

Justice For Massachusetts 2018 DA Candidate Questionnaire

Candidate Name: John E. Bradley

Phone #: 617- 894-9370

Email: johnbradley4da@gmail.com

Website: Coming soon

Facebook page: John Bradley For Plymouth County District Attorney (will be published soon)

Twitter handle: @johnbradley4da (will be active soon)

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 am a career prosecutor with 26 years of experience in both the state and federal criminal justice systems. For the past dozen years, I have focused on homicide cases. I believe my experience, at the highest levels, has given me proper perspective to initiate necessary reform.

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

Our prisons are terribly overcrowded. I believe in alternatives, like diversion and treatment for non-violent crimes. I also strongly believe in bail reform.

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

The war on drugs has been an epic failure. Simply put, we lock up too many people who are drug dependent instead of getting them treatment. It has also cost an absurd amount of money that could have been spent on treatment and other causes.

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, I believe that a District Attorney has to actively recruit women and people of color for legal positions in the office and it's equally important to provide family friendly policies, mentoring programs, and professional development within work environments to attract, support and retain women and people of color. Promoting an atmosphere of respecting diversity with on-going trainings and discussions is also important.

In addition, mentoring students at young ages and introducing them to the court system through school programs, even at the elementary level, exposing all student to the possibilities that exist and empowering

them to believe they can be a prosecutor, advocate, defense lawyer, judge, or other court personnel. As always, it's vital to work together with under-represented groups to listen and learn what has helped and what hasn't.

Moreover, young lawyers who enter public service are grossly underpaid yet straddle loans and families. Often time they leave for the private sector after only a few years for financial reasons. We need to improve salaries while simultaneously supporting professional growth.

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?

I do not believe all citizens have equal access to legal help and the legal system. Clearly, those who can afford attorneys have better access to legal help than those who can't. It's important to have increased funding for legal service agencies for those who are low income. (Disclosure: My wife works at Greater Boston Legal Services.) In addition, increasing the availability of advocates in courts, such as "lawyers of the day," while not ideal for all cases, could be helpful.

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

In the office, at a minimum, I will aim to have bi-lingual victim witness advocates whose role is vital when working with victims and their families and I will aim to hire prosecutors with similar language skills. I will also look into the availability and use of a language access telephone line in which employees can obtain an interpreter over the phone and look into available contracts with interpreters for scheduled meetings.

In the courts, it's important to have pro se material in various languages and it's important that all court personnel continuously receive trainings on working with those who are limited English proficient.

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 post updates on the DA website and other social media outlets as well as continuously meet with community groups to discuss changes.

I constantly tell community members to hold me accountable, post election, should I waive or renege on my campaign promises. I hope to hold regular meetings, possibly quarterly, with community members where we can have candid discourse to discuss this very issue. I will have an open door policy, inviting community members to contact me with concerns or ideas so we can work together.

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?

As an experienced prosecutor, I think, simple as it sounds, a key issue is communication, specifically conversations between prosecutors and defense counsel. If prosecutors hear from defense counsel that a client has a mental illness, with supporting documentation and input from professionals, the prosecutor can recommend appropriate treatment, rather than punishment. In other words, it's imperative to identify

the issue in the first instance and then propose the appropriate treatment.

It's important to continuously be informed and have trainings on recognizing mental illness and effective treatments. I will work with the community and local experts and continuously keep up on effective programs.

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

First, it's important as DA to work collaboratively with schools, community agencies, families, social service programs, mental health providers, and police to exhaust all options preventing children from entering the court system in the first place. Then, if children do enter the system, we need to constantly remember that the juvenile system is not supposed to be punitive; the overarching goal is rehabilitation, understanding their situations, and getting children the help they need.

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 firmly believe in pre-arraignment diversion for minor offenses.

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

Yes, I believe pretrial probation is a valuable tool, particularly for first and second time minor non-violent offenders. I am open to discussions of additional pretrial services, including treatment programs.

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

This is difficult to answer without the details of how the budget is currently allocated. I will promise to be receptive to consideration of alternatives to incarceration for most nonviolent crimes. I believe firmly that too many people are incarcerated, much to the detriment of our society.

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

Yes, absent unusual circumstances, such as where a violent felon gets arrested for possession.

Charging/Pre-Trial

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

Yes, in fact I am the author of a proposal to eliminate the cash bail system entirely.

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?

I think more community outreach with children and youth is needed to prevent involvement in the system. As DA, I can set up a liaison to work with schools, children's groups, community agencies, employers, social service agencies, and police to expose youth to healthy choices and that meet their needs.

Should youth get involved in the courts, I would aim to assign prosecutors to the juvenile courts who have

a passion for that type of interactive work- as opposed to constantly rotating new prosecutors- and possibly pay them more. Recognizing the differences between youth and adults is imperative in this work.

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?

I think diversion and pretrial probation are key solutions to this problem.

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 [not] 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)?

A prosecutor's office needs to establish trust with the community, particularly the immigrant communities. Trainings on collateral immigration consequences are important and these consequences should absolutely be considered as part of any disposition. Yes, I would institute guidance and education for prosecutors.

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

Yes

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

Yes

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

Yes, for drug cases not involving heroin or fentanyl. These drugs are literally killing people and the new penalties promulgated by the legislature are warranted. I also believe the minimum/maximum for illegal gun possession serve a purpose. While case can be looked at individually, these guns are killing people in our communities with regularity.

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

I will set the expectation that prosecutors in my office review cases thoroughly, aware of possible retaliatory purposes, and if a case is baseless, it would be dismissed.

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?

Yes, I believe rates of successful diversion, probation, and non-recidivism are important.

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, although recognizing collecting data can be quite labor intensive this would require reviewing availability of resources to determine what can be done when.

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

Yes

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

Yes

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, absolutely

Civil Forfeiture

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

This would be for most cases of higher level drug dealing and multiple offender operating under the influence cases. Looking at cases each time.

Post-Conviction

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

I would work with the probation department and lobby them to help such people out of jail and extend probation. It's important to understand the cause of the violations and create plans to resolve barriers.

Lobbying

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

I will work with already established relationships and forge new connections with state lawmakers and policy folks to push forward proposals to reduce mass incarceration and racial disparity, such as abrogating our cash bail system and increasing adult diversion. I will listen to and work with community members, using my influence to bring about change.

2) Will you support the following State legislative proposals:

- **Ending cash bail?** Yes, as explained above, this is a significant issue for me.
- **Increasing the age at which an offender is charged in juvenile court?** Yes
- **Repealing mandatory minimums?** Yes, as discussed above.

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?

Absolutely, prosecutors and public defenders play equally important roles in our criminal legal system. We are both under compensated and I would lobby for higher salaries for both sides of the criminal legal aisle.