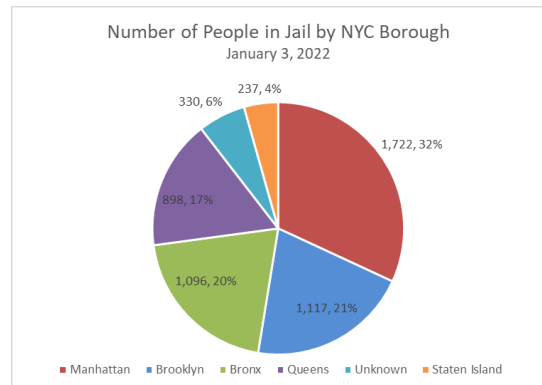


Manhattan DA Alvin Bragg Day 1 Memo - FACT SHEET

Over-incarceration has not made Manhattan safer. Years of data and research have proven that incarcerating those charged with nonviolent and minor offenses leads to recidivism, and makes us less safe. Proven strategies to address the root causes of this behavior, such as mental health and drug and alcohol addiction, make us safer.

And with jail now costing a half million dollars per year just to house one person, reserving this tool only for those who commit truly violent acts allows our city to use those millions of dollars to prevent gun violence and focus on truly violent crime. **Tellingly, for years, Manhattan has over-incarcerated relative to every other borough in NYC, and has higher crime rate (see charts).**



Through his personal life growing up in Harlem and his professional life as a civil rights lawyer and prosecutor, DA Bragg has seen every side of the criminal justice system. He's released his policies and guidelines for his office to deliver safety and fairness for all.

Here are key points:

Continuing to prosecute dangerous crimes. Safety is paramount. New Yorkers deserve to be safe from crime and safe from the dangers posed by mass incarceration. DA Bragg will be tough when he needs to be, but will not be seeking to destroy lives through unnecessary incarceration.

Not prosecuting minor offenses that have no impact on public safety – This will not only make us safer by not further destabilizing their lives, it will also free up prosecutorial resources to focus on violent crime.

Increasing the use of diversion and evidenced-based programs in lieu of incarceration - Well-designed initiatives that support and stabilize people – particularly individuals in crisis and youth – can conserve resources, reduce re-offending, and diminish the collateral harms of criminal prosecution.

Reduce Pretrial Detention - Particularly given the ongoing crisis at Rikers, and drastic rise in deaths in custody, we must reserve pretrial detention for very serious cases. The data show that the overwhelming majority of those released pretrial do not commit a violent crime while at liberty. The data also shows that incarceration in and of itself causes recidivism, so unnecessary incarceration makes us less safe.

Limit Youth in Adult Court - Research tells us that prosecuting children in adult court can lead to recidivism, making us less safe. This should be reserved for only the most serious cases.

Limit sentence length - Research is clear that, after a certain length, longer sentences do not deter crime or result in greater community safety.

Actively support those reentering - Supporting those returning from incarceration reduces recidivism and makes our communities safer. Over half of people returning to the city from state prison end up in homeless shelters. Finding better supports for them will make us safer.

Invest in communities impacted by gun violence - Communities impacted by gun violence need additional funding for community-based programs to strengthen community bonds and to support vulnerable individuals.

Manhattan DA Alvin Bragg

Day 1 Memo - FAQ

1. Why did he make these changes?

Alvin Bragg was elected to deliver safety and justice for all. From growing up in Harlem and working as a prosecutor, he's seen every side of the criminal justice system and one thing is clear – what we are doing now is NOT working. He released a plan to fix it. New Yorkers deserve to be safe from crime and safe from the dangers posed by mass incarceration. He will be tough when we need to be, but we will not be seeking to destroy lives through unnecessary incarceration.

2. What does the Day 1 Memo say about resisting arrests?

Answer: First, assaulting an officer is a felony crime that the DA will prosecute (and has prosecuted previously in his career). Our policy change states that people cannot be charged with resisting arrest as a standalone crime, or when resisting arrest for a non-criminal offense such as “disorderly conduct.” This means that if someone is charged with a genuine crime and resists arrest, they can be prosecuted.

3. What does the Day 1 Memo say about robberies?

Answer: Robberies are a serious offense and will continue to be prosecuted (and have been prosecuted by DA Bragg previously in his career). The memo instructs ADAs to make a common-sense difference between two very different types of cases: a person holding a knife to someone's neck, and someone who, usually struggling with substance use or mental health issues, shoplifts and makes a minimal threat to a store employee while leaving. We will not treat these cases equally. We will continue to charge those who pose a genuine risk of harm with violent felony offenses, but will not over-charge those who pose no genuine risk with the same violent felony offense.

4. Over the last couple of years, there appears to be more mentally ill people on the streets. How will your Office help?

Answer: We will address the root causes of this, working hand in hand with the Mayor's Office and other agencies to invest in services, including supportive housing, to ensure seriously mentally ill people receive the services they need and to ultimately reduce crime in our communities. When those charged with crimes present mental health issues, we will find appropriate programs to address those issues, and not send them to jail where we know they will not get the help they need.

5. What charges will no longer be prosecuted?

Answer: All felonies we continue to be prosecuted, but we will not prosecute certain low-level misdemeanors that will not impact public safety, unless they are part of a larger felony case. These include: marijuana, fare evasion, some trespass cases, driving with 1 or 2 license suspensions, non-criminal offenses such as traffic infractions, resisting arrest for any non-criminal offense, prostitution, and obstructing governmental administration.

6. How will we address repeat shoplifting?

Answer: We will establish a taskforce to work with mom-and-pop business owners, cure violence providers, community leaders, advocates and law enforcement to develop community-solutions and support services to this serious issue.

Manhattan DA Alvin Bragg Day 1 Memo - CHARTS

