal systems from becoming a tool to target immigrants... by making sure immigrant victims, witnesses and defendants are able to enter courthouses without fear of being apprehended by immigration authorities, and by ensuring that witnesses aren’t asked about immigration status.”*

[Prosecutors Pledge to Visit Their Local Correctional Facilities in Broader Effort to Promote Criminal Justice Reform](#)

January 21, 2023 | The Davis Vanguard

As part of the #VisitAPrison challenge launched by FAMM and promoted by Fair and Just Prosecution, sixty-six elected prosecutors nationwide have now agreed to visit correctional facilities where individuals convicted of crimes in their jurisdiction are housed.

Read the statement on the importance of visiting correctional facilities [here](#).

Pledge & Joint Statement: *“[W]e hope to inspire prosecutors’ offices and policymakers around the nation to take accountability for their actions by more fully understanding what incarceration looks like in our communities. We must recognize that our obligations, and the communities we are sworn to protect, do not stop at the gates of our jails and prisons.”*

[Joe Biden Could Be About to Break Key Election Promise](#)

January 31, 2023 | Newsweek

President Joe Biden campaigned on a pledge to abolish the death penalty. While Biden's Justice Department has instituted a moratorium on federal executions, the President has yet to fully abide by this pledge. Last year, a bipartisan group of 57 elected prosecutors from 27 states and territories and the District of Columbia – including 12 states where the death penalty is still authorized by law, issued a [joint statement](#) and a [letter](#) to the President calling for systemic changes to end the death penalty nationwide.

Joint Statement: *“As elected prosecutors, we serve as ministers of justice and are obligated to seek outcomes that advance equity, fairness, community safety, and the rule of law. And we are also obligated to reject arbitrariness, racism, and cruelty. We pledge to abide by these obligations by refusing to seek the death penalty against individuals with cognitive impairments or otherwise diminished culpability.”*