

**Justice For Massachusetts
2018 DA Candidate Questionnaire**

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Social Media

Facebook page: <https://www.facebook.com/EvandroForDA/>

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Grass Roots Support

List grassroots leaders/Organizations that are supporting your candidacy:

- Representative Mike Moran
- Representative Byron Rushing
- Representative Chynah Tyler
- Representative Jay Livingstone
- Representative Liz Malia
- Representative Jeff Sanchez
- Representative Dan Ryan
- State Senator Nick Collins
- Former Representative Gloria Fox
- Felix D Arroyo, Registrar of Probate
- Former NAACP Chair, Michael Curry
- Democratic State Committee Member, Dorothea Jones
- Democratic State Committee Member, Sarah Ann Shaw

**Please email responses to justiceformassachusetts@gmail.com
If there are any questions, please call 617-722-4320**

The Questionnaire is due April 27th

In 2018, it is clearer than ever that our criminal justice system is damaging the lives and life chances of individuals and communities, especially individuals and communities of color. It is doing so at the expense of real community safety and at huge expense in public resources. Big change is needed if we are to have a system that truly serves justice. We believe DA's have a central role to play in making that change happen--both in setting policies for prosecution and in advocating for laws to reform our criminal justice system.

General Questions

- 1) What experience do you have that will prepare you to reshape the criminal justice system through the DA's office?

I have the experience needed to reshape and re-envision the District Attorney's Office. As a former prosecutor and State Representative, I understand how the system works and know the reforms we need. I prosecuted cases in the Roxbury gun court and the district court downtown and saw the same people cycling in and out of the system. I know we need to re-evaluate the way we prosecute all cases. We need a District Attorney who knows the difference between a violent criminal who needs to go to prison, and a young person who deserves a second chance.

For the past four years, I have been serving as State Representative, representing parts of Dorchester and Roxbury. I have been working on criminal justice reforms and most recently played a major role in advocating for the criminal justice reform package that was signed by the Governor. I want those reforms to be implemented the way the advocates and legislature intended. I have been involved in creating these reforms for four years and have the experience and knowledge to ensure they become a reality.

Growing up and still living in Dorchester, I have seen the criminal justice system impact families all around me. Families are living in fear of gun violence and our youth are continuing to cycle in and out of the criminal justice system. I have built relationships within the community to begin to build back the public trust with the communities most impacted by the criminal justice system and make real changes that will impact families across Suffolk County.

- 2) What do you think about the growing prison population? What role with your DA's office take in reducing it?

We need to end mass incarceration and restore justice in our communities. More black and brown men are being sent to prison than any other population. I will re-evaluate how all crimes are prosecuted, including evaluating all mandatory minimum cases, plea agreements, and bail requests. I will focus on prosecuting serious crimes, but also divert people from the criminal justice system and implement restorative justice practices.

We need to use evidence based diversion programs that will focus on keeping individuals from entering the criminal justice system, particularly the youth, that too often leads to unnecessary lengthy jail or prison sentences, including diversion prior to court arraignment.

3) What are your thoughts on the War on Drugs?

We need to end the War on Drugs. It has not worked and predominantly imprisoned people of color. We cannot imprison our way out of the drug and addiction problems in our society. We need to take a public health approach by focusing on treatment and rehabilitation. That's why I was the lead filer on legislation to end mandatory minimums on non-violent drug offenses for the past four years. Furthermore, I believe we should expand the Conviction Integrity Unit, reviewing more cases to prevent, identify, and vacate wrongful convictions

4) Do you believe there is under-representation of women or people of color working in the court system? If so, how would you work to correct the problem?

Yes. As District Attorney, I would make recruiting and hiring more women and people of color a top priority. We need a diverse staff that reflects the communities we are working with. I am from Dorchester and have relationships with many community and advocacy organizations I would collaborate to recruit more applicants to the office.

5) Do you believe that all citizens have adequate access to legal help and the legal system? If not, what can be done to provide wider and better access?

It is crucial that we find more ways to support people who need access to legal help. We need a community based approach to ensure access. Hiring a diverse staff from the communities of Boston that also speak the many languages of Boston residents will ensure all citizens can communicate and ask questions about the legal system. As an immigrant to Boston, I understand the hurdles many immigrants and non native speakers have to understanding a complicated criminal justice system.

We must also stop our cash bail system that too often forces poor people to remain in jail or prison simply because they cannot afford the bail. People often lose jobs and homes when they are unfairly placed in prison awaiting sentencing.

6) What efforts will you take to increase language access for immigrants that's beyond the right to a court interpreter?

As an immigrant, I understand the challenges many immigrants face with a complicated criminal justice system. It is important to re-establish public trust with our immigrant population, especially in light of expanding federal immigration enforcement. I will hire an immigrant counsel to be part of the top cabinet of my administration to be able to advise the staff attorneys about these consequences.

- 7) What will you do to ensure that the community stays up to date on the changes you have made as District Attorney? How do you propose that the community should hold you accountable for the commitments you make during your campaign?

I will be a District Attorney that is fair, transparent and accountable to the people of Suffolk County. I grew up and now live in Dorchester with my wife and young daughter. I work with people in the communities of Boston every single day, and want to expand my outreach and accessibility to all neighborhoods. I will create community liaisons to work with each community, attend community meetings, and send out newsletters regularly. I will also hold monthly community meetings across Suffolk County where people can attend and have a conversation. I will also implement proven data collection practices and periodically report to the public information about the cases and the people the office is prosecuting and their outcomes.

Alternatives to incarceration:

- 1) What specific types of programs (please give examples of programs in other jurisdictions) will you implement or expand to deal with issues of mental illness?

Expanding mental health and drug courts will be a top priority for my administration. We must ensure that people with mental health issues and addiction receive adequate treatment. As State Representative, I have been working to ensure there is money secured in the budget to expand these courts so people can receive treatment. I will also look to implement a young adult (18-24) office to deal with the specific needs of emerging adults. Data has shown that our brains do not fully develop until the age of 25 and this group also has the highest recidivism rates. I am aware of a similar session in San Francisco being implemented that may serve as a model.

- 2) How do you plan to handle issues that arise with children in school ending up in court?

We need to stop the cradle to prison pipeline. As State Representative, I successfully fought for legislation to raise the age of criminal responsibility and we compromised raising it from 7 to 12, but we must continue to push further. Our children's brains are not fully developed until 25 and we need to treat our children differently than adults that commit serious crimes. Utilizing youth courts and engaging with our schools and community groups we must create proven diversion strategies for our children.

3) Will you commit to establishing and fully funding a pre-arraignment diversion program that allows people arrested for petty offenses, including low-level drug possession or sale, to get the help and support they need without needlessly exposing them to the consequences of a criminal conviction? If not what specific steps will you take to create avenues for defendants to be diverted away from criminal prosecution?

Yes, I believe diversion programs are crucial when handling non-violent, low level drug offenses. As State Representative, I have been fighting for the past four years for more funding for youth jobs and diversion programs.

4) Will you commit to expanding pre-trial services? Which services will you commit to expanding or developing?

Pretrial services are critical to increase public's involvement in the court process. Whether we're dealing with defendants, victims, or witness and their families, we need to do a much better job and increasing the public's understanding of the process. Recent data in massachusetts suggests only 27 percent of black voters believe the courts treat Black and Latino defendants fairly (Mass Inc Polling). I believe that a big factor is lack of diversity within the courts as well as lack of understanding of the process. I am that am proud of the work we have done in the legislator this year to pass a law calling the "office of pretrial services" that will develop programs to minimize pre-trial detention and notify defendant's of court appearances obligations.

As the next District Attorney, I commit to full cooperation with this new office. I will serve as an active partner to come up with strategies about how to support individuals and their families during pre-trial process. I will also evaluate further how the office communicates with witness, victims, and their families and look for ways to further increase the way we assist them. I will also develop strategies to come into the various communities of Suffolk County to educate the public regarding court process.

5) What percentage of your budget will you commit to establishing and supporting community vetted alternatives to incarceration?

As District Attorney, I will re-evaluate the entire budget and see how money is being spent. We should be spending more money on supporting diversion programs and restorative justice practices. In the most recent criminal justice reform bill, we have required all District Attorney's to create restorative justice practices, and I would commit to putting substantial money into the programs in Suffolk County.

6) Will you commit to diverting or dismissing all simple possession drug cases?

We need to focus on the serious crimes are prosecuting violent criminals. Prosecuting simple drug cases and incarcerating people actually costs the state more money than dismissing the simple drug possession cases. We need to treat drug addiction as the disease that it is.

Charging/Pre-Trial:

- 1) Will you commit to not requesting cash bail in all misdemeanor and low-level felony cases?

As District Attorney, I will stop cash bail imprisonment that too often forces poor people to remain in jail or prison simply because they cannot afford the bail. I am proud of the legislation we just passed to assure that judges will only impose bail that defendants can actually afford. But according to a report produced by Mass Inc., "Geography of Incarceration," 35000 people were held pre-trial in Suffolk County jail from 2009-2015. During the same period, only 8000 were in the jail serving a sentence. That is over 80% of the people being held pretrial. As a former prosecutor, I know that that the vast majority of the cases do not end in a defendant being sent to jail; the question for me then is why are we holding people pre-trial for crimes that they do not go to jail for even after a conviction. As the next DA, I commit to reevaluating our bail practices on all cases and ensuring that people will not be imprisoned because they can't afford bail.

- 2) More and more youth are being held in adult jails before they even reach trial. As DA, what would you do to keep children out of the system?

We must find every possible way to keep children out of the system. In cases where there are non-violent charges, we should use restorative justice and proven diversion strategies to keep the children out of prison. We should also work to advocate for reforms that would include young adult detention centers and units so children can be treated differently. I will also work to continue the age of criminal responsibility so our youngest children are kept out of the system.

- 3) Tens of thousands of people are under correctional control for minor non-dangerous misdemeanor offenses. What will your office do to limit unnecessary criminal prosecution for those accused of minor non-dangerous offenses? Will your office commit to reducing the number of misdemeanors charged in cases where there is no threat to public safety?

As District Attorney, I want to focus on the serious crimes being committed. As State Representative, I have been fighting to repeal mandatory minimum sentencing in school zones that unfairly prosecutes minor charges when near a school zone in Boston. I would go further to re-evaluate all mandatory minimum sentences to ensure they are focused on serious violent crimes.

- 4) In many cases a minor criminal charge can have devastating immigration consequences. What will you do to work with our immigrant populations to ensure they are exposed to additional punitive consequences? Would your office commit to considering

immigration consequences for defendants as part of determining what to charge? Additionally, would you institute guidance and education for your prosecutors to avoid extreme immigration penalties (i.e. deportation)?

As an immigrant, I understand the challenges and fears the community faces. I still live in a predominantly immigrant community where people are hiding because of the recent national policies. I will continue to work with the immigrant communities to rebuild their trust and develop more communication strategies. As District Attorney, I hope to bring on an immigrant Counsel to work with and train all our prosecutors to better understand the consequences of charges on immigrants. I will also look into working with advocates that would work with immigrants step by step through the process, similar to witness advocates.

5) Will your office create and share clear policies that detail when and why you will use sentencing enhancements?

As District Attorney, I will be transparent and clear about all policies I implement.

6) Will your office commit to using independent prosecutors to investigate cases of alleged police brutality?

I have been a long time advocate for assigning special outside prosecutors when there has been a civilian death involved a police officer. I would also consider requests an inquest where a judge would also be assigned to investigate.

7) Are there mandatory minimums you will commit to stop using to pressure people into pleading guilty? If not, why not? If so, which?

As District Attorney, I will look to re-evaluate all mandatory minimum sentencing guidelines. As State Representative, I was the lead file on legislation to repeal all mandatory minimum for nonviolent drug offenses and in school zones where people have been unfairly prosecuted.

I will also continue to advocate for "safety valves" legislation that would grant judges the option to circumvent mandatory minimum sentences on limited non-violent situations

8) What efforts will you take to identify cases where individual uses the criminal system for retaliatory purposes?

Criminal prosecution should only be pursued for justice and never for improper purpose such as retaliation. As District Attorney, I believe we should train prosecutors to examine all angles of cases to identify where retaliatory motivations may occur. Prosecutors should also work with the communities and families of the defendants and victims to understand the entire picture of the case. Implementing more restorative justice practices provides the right incentives to secure justice without encouraging retaliation.

Administrative:

- 1) In many prosecutor's offices, prosecutor performance is measured by their conviction rates. Would you commit to using alternative metrics you would use to measure prosecutorial performance? If so, which?

I do not believe in using conviction rates as a way to measure the success of the district attorney's office. As District Attorney, I promise to implement new trainings for all prosecutors to ensure they are looking at the entire case to find diversion strategies that keep people out of prison in non violent crimes. I commit to an office who seeks truth and justice and treats everyone fairly.

- 2) Will you commit to collecting and sharing data with the public? Would your office commit to collecting demographic data (e.g., race, gender and sexual orientation) about who is charged, what they are charged with, what plea is offered and what bail is recommended?

Yes, collecting data and being transparent with the data is a top priority for me. The Council on State Governments (CSG) criminal justice analysis demonstrated that Massachusetts currently fails to collect crucial data at most of the significant decision points in the justice system. As State Representative, I have advocated for money in the budget to collect data, particularly on our youth, to add juvenile-specific data reporting requirements – disaggregated by age, race, ethnicity, gender, gender identity, sexual orientation, and offense by statute. We need more data to determine how we are sentencing individuals and creating diversion plans that are successful.

- 3) Will you commit to making the raw data (above) available to the public (of course this would exclude personally identifying information)?

Yes. I hope to make all data transparent. I promise to being a fair, transparent and accountable District Attorney and will make collecting and sharing data a part of my administration.

- 4) Would your office commit to an open file policy that provides defendants with information about their prosecution as early as possible?

Yes, defendants need to understand the charges against them. I commit to running an office that is ethical and fair. Anyone who is accused of a crime is entitled to fast and thorough "discovery" of the evidence so his or her attorney can adequately defend the charges.

Wage Theft:

1) Wage theft is often left to attorney generals or civil lawsuit to be dealt with instead of being prosecuted as theft. Will you commit to use your office to prosecute employers who are stealing wages?

Yes. As District Attorney I plan to create an Economic Crimes Unit to prosecute white collar crimes, environmental crimes, mortgage fraud, and other related crimes such as wage theft.

Civil Forfeiture:

1) In what circumstances will your office move for civil forfeiture?

We must stop civil forfeiture abuse and review how and where the funds are being allocated. We should be using civil forfeiture when there is clear nexus between the property being seized and the crime that has been proven to have been committed.

Post-Conviction:

1) What steps will you take to reduce re-incarceration for people who pose no public danger but have violated their supervision?

Lengthy probationary periods and expansive conditions are often barriers and do more harm than good. I will start by making sure the conditions in place are actually needed not only to protect the public but also to rehabilitate the defendant. Cases involving defendants dealing with substance abuse or mental issues should avoid re-incarceration because jails do not adequately give people the treatment they need.

Lobbying:

1) How will you use your public and political influence to reduce mass incarceration and racial disparity in the criminal justice system?

As State Representative, I have been creating and lobbying for legislation to end mass incarceration and racial disparities in our criminal justice system for the past four years. Recently, Massachusetts passed one of the most historic pieces of reforms that will make huge strides for the families across Massachusetts. I worked with colleagues, advocates and citizens to make these reforms a reality and have continued to develop relationships with these organizations. As District Attorney, I will leverage the relationships I have built at the State House to advocate for more even more reforms.

2) Will you support the following State legislative proposals:

- Ending cash bail? *Yes, particularly for misdemeanors and nonviolent felonies.*

- Increasing the age at which an offender is charged in juvenile court? *Yes, I filed the legislation to raise the age of criminal responsibility.*
- Repealing mandatory minimums? *Yes. I filed the legislation to repeal mandatory minimum sentences in school zones, and have continued to advocate for repealing more.*

3) Key to the integrity of our criminal defense system is the right of defendants to meaningful representation throughout the criminal justice process. There have been huge cuts in the budget of public defenders that have made it hard for them to do their job. Will you advocate for fully funded public defense at the local and state level?

Yes, all people deserve meaningful representation and access to a public defender. I will use my relationships to lobby the state house and city governments for more funding for public defenders.