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## PRESS RELEASE

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### **District Attorney McMahon Pens Letter Reflecting on the Murder of George Floyd in Minneapolis; Outlines New Efforts at RCDA to Address Racial Bias and Reaffirms Commitment to RCDA's Ongoing Initiatives Ensuring Fairness in the Criminal Justice System on Staten Island**

*\*\*In the wake of the tragic police-involved murder of George Floyd in Minneapolis, DA McMahon has reaffirmed his commitment to address and prevent racial bias in our criminal justice system with new and ongoing initiatives\*\**

To My Fellow Staten Islanders,

I hope that you and your families are all doing well. Like many of you, I am deeply troubled and concerned about the current state of affairs in our city and across our country. Over the past week, I have been reflecting on the role prosecutors play in our society and our obligations to be part of the ongoing and never-ending work of making America a fairer, more just, and better place to live for everyone.

Every single one of my ADAs, Detective Investigators, and Detectives in the DA Squad has taken an oath to support the United States Constitution and the New York State Constitution and we constantly remind ourselves that justice needs to be administered fairly, without fear or favor and never based on a suspect's race, religion, gender, sexual orientation, or creed. When we say that, in fact when we preach that, and then see a black man begging for his life with a knee jammed into his neck by a police officer who swore he would serve and protect the people of Minneapolis, it sickens us. It's devastating and it's wrong.

George Floyd's murder in Minneapolis was not only a tragedy for his family and community, but it was a crime that demands justice hold the officers responsible for his death fully accountable under the law. I have yet to speak with anyone in law enforcement who disagrees with that sentiment.

As we have seen, the loss of Mr. Floyd, and the loss of too many others in similar situations, has renewed a sense of fear, frustration, and anger across the country, severely damaging the substantial progress that had been made to build trust and strengthen the relationships between law enforcement and the communities we serve. While tens of thousands of Americans have joined together to exercise their constitutionally protected right to assemble and express their grievances in peaceful protest, in many parts of the country and other boroughs in this City, these protests have been marred by descension into violence and looting. Unfortunately, these violent acts and the rhetoric used by perpetrators, has done more to divide us than refocus us on the difficult and necessary work ahead.

It goes without saying that, this incident and many others like it, strike close to home. Staten Island is no stranger to the pain of racism and loss of life. Eric Garner's death has been frequently mentioned as a rallying point of these protests and movement. Yet, despite that tragic connection, here on Staten Island, I am incredibly proud that, to date, our protests have not yielded one single arrest nor one instance of violence or looting. And there have been many protests, in many neighborhoods. All have been peaceful, loud, passionate, made up of a diverse group of citizens, and all of them have been held in tandem with the support of our local NYPD leadership who has been amazing in fostering a positive and safe environment for this expression to take place.

I have been asked many times over the last week, why haven't we seen violence or looting on Staten Island? What have we done since Eric Garner's death to improve the relationship between law enforcement and our community? What has changed here in the last six years?

The answers to these questions are something that all Staten Islanders should reflect upon and be immensely proud of. They are lessons that other jurisdictions can take and build upon:

First and foremost, we have had a continuum of local NYPD leadership on Staten Island, currently headed by Chief Kenneth Corey, and previously by Chief Edward Delatorre, that just gets it. They deserve immense credit, not only because they proactively engaged with protest organizers to ensure the safety of everyone during recent demonstrations, but because they work to build those relationships all year round, not just in times of crisis.

Second, on Staten Island, our police officers are also our neighbors. What gets lost in a lot of these conversations is the humanity. Police officers and ADAs need to remember to always see the individual behind the suspects we arrest and charge, and members of the community need to also see the humanity in the police officers who protect and serve our neighborhoods. When people are more than an arrest number or a badge number, it's easier to tamp down the rhetoric, show empathy, and do the right thing.

Third, Staten Island voted for change when they elected me to be their District Attorney in 2015, the first election for District Attorney in this county since the death of Eric Garner. I ran a unique campaign supported by a coalition of leaders across the many diverse communities of our borough AND also uniformed law enforcement unions. I promised to fight for fair funding for this office, which would allow us to modernize and transform our opera-

tions, fight the opioid epidemic and domestic violence, and build real trust between law enforcement and the community. We have worked tirelessly to deliver on these promises and our connection to the community has never been stronger.

Here is a list of just some of the changes we at RCDA have implemented in the last 4 ½ years to make that possible:

- **Established RCDA's first Community Partnership Unit.** This Unit is now comprised of 6 Staten Islanders who have an ever-active presence in the community. They attend civic and community meetings, build out events to prevent crime, educate and inform Staten Islanders about the criminal justice system and work we do, and they serve as direct points of contact for constituents with a question, concern, or issue.
- **Created a Staten Island Hate Crimes Task Force.** DA-led group of dozens of SI community leaders from diverse communities united to denounce hate and promote understanding, unity, and celebration of diversity on Staten Island.
- **Created an Alternatives to Incarceration Unit.** We now have an entire unit dedicated to alternatives to incarceration programs, led by an Assistant District Attorney and a licensed clinical social worker who review each and every case that comes into RCDA. We have dramatically increased access to ATI and have over 30 diversion or alternative to incarceration programs available for case referral.
- **Launched Project Reset.** Just this month, we launched a new pre-arraignment diversion program for non-violent misdemeanor cases. If an individual completes two community-based interventions, we will decline to prosecute the case. The arrest will be sealed and the case never docketed.
- **Named a Critical Incident ADA who responds and coordinates with relevant agencies (Attorney General, IAB, CCRB, etc) in all police involved use of force matters.** We have a Deputy Bureau Chief named to this role.
- **Instituted protocol where RCDA will issue a "DA's Report" at the conclusion of a police use of force investigation if there is a decision to not bring criminal charges.** This report is published publicly for all to see the evidence and process that went into making the evaluation not to bring charges. RCDA published its first DAs report earlier this year following the death of Faustino Dioso in 2019.
- **Established a Conviction Integrity Review Unit.** We recognize the importance of reviewing past convictions to ensure justice was properly handed down for all defendants. This work enhances the community's trust in the criminal justice system and our ability to pursue justice without bias.
- **Hosted 3 Fresh Start Summons' Clearing Events.** Over 400 Staten Islanders have attended and cleared summonses at our Fresh Start events since 2016, a first for our borough.
- **Created and Manage Saturday Sessions Programming for Youth in Stapleton and Park Hill; and Saturday Night Lights for Youth in Mariners Harbor.** Working with youth counselors and mentors at the Gerard Carter Center, RCDA's Community Partnership Unit works to build and fund programming every Saturday night from September – June for youth in these neighborhoods. Before this program started, The GCC was closed on Saturday nights during the school year in one of Staten Island's most underprivileged and violence-prone neighborhoods.

- **Established an Immigrant Affairs and Collateral Consequences Unit.** Led by an attorney with significant experience in immigration law, this unit investigates and prosecutes crimes that target victims because of their immigration status, provides counsel to ADAs on cases with collateral consequences, liaises with the immigrant community and develops programming to enhance trust between new immigrant communities and law enforcement.
- **Created the HOPE Program, HOPE 2.0 and OAR Court Programs.** HOPE is a groundbreaking pre-arraignment diversion program that moves low-level drug offenders who are arrested out of the criminal justice system and connects them with treatment and other services. If participants meaningfully engage, their case is never docketed and their arrest is sealed. HOPE 2.0 and OAR expands HOPE 1.0 to a post-arraignment model so that more cases are eligible. Over 700 individuals have successfully graduated these programs in the last two-three years.
- **Opened Staten Island's Veterans Court.** This model gives veterans who are caught in the criminal justice system a problem-solving approach to justice that recognizes their service to our country, while avoiding incarceration.
- **Reinvigorated Staten Island Mental Health Treatment Court.** In 2016, just 9 individual defendants were engaged in Mental Health Treatment Court on Staten Island. We assigned an experienced ADA to handle these cases and provide greater oversight, and now more than 50 individuals are utilizing this problem-solving model that provides an alternative to incarceration.
- **Publish an Annual Report** that informs the community about the work we do and increases transparency between us and the community regarding our top priorities and initiatives.
- **Created Social Media Accounts for the Office and Modernized our Website with Updated Content to improve communication and transparency with the public.**
- **Increased our staff by over 50% and promoted diversity in our leadership team.** 58% of our supervisors are women and/or minorities.

Although I am incredibly proud of the changes we have brought about in these last few years, recent events remind us that **much work remains to be done**. And, it is incumbent on us as stewards of justice to recommit ourselves to living up to its ideals — to do better and be better for our community and our country. I know that those who come to work at RCDA do so because they believe in that mission to its core. I promise my fellow Staten Islanders that we will continue to work with that same vigor and passion, but I also know the difficult work that lies ahead.

Below are some first steps I am initiating for RCDA so that we continue to lead the way in being part of the solution:

1. **Internal RCDA Working Group.** We will assemble an internal working group of RCDA employees to evaluate and make recommendations of ways to improve our office culture, our policies and protocols, and the criminal justice system on Staten Island.
2. **External Working Group.** We will invite community leaders to spend time at RCDA, see how we conduct business, observe court operations, interview our staff, and make recommendations about ways to improve the criminal justice system on Staten Island.

- 3. Every RCDA employee will participate in implicit bias and diversity training.**
- 4. We will continue to fight to bring a Community Justice Center to Staten Island.**

During my time serving as your District Attorney, I have been truly amazed by the integrity and dedication my entire staff brings to their work, and I remain hopeful and confident that brighter days lay ahead for our city and our country. Together we will build a stronger, fairer, and more just criminal justice system for all.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. McMahon". The signature is fluid and cursive, with the first and last names being more prominent.

Michael E. McMahon