



2017 District Attorney Candidate Questionnaire

Completed questionnaires will be public documents available on our website. If we ultimately hold an endorsement vote in your race, your questionnaire will be circulated to our membership before the vote.

Name	Anne J. Swern
How long have you lived in Brooklyn?	This has been my home for over 40 years. I was born in Flatbush, graduated from Brooklyn Law School , raised and educated my children, and have spent my entire criminal justice career in Brooklyn.
Why do you want to serve as Brooklyn DA?	As a true " daughter of Brooklyn ", I am running for DA because I love Brooklyn, and believe we deserve a DA's office which is the model of excellence. My vision is to build a better justice system - the kind of system that brings progressive reforms to every case, every policy, every program, and every community throughout our borough - ever mindful of public safety. I served in the Brooklyn DA's Office for over 33 years, and more recently as Managing Counsel for Brooklyn Defender Services . This, coupled with my 20+ years as an Adjunct Professor at Brooklyn Law School , has given me a holistic view of our current criminal justice system - from the perspectives of survivors and defendant, prosecutor and defense attorney, laws and public policy, institutions and communities. <i>It's time to stop simply talking about reform...it's time for a DA who knows that to push the envelope, we need to push policy.</i> These policies must be borne from best practices which we already know work.
What have you accomplished in your legal career that you are most proud of?	Creating, developing and implementing alternatives to traditional prosecution and sentencing while working at the Brooklyn DA's Office. These programs allow people to stay out of the criminal justice system when appropriate, and hold them accountable for criminal behavior in a proportionate manner, including: Drug Treatment Alternative-to-Prison (DTAP) Program, Brooklyn Treatment Court, Mental Health Court, Red Hook and Brownsville Community Justice Centers, and Adolescent Diversion Part. I am also proud of the successful investigation and trials of numerous major offenses, including homicide, sexual offenses and other violent crimes.
Why do you want New Kings Democrats' endorsement?	NKD's endorsement means that thoughtful, progressive people who care about Brooklyn agree with my vision of justice and safety. As a member of NKD, I share the same values and investment in bringing progressive reform to the criminal justice system. I was pleased to provide the resources to help NKD develop its <i>Criminal Justice Reform Platform</i> (adopted in April 2017). I have experience designing policies and programs, in addition to managing a DA team of attorneys, investigators, paralegals and administrative staff, to make these reforms happen now. Like other NKD members, I am also committed to preserving and protecting our most fundamental safeguard in the political process - ensuring the right to vote - as the Female District Leader of the 52nd Assembly.

Of the following 9 questions, choose at least 5 to respond to based on your priorities.

<p>What will you do, as DA, to meaningfully reduce mass incarceration?</p>	<p>Mass incarceration reforms aren't simply about the reducing the jail and prison population overall. Our goal needs to be reducing the number of individuals who are arrested, awaiting trial, serving sentences, or are either on parole or probation. We also must address all the factors which lead to the disproportionate impact on people of color.</p> <p>As DA, I would exercise my discretion in 4 key areas to reduce mass incarceration, and retain a statistician to track any disproportionate impact on people of color:</p> <ul style="list-style-type: none"> ◆ I will augment intake at the Early Case Assessment Bureau (ECAB)-Complaint Room with experienced and sufficient staff to make decisions when to deflect cases from the criminal justice system, and to provide truth-in-charging (charging individuals with criminal behavior that they actually engage in and not overcharging as a negotiating tool). Appropriate charging decisions will reduce the number of people in the system in general, and set the stage for meaningful bail reform strategies at arraignments. ◆ At arraignments, my staff will not ask for cash bail for misdemeanors when there are other means to assure a person's return to court. I support the expansion of supervised release to other categories of crimes, and raising the \$2000 limit currently set for the <i>Community Bail Fund</i>. I also support the use of ankle monitors and other strategies to assure the return of people charged with certain felonies, as long as these strategies don't require a monetary commitment that penalizes poverty. This will have an overall impact on reducing the population of Rikers Island, to enable us to fulfill the ultimate goal of closing it. ◆ I support policies and programs which provide timely and complete discovery materials to enable defense lawyers to speak to the accused about plea bargaining options in a meaningful way. Thus, the time served being incarcerated at Rikers Island and state prisons will not be exacerbated by unnecessary delay, or inconsistently applied discovery practices. This strategy also encourages prompt and just disposition of matters, so that survivors of crime can experience some closure and saves valuable resources, in addition to reducing mass incarceration. ◆ I will expand current alternative sentencing policies and programs where offenders and neighborhoods can be better served by community-based treatment and services - tailored to address the root causes of criminal behavior - thereby preventing crime, saving resources, and reducing unnecessary incarceration.
<p>How will you use your prosecutorial discretion to eliminate racial and ethnic disparities in charges, bail, and plea offers?</p>	
<p>How will you work to reduce pretrial detention? Do you support expansion of supervised release programs?</p>	
<p>How will you use your prosecutorial discretion to minimize harm caused by broken windows policing?</p>	

<p>How will you work to support successful re-entry, following incarceration?</p>	<p>I was the co-chair of the American Bar Association’s committee on re-entry, and was chosen for that position because of my re-entry work from both the prosecution and defense standpoints. I was instrumental in bringing transitional employment to the participants in the Brooklyn DA’s re-entry program called <i>ComALERT</i>, and in obtaining the funds so that Dr. Bruce Western could publish the report on the <i>ComALERT</i>. As an adjunct professor at Brooklyn Law School, I created a program whereby my law students served as prospective employers who conducted mock interviews of re-entry program participants seeking employment. Finally, I assisted in the development of a program at Brooklyn Defender Services which taught law students how to correct criminal “rap” sheets, enabling clients to overcome re-entry obstacles. All of these strategies will serve to expand the Brooklyn DA Office’s role in ensuring the needs of our returning Brooklynites are met at the critical stages of transitioning from incarceration and early months of release. To facilitate successful re-entry, I will use my relationship with parole and probation to assure fairness and consistency of supervision.</p>
<p>How can the DA's office better support survivors of sexual violence while securing justice?</p>	<p><i>Fundamentally, I would promote a culture at the Brooklyn DA's Office which leaves no stone unturned - and assures the locus of responsibility doesn't fall solely on the survivor - when there are other means to successfully prosecute sex crimes.</i> Early in my career as an assistant DA, I worked in the <i>Sex Crimes Bureau</i>, and developed a deep sensitivity to how challenging it is for survivors to simultaneously participate in prosecution of the crime, while moving through the trauma. I would use an integrative approach with the personnel in my office who are dedicated to sexual violence prosecution, ensuring seamless support for these survivors. In addition to supporting those survivors where an arrest has been made, I would establish <i>Parallel Justice</i> programs to serve the larger community of survivors who may not even come to the attention of the police or DA. I will do this by educating the public, working with medical and law enforcement personnel, as well as other advocates who may interact with these survivors. In addition, I will review the practices and policies of the <i>Sex Trafficking Court</i> to ensure that sex workers are evaluated and treated as survivors of sexual violence, and hold traffickers accountable.</p>
<p>What do you see as the DA's role in protecting Brooklyn's immigrant community from President Trump's policies?</p>	<p>My staff and I will exercise discretion when prosecuting undocumented immigrants who are alleged to have committed offenses, and could face deportation. I will seek to hold such offenders accountable, but also recognize the unique potential for disproportionate punishment, including deportation. This applies to deflection, the plea bargaining process, sentencing, as well as the type of relief offered these individuals if convicted. When appropriate, we would expand use of diversion as a strategy in more immigrant-related cases, thereby increasing safety, conserving resources, and keeping families and communities together. We would also reach out to where survivors are physically located to encourage them to report crimes, and to reduce the fear of interacting with government agencies. In alignment with our designation as a “<i>sanctuary city</i>”, I would not allow the DA’s Office to serve as a location or a tool to persecute immigrants who happen to interact with my office in any way - including survivors, defendants and witnesses - and perpetuating unjust federal policies.</p>
<p>What funds have you raised for this campaign? What are the major sources of your campaign funds?</p>	<p>The majority of funds come from individuals - friends, family, colleagues, Brooklyn business owners, members of the treatment community, and other individual supporters.</p>

What endorsements have you received from publications, electeds, community leaders, or political organizations?	Independent Neighborhood Democrats (IND), Brooklyn Democrats for Change, Assemblymember JoAnne Simon, Former Assemblymember Joan Millman, City Councilmember Stephen Levin, and State Senator Daniel Squadron. Several other endorsements are pending.
What is one fun fact about you?	I love rock and roll, and have been to music venues throughout Brooklyn. I am so glad we added Coney Island to the mix.

I have reviewed this questionnaire and agree that the responses set forth in this document are accurate:

Candidate Signature: Anne Swern

Date: June 16, 2017

You must sign this questionnaire!