New Orleans has led the world in mass incarceration, but now we can lead the world in justice reformation.

The People’s DA Coalition represents more than thirty organizations of formerly incarcerated residents, crime survivors, people who were wrongfully convicted, and families with incarcerated loved ones, focused on criminal justice reform in our city and state.

This November, the people of New Orleans have an opportunity to create a new vision for the Orleans Parish District Attorney’s Office. We demand a reform Prosecutor who embraces fairer, safer, more effective approaches to criminal justice.
Our mission is to create a District Attorney’s office that is ethical, compassionate and accountable to all of its constituents; a DA’s office that is committed to ending the era of mass incarceration that has so long plagued the New Orleans community.

The people of New Orleans deserve a district attorney that will champion criminal justice reform and work to serve the community as whole. As a coalition, we are united on the following policy platform, and we will hold the next DA accountable to its demands. Read the platform below.
Work to restore our city, not punish our people

- Streamline the office’s caseload by allowing Assistant DAs (ADAs) the discretion to resolve cases (i.e. refuse charges, offer diversion, and negotiate final plea agreements).
- Decline to prosecute “quality of life” offenses that do not genuinely threaten our communities and which encourage racial profiling and the criminalization of homelessness.
- When a conviction is overturned, do not seek to re-try the case unless there is clear and convincing evidence that doing so will result in a just conviction. Always engage in careful consideration of the public interest in any new prosecution of an overturned conviction.
- Allow post-conviction review in cases of non-unanimous jury verdicts, even if trial counsel failed to make an objection at the time.
- Create racial impact statements for all new district attorney policies to explore and assess potential disparities of proposed policies before they are enacted.
- The District Attorney will not use or threaten to use the death penalty under any circumstance.
End The Secrecy

- Make publicly available (in print and the Office of the DA’s website):
  - All internal policies relevant to prosecutorial process, discretion, and eligibility for diversion or any other DA programs that may be available.
  - All training curricula and materials.
  - Information about employees of the District Attorney’s office and other law enforcement agencies relative to misconduct.
  - Annual budget and expenditures.
    - This must include the total spent on lawsuits against Prosecutors.
- Hire dedicated IT staff to collect, anonymize and disaggregate, and make public all data regarding:
  - Case demographics of all arresting and investigating officers, arrested people, prosecutors, victims, and witnesses.
    - Data should include race and ethnicity, age, declared gender, neighborhood of arrest and neighborhood of residence.
Cont.

- Reasons for refusal / acceptance of charges.
- Arrest charges, charges being pursued in court, and conviction charges.
- Convictions, sentencing, and post-conviction reversals.
- Fines and fees associated with any case, including but not limited to those related to diversion, warrants issued for failure to pay, and collections efforts.
- Diversion programs and other alternatives to confinement.
- Surveillance technology (body cameras, street cameras, social media surveillance and like methods) as evidence.
- Diversion program requirements and outcomes.
- Agree to participate in an annual “People’s DA forum,” as a means of accountability to the community for commitments made during the campaign.
Ensure pretrial justice for all

• Attend all Magistrate hearings to (a) assist in speedy refusal of cases, and (b) only seek detention where the arrestee poses an evident flight risk or a clear and immediate threat to others.
• Have timely discussions with defense counsel to make determinations on alternatives to incarceration.
• With the exception of allegations for crimes that carry up to life in prison, the prosecutor commits to charging an accused within five days (including weekends) or agree to their release without bond.
• Support bond reduction requests for people unable to afford the amount initially set, and recommend the release of people facing technical violations of probation or parole.
  ◦ The prosecutor will seek to file criminal charges only if the prosecutor sees that the charge is supported by sufficient evidence and in the interest of justice.
• Refuse to file state charges for marijuana offenses for which are punishable under a municipal ordinance.
• Do not rely solely on packaging to charge people with “intent to distribute” controlled substances.
Protect the Right to a Fair Trial

- End all use of the “multi-bill” (Habitual Offender law) which serves to lengthen the most punitive prison sentences in the nation.
- Bond increases after someone has already been released from jail should only be sought in rare and extraordinary circumstances.
- Seek prompt and ethical procurement of evidence, including reputable forensics testing, and consensual video-recording of all witness interviews.
- Never listen to attorney-client phone calls; and never intimidate witnesses through subpoenas that include threats of jail time.
- Turn over all evidence to defense counsel immediately upon receipt and, if new evidence arises within two weeks of trial, the ADA will ask for the trial to be delayed so that defense counsel has adequate time to review the new evidence and identify additional relevant evidence.
- Zero tolerance for unethical behavior by investigators working for the DA, including police officers. Anyone working for the DA who observes such behavior will be expected to report it, and any case evidence provided by the investigator in question will not be used. Charges that are based solely on this evidence will be dismissed.
- Always provide specific reasons on the record for seeking a continuance, and don’t manipulate the system by dismissing and re-charging a case when a judge denies your requested continuance.
Promptly handle appeals, turn over newly discovered evidence (including ethical allegations against anyone involved in the arrest or prosecution of a case).

Allow people appealing their cases to present new evidence or new Supreme Court decisions even if there are technical arguments, like time delays against it. The DA should not object to arguments based on new Supreme Court case law even if the case was decided before the new decision came out.

Never oppose an individual seeking parole. Make rehabilitation achievable.
Hold police and prosecutors accountable

- File bar complaints against DA employees for ethics violations.
- Hold law enforcement to the highest standards of accountability and file criminal charges against them when necessary.
- Avoid conflicts-of-interest, and refer investigations and criminal cases against police and prosecutors to an independent prosecutor.
- Create an inter-organizational Conviction Integrity Unit and staff a Chief Integrity Officer who reports directly to the District Attorney. This unit will comprise both the conviction integrity office as well as the sentencing review unit. The DA’s office shall consult with the Innocence Project of New Orleans and other community stakeholders on policy initiatives for this unit. The Chief Integrity Officer shall only be dismissed for cause.
- Refuse all campaign contributions that create an actual or perceived conflict of interest, including all contributions from anyone who might hold a financial interest in prosecutorial recommendations, such as (but not limited to) bail bond, electronic monitoring, or incarceration industries.
- Establish a transparent plan in response to States of Emergency (i.e. hurricanes and viruses) that prioritizes human life and public health, and recognizes the close quarters in jails and prisons, insufficient health care, dependence on outsiders for food and medicine, and logistical dilemmas faced by staff who are under the same conditions.
• Train all staff in the Office of District Attorney, on a recurring basis through publicly available training materials, regarding:
  o Racial bias in policing, prosecution, and sentencing.
  o Trauma informed survivor interviews.
  o Adolescent brain development and best practices for juvenile rehabilitation.
  o Gendered violence and bias, particularly transgender people.
  o Secondary trauma amongst staff.
  o Impacts of incarceration on individuals, families, and communities.

- This training includes ADAs spending a 24-hour period in jail prior to any professional recommendations of incarceration sentences.
Lead with efficiency in every court

- Acknowledge that traffic offenses and state or municipal misdemeanors should be handled through summons, referrals to (and advocating an expansion of) social services, fines (in consideration of one’s ability to pay), and community service
- Prosecute misdemeanors in Municipal or Traffic Court, with a full-time trauma-informed staff in each, and integrate communications that allow for efficient resolutions in all courts
- The DA’s office should have a full time presence in the municipal and traffic court to allow New Orleanians to resolve their cases at all times throughout the business day
Let Kids be kids

- Commit to treating kids like kids by holding children accountable in ways that are developmentally appropriate and that allow them to enter adulthood without any barrier to their success.
  - Never prosecute children in adult court and never incarcerate them in adult jails or prisons.
  - Divert kids from formal prosecution as often as possible.
  - Protect the confidentiality of children and information related to their cases and automatically expunge all records once their cases are closed.
- End the criminalization of Black youth by ensuring that Black children are not criminalized for normal adolescent behaviors and by pursuing policies that address racial disparities in the legal system.
  - Support continued implementation of the Policing Alternative for Youth (PAY) ordinance.
  - Refuse to prosecute children for behavior that can be handled through school disciplinary practices.
  - Hold law enforcement officers accountable if they show a pattern of discriminatory behavior.
  - Never criminalize or seek to impose fines on the families of system-involved youth.
  - Refuse to prosecute misdemeanor school-based arrests.
Prioritize healing over punishment by recognizing and responding to childhood trauma as a public health issue rather than a crime issue.

- Use restorative justice in lieu of prosecution as often as possible and agree not to prosecute a child if they successfully complete the process.
- Ensure that incarceration is the rare exception for children and that sentencing decisions do no harm.
- Recognize the ways in which the justice system itself is traumatizing to a child and eliminate practices that may create or exacerbate trauma.
Make the system work for all New Orleanians

- Immigration
  - End the collection of information and inquiries into the immigration status of either individuals charged of crimes or survivors of crimes.
  - Should the ADA have knowledge that a defendant has already faced immigration-related penalties and consequences, the DA should consider this time served.
  - Oppose all immigration related arrests of anyone involved in pending criminal cases or cases under investigation.
  - Commit to providing U-visa certification for crime survivors, and create a U-visa coordinator within the office. U-visas can be issued to victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity.

- Racial Bias
  - Acknowledge that traditional prosecutorial practices and culture have been major contributors to racial disparities in case outcomes and incarceration rates.
  - Commit to transform the office into an anti-racist office.
  - Decline to prosecute people who were racially profiled by the police.
  - Use power and position in Louisiana District Attorney’s Association to advocate in the State Legislature for an end to policies that target and harm BIPOC communities.
Divest from incarceration, invest in social services

- Incarcerate as a last resort, not a first option.
- Fiercely advocate for New Orleans to develop data proven or data informed interventions and refer people to these programs, whether they are formal “alternatives to incarceration” programs or not.
- The DA should not create their own programming and instead refer people to programs created in the community and run by community members.
- Only consider an “alternative to confinement” program completion to be a requirement (i.e. to cause case dismissal) in cases where incarceration was previously the norm.
- Encourage positive behavior by eliminating punishments and conditions where a person exhibits progress towards rehabilitation.
- Expand eligibility for diversion before booking, prior to filing charges, and before plea agreements are offered to preserve the presumption of innocence and prevent creating a criminal record unless the person charged is referred back for prosecution due to failure to complete conditions of diversion.
- Do not predicate diversion on ability to pay. Instead, make diversion available regardless of ability to pay, and flexible to accommodate people working and/or fulfilling family responsibilities.
Center Survivors, trust advocates and train for trauma

• Listen to, inform, and communicate with survivors.
  o With Advocates, create an informative guide for survivors of crime that will be available in every language spoken in New Orleans that includes their rights, what they should expect, a grievance procedure, the contact information for the Assistant District Attorney prosecuting their case, protective order copies if applicable, and community resources. Make these publicly available online, by mail, or at the DA’s offices.

• Give survivors a voice in all case decisions.
  o Require ADAs to:
    ▪ document all conversations with survivors in the case file.
    ▪ Notify survivors before every court date.
    ▪ Give prior written notice and reasoning to the survivor when proceeding against the survivor’s wishes.
  o Provide an accessible process by which a survivor can file a grievance against the ADA during the course of the case which will be reviewed regularly by supervisors in order to address survivor concerns, when possible.
Cont.

- Trust crime Survivor Advocates
  - Fully staff any system Advocate positions already housed in the DA's office and ensure that they are available to survivors in person and by phone.
  - Require ADAs and Advocates to participate fully and meaningfully in regular case reviews, multidisciplinary team meetings, and task forces with Crime Survivor Advocates.
  - Liaise with highly trained professionals who are experts in restorative justice approaches for all types of crimes. Before trial, give survivors an appropriate amount of time to work with their Advocates and these professionals to determine the best path forward even if that may mean choosing not to request prosecution.
  - Create open lines of communication and a culture of mutual respect and collaboration between prosecutors and Survivor Advocates.
Seek Care over Cages

- Allow for restorative justice in lieu of prosecution in any case where both the survivor and accused party have provided their informed consent to such a process.
- Consider and pursue alternatives to confinement in all possible convictions, and make recommendations to the court after discussions with the defense regarding mitigating evidence.
- Eliminate the “trial tax,” which is the practice of imposing stiffer punishment on a defendant who opts to proceed to trial rather than accepting a plea bargain. In some cases, it is believed a judge will impose a harsher sentence on a defendant who is found guilty after declining a plea bargain as punishment for the use of judicial resources involved in a trial.
- Provide a fiscal impact statement for all recommendations of incarceration.
Protect the Right to a Fair Trial

- End all use of the “multi-bill” (Habitual Offender law) which serves to lengthen the most punitive prison sentences in the nation.
- Bond increases after someone has already been released from jail should only be sought in rare and extraordinary circumstances.
- Seek prompt and ethical procurement of evidence, including reputable forensics testing, and consensual video-recording of all witness interviews.
- Never listen to attorney-client phone calls; and never intimidate witnesses through subpoenas that include threats of jail time.
- Turn over all evidence to defense counsel immediately upon receipt and, if new evidence arises within two weeks of trial, the ADA will ask for the trial to be delayed so that defense counsel has adequate time to review the new evidence and identify additional relevant evidence.
- Zero tolerance for unethical behavior by investigators working for the DA, including police officers. Anyone working for the DA who observes such behavior will be expected to report it, and any case evidence provided by the investigator in question will not be used. Charges that are based solely on this evidence will be dismissed.
- Always provide specific reasons on the record for seeking a continuance, and don’t manipulate the system by dismissing and re-charging a case when a judge denies your requested continuance.