

I. BACKGROUND

1) What, if any, elected or appointed government office(s) have you held?

N/A (This was not strictly speaking a government office, but Krasner was appointed by Mayor Goode to a 'blue ribbon' panel to investigate police overreaction to a protest involving ACT UP. Around 1990.)

2. If you have previously held a government office:

a. What are the primary issue areas in which you were involved?

N/A

b. What committees, caucuses or working groups have you served on?

N/A

3) If you have not previously held a government office, what community or policy issues have you worked on, and in what capacity? (Please provide the names of two or three individuals who can provide information about your previous work.)

Lawrence Krasner worked for indigenous rights, homeless people, and the poor in criminal matters during law school. During and after law school, he received offers from state and federal prosecutors' and public defenders' offices for permanent employment around the country.

After deciding to settle in Philadelphia with his spouse (a civil rights lawyer who became a Common Pleas judge in Philadelphia 16 years ago---they have been married 27 years), also a Stanford Law graduate, he chose to work as a public defender in Philadelphia from '87 - '91 and was then promoted to the Federal Public Defender's Office in Philadelphia ('91 - '93). In 1993 Krasner started his own private law practice, specializing in criminal defense and civil rights matters. Krasner has remained in private practice ever since. During that time, Krasner has tried thousands of bench and jury trials in criminal and civil court in the Philadelphia area as well as other jurisdictions. He enjoys an excellent reputation and is rated a perfect 10.0 by the Avvo peer/client review process.

His career encompasses 30 years of fearlessly standing up for justice and fair treatment on behalf of clients of every stripe. His clients have included defendants arrested for free speech activity (e.g. members of all the following groups---ACT-UP, Heeding God's Call, RNC 2000 protesters, Occupy Philly, DNC 2016 protesters, Casino-Free Philadelphia, disability rights protesters, Reclaim Philadelphia, Dream Act immigration rights activists, anti-death penalty protesters, KWRU, Black Lives Matter, Philadelphia public school activists, Earth Quaker Action Team, Grannies for Peace, etc.).

Previous work informational sources: Leigh Skipper, Chief Federal Defender; Michael Coard, Esq. (private attorney, journalist); Trevan Borum, Esq. (private attorney, ex-prosecutor); Anthony Voci, Esq. (private attorney, ex-prosecutor).

4) Please provide copies of all your significant campaign materials, including position papers, and information on your campaign strategy, expected funding sources, and endorsements.

More so than any other candidate, Lawrence Krasner has a campaign based on ideas. He was the first candidate to put forth a comprehensive platform for criminal justice reform on his website despite being the seventh to enter the race. That platform is evident in the 11-minute video of his announcement, available at krasnerforda.com.

While Krasner has what is unquestionably a long history of public service and fighting for civil rights in this city, his ideas (they are the most progressive ideas in the race) led to this campaign's unprecedented coverage in the press. His platform consists of ending mass incarceration, fixing our broken cash bail system, not seeking the death penalty, reforming civil forfeiture, and many other concrete reform measures. These positions have already helped shape the conversation of this race and can now be heard echoed from many of his opponents.

Critical to Krasner's path to victory will of course be his grassroots support. Thanks in no small part to his history of defending community organizers and activists, Krasner entered this race with the ability to activate hundreds of volunteers eager to help him achieve victory. Given the circumstances of this race, a strong ground game is crucial. This campaign has brought on several experienced field operatives who work together with a strong network of volunteers. Krasner's field operation has shown its strength early on in the campaign through his volunteer-led petition effort, which overwhelmingly obtained his over 5,000 signatures submitted for nomination. Simply put, the rate of verification of these signatures is very high because they are overwhelmingly the product of volunteer work. It can also be seen in his overwhelming victory in the Philadelphia Tribune's online poll (the only publicly printed poll of the election thus far) in which he defeated his closest competitor 3 -1 and received about twice as many votes as all other candidates put together.

Krasner is renowned as an unapologetic progressive and protector of the people's voice has been an invaluable asset in fundraising. In addition to usual campaign fundraising methods, such as calling donors, setting up fundraisers, and of course digitally fundraising, this organization is treated to an almost daily stream of unsolicited small donations. Although we are not discussing any specific internal numbers until the cycle 1 report, we can say that we already have approximately a dozen fundraisers scheduled either before or immediately after the first cycle (some of which are expected to bring very strong funding), experienced fundraising staff working around the clock on donor research and call time, and a comprehensive digital program to prolong and grow our stream of small donations.

Extremely broad, deep and diverse support is expected for Krasner. Several progressive groups such as Philly for Change, who know Krasner not only as a strong voice for progressive causes in the city, but also an irreplaceable ally when their rights are threatened, have already expressed interest in supporting the campaign and can be expected to endorse shortly. Faith groups have received him warmly as they complete their endorsement process. Many ward leaders and various groups of ward leaders are expressing strong interest as well in their process. Furthermore, because Krasner stands out as the most progressive candidate in the field (and the only one who has consistently fought against abuses in the criminal justice system rather than doing its bidding), we have been engaging labor groups with great success. Krasner has already received the endorsement of the Brotherhood of Maintenance of Way Employees Division-International Brotherhood of Teamsters, and many more are expected follow shortly.

II. ISSUES

1) Are you in favor of completely eliminating cash bail in Philadelphia, as Washington D.C. has done? How will you work with City Council to enact bail reform measures?

As Krasner has publicly stated, we need to stop over-incarceration. One aspect of this problem is that our jails are filled with people who have not been found guilty of a crime, but cannot afford to make bail while their cases are pending (unlike their more affluent counterparts). This punishes the poor for their economic status, not any relevant issue pertaining to bail.

Sixty percent of the city's jail population is comprised of individuals that are awaiting trial, the vast majority of whom were detained for nonviolent offenses. Over the last 20 years in Philadelphia, we have seen the average bail amount double from \$25,400 to \$55,400. On top of this, 70 percent of felony defendants are now assigned bail amounts greater than \$5,000. Krasner is in favor of eliminating cash bail entirely consistent with D.C., but that will require an infrastructure to support that system and interim approaches as well to make real gains immediately. That infrastructure will take time and money, so moving in that direction requires great attention to detail and strategic planning. It also requires close monitoring and accountability and a willingness to adjust the system moving forward.

2) Would you use prosecutorial discretion to reduce the number of felony charges? Defendants in Philadelphia have been historically overcharged, leaving it to the Municipal Court judges to reduce the charges. But oftentimes Municipal Court judges rubberstamp the charges leaving the Defendant and the rest of the criminal justice system to deal with these overcharges. These extra charges cause stress on the whole system due to the excessive time and expense involved in processing them. If you would change current policy for charging, what changes would you implement?

For 30 years Krasner has been in Philadelphia courts 4-5 days per week. He has spoken repeatedly on the fact that Philadelphia's rate of declining cases is absurdly low (around 1%) as compared to more progressive jurisdictions. He has also addressed the fact that a 'sports mentality' of always seeking the highest charge and the highest penalty has defined the culture of the District Attorney's Office for at least the last three decades. That culture must change. Prosecution is not a sport, but the pursuit of justice in which taxpayers' resources are spent on criminal justice matters that then become unavailable for other valuable purposes that reduce crime more in the long run (e.g. education). Maximizing charges and maximizing years of incarceration at a price of around \$40,000.00 per prisoner per year is disastrous when done unnecessarily. It has undermined our public schooling, policing, and the social safety net in ways that cause crime rather than prevent it.

3) Mandatory minimum sentences have caused Philadelphia prison overcrowding and unjust inequitable sentences. What will you do about this?

The system must move away from mandatory sentences, excessive sentencing guidelines, and recidivist laws that jack up the level of offense (summary + prior = misdemeanor, for example). These approaches have caused mass incarceration. We need to move in the other direction---more judicial discretion, more prosecutorial discretion, fewer impediments to reasonable sentencing, alternative sentencing, diversion, second chance programs, return of juveniles to juvenile court, declination of charges, and dismissal in order to end mass incarceration and the cycle of poverty created by the collateral consequences of conviction. Just one example is the system now being employed in Cook County (where the law permits retail theft offenses to jack up from summary to misdemeanor to felony based upon prior retail theft convictions). The prosecutors are exercising their discretion not to increase the offense from summary status (unless over \$1,000 of retail merchandise is stolen), thereby emptying the jails of non-violent offenders who have previously been a portion of 80,000 retail theft arrestees over 2 years.

4) In what kind of cases, if any, would you inform Immigration and Customs Enforcement of defendants' immigration statuses?

Krasner will support Philadelphia remaining a sanctuary city despite state and federal efforts to coerce Philadelphia into abandoning that status. First, these coercive efforts are unjust to citizens and undocumented immigrants alike---they are one more example of Trump-era bullying that disproportionately affects people based upon race, national origin, and religion. Second, these coercive efforts endanger undocumented immigrants and citizens alike by encouraging crimes against immigrants, including hate crimes. By deterring undocumented immigrants from reporting crimes committed against them (or even reporting and testifying about crimes they witness), these efforts make us all less safe. Third, both federal and state efforts appear to be unconstitutional. Finally, these bullying efforts against Philadelphians (its undocumented immigrants and citizens alike) are immoral. Philadelphians have always stood up to bullies. As District Attorney, Krasner will do no less. Absent a change in the law, Krasner will not do the work of ICE by informing ICE on defendants' immigration issues.

5) There has been much discussion of animus between police and communities of color in Philadelphia. What, if anything, would you do to influence this relationship to be more trusting and cooperative from all perspectives?

Ineffective, divisive police measures fail to make us safe. They also divide police and the neighborhoods they protect, increasing unnecessary conflict. Reconciliation between police and communities of color is required. Only a candidate with a long record of supporting social justice work for communities of color (among others, Krasner has represented Black Lives Matter consistently) has the credibility to broker such a reconciliation.

While the DA's office cannot directly abolish divisive police practices that are within the control of the PPD, Larry Krasner will work with the PPD to reform divisive law enforcement tactics while holding suspects and police officers equally accountable as required by law. Larry

will push for more proactive, intelligence-based policing that focuses on the 6% of criminals who commit 60% of our city's serious crimes. Victims of crime, their families, communities and suspects deserve fairness in determining the truth and transparency, which are the bedrock of justice. Prosecutorial discretion (and the DA's bully pulpit) will be used to push back against divisive police tactics in the unlikely event the PPD is unwilling to work together with the D.A.'s Office for meaningful reform.

6) In the aftermath of the 2008 financial crisis, Eric Holder's Department of Justice declined to prosecute any of the bank executives who were responsible for the crash, despite clear evidence of widespread fraud that had ruinous effects on millions of Americans' economic security. How high a priority will it be for you to prosecute corporate crimes and white collar crimes within your jurisdiction?

Krasner is open to investigation and prosecution of white-collar crime (as well as economic crimes against vulnerable victims---the elderly, the poor, immigrants, etc.) that have not been prosecuted by this District Attorney's Office in the recent past, especially given the expected abdication of meaningful enforcement of this illegal activity under the Trump administration. Coordination with federal prosecutors (who often prosecute certain white collar offenses) and coordination with routes to civil remedies will also be important.

7) The use of stop and frisk is causing a serious bone of contention between the police and the community. What policy on stop and frisk would you urge the police department to adopt? What, if anything, would you do to engage the public in a dialogue about the pros and cons of the implementation of your proposals regarding this practice?

All law enforcement and all lawyers are sworn to uphold the Constitution, including the District Attorney. Philadelphia's 'stop and frisk' policy is frequently illegal and unconstitutional because it is not limited to the scenario described in the seminal U.S. Supreme Court case that defined its legality: Terry v. Ohio. Instead, the phrase 'stop and frisk' has come to stand for illegal stop and frisk in which police stop, frisk and search people of color and poor people much like an occupying army. We know this because the yield from these searches in Philadelphia is documented at about 2% (recovery of illegal items), which is far less than should occur where real reasonable, articulable suspicion exists.

Pedestrian stops (or stop-and-frisk) have been shown to be an ineffective gun control measure, and has the effect of dehumanizing the people who are stopped, creating rifts between communities and police. Young people (mostly men) who might otherwise become good police officers won't after they are demeaned and abused. Neighbors who would otherwise provide information on serious criminal activity won't do so after they are demeaned and abused. This practice forces reluctant police officers to have hostile encounters with young men that inevitably yields tragedies on all sides, thereby worsening the divide between police and the neighborhoods they protect. A reconciliation is necessary and it starts with the basics---follow the Constitution. Protect everyone's rights. While the DA's office cannot alone abolish the practice, Krasner fully intends to hold suspects and police officers alike accountable by

carefully reviewing its use.

8) In 2011, Philadelphia Police Officer Christopher Hulmes admitted to lying under oath. In addition the DA's office was aware at the time that he had tampered with evidence and intimidated witnesses. It nonetheless took three years and a media controversy before the DA's office under Seth Williams charged Hulmes with any wrongdoing. What will your DA's office do to swiftly prosecute officers in such glaringly obvious cases of police misconduct? Will you call for the appointment of a special prosecutor in such cases so as to avoid the appearance of a conflict of interest with your office? What will you do to seriously promote the eradication of other types of police misconduct?

Krasner is uniquely qualified in this area due to his 30 years of pursuing Section 1983 lawsuits against police for police abuse, corruption, and false convictions. He is widely acknowledged as the attorney who cracked the story about Philadelphia narcotics officers who were subsequently indicted and charged in federal court with corruption. He is also currently chief counsel for around 20 plaintiffs' counsel in civil court who are representing hundreds of people wrongfully convicted by the same officers. He has walked the walk and is uniquely equipped to address these issues.

District Attorneys work under an ethical obligation to seek justice, and a constitutional limitation that requires disclosing exculpatory information (e.g. prior deception by witnesses that is known to the prosecutor). Officers who lie in police paperwork and/or under oath would be disqualified from testifying if Larry Krasner were District Attorney.

9) How would you use diversionary programs to keep people out of the prison system? Would you propose any new diversionary programs, and how would they work?

Larry Krasner is in favor of creative and new approaches that allow appropriately defined first offenders, young offenders, non-serious offenders to avoid criminal convictions. The collateral consequences of convictions often impede rehabilitation and create a cycle of poverty that becomes irreversible. Currently, the programs are narrow and admission to the programs is denied too frequently. Specialty courts need to be expanded and changed in their details to promote this end.

10) Philadelphia has a particularly high level of defendants on probation being brought before the courts on violation of the conditions of their probation. Being brought in for minor violations such as failure to pay a fine makes it difficult for people to return and stay in the work force and impacts the ability of families to move on productively with their lives. What will you do as D.A. to reduce the current volume of probation violations from coming to court?

Simply put, money needs to shift from incarceration to programs that reduce recidivism. We are throwing money away and getting poor results. All of the reforms noted in the answers to this questionnaire affect this issue. In addition, use of prosecutorial discretion to avoid useless

violation hearings (e.g. for failure to pay due to poverty, for positive results for cannabis use alone, for minor activity that is consistent with mental incapacity or mental illness or the consequences of homelessness) is warranted.

11) Lack of a speedy trial also keeps many individuals stuck in Philadelphia's jails. What concrete measures would you take to ensure speedy trials?

Stop over-charging. Stop charging time-consuming, insignificant cases (e.g. petty offenses) or turn them into civil citations. Decline them. Divert more cases. Shift to a cash bail system with a full infrastructure. Stop seeking the death penalty, which doubles and triples court time for each case (despite the fact that a death sentence is seldom given---only 1 in 2016 statewide---and never carried out involuntarily---the last involuntary execution in Pa. was in 1962). Take the tremendous savings from ending over-incarceration and from ending seeking the death penalty (pursuing the death penalty has cost \$1 Billion in Pennsylvania since the 1970's) and put it toward other good purposes, including additional court resources to dispose of cases.

12) What other steps would you take to reduce Philadelphia's jail population?

Advocate for, testify in favor of, and lobby with City Council and the PA legislature for criminal justice reforms that will push law enforcement toward a more focused, intelligence-based system that seeks out and captures the 6% of criminals who commit 60% of serious crimes for appropriate sentencing. End mass incarceration for those who don't require it. Reverse the destruction caused by collateral consequences of unnecessary conviction and incarceration. Fight for victims whose needs are often subordinated by this District Attorney's office to serve its own agenda.

13) What is your position on the Seizures and Forfeitures program, also known as Policing for Profit? According to a recent study, Philadelphia has taken full advantage of this money-making opportunity at the expense of common citizens, many of them third party property owners who may lose their home and possessions, even when a defendant is not convicted. Between 2002 and 2013, forfeitures revenues were equivalent to nearly one-fifth of the Philadelphia district attorney's budget. How would you run this Seizure and Forfeiture program, and what changes would you implement, if any?

The system requires fundamental change. Money derived should go to a general fund, not incentivize seizing grandma's house when grandson commits a crime without her knowledge. Discretion must be exercised to differentiate between criminal instruments and criminal proceeds that are by law the property of taxpayers versus homes, vehicles, and other things of value that are the property of innocent owners. Individuals (often poor individuals with little resources in the legal world) have no constitutional right to counsel to defend their property as they do in criminal court. Therefore, it is incumbent on the D.A.'s Office to deal with them fairly and equitably. In general, people who are acquitted or whose cases are won by suppression of evidence should not be subject to forfeiture. No one participating in law enforcement should be permitted to seek ownership of legally forfeited items via auto auction,

home purchase or any other means.

14) Since drug addiction is viewed as a mental health disorder and accounts for a large percentage of arrests and incarceration in Philadelphia, what kinds of alternative sentencing would you promote to address the over-prosecution of drug related crimes in Philadelphia?

Addiction is a disease and should be treated as such. Every effort must be made to provide treatment in lieu of prosecution.

Last year Philadelphia had three times as many overdose deaths as deaths by homicide. Drug addiction tears lives and families apart. Punishing addicts does not make us safer because our criminal justice system is not equipped to treat addiction. Acknowledging that addiction is a public health issue—and acting accordingly—supports addicts' recoveries and rebuilds their communities. The next District Attorney needs to speak to truth to power, otherwise known as large pharmaceutical companies that produce the opiate and opioid pills that have catalyzed our current heroin crisis. Cooperation must be gained or otherwise obtained from pharmaceutical companies and the medical profession.

15) In what areas of the D.A.'s office do you believe there is serious understaffing and what will you do to address the understaffing problems?

Investigation; charging; environmental crimes; white collar and theft/fraud crimes, including as it relates to vulnerable victims are among the areas of concern. Resources and personnel need to be shifted or gained via modifying policy as noted elsewhere in this questionnaire.

16) What changes would you make with regard to the training and mentoring of new DAs?

A fundamental cultural change is necessary as guided by carefully selected personnel, including supervisors. Protocols and procedures cannot address the fundamental issues of character and values. Ultimately, training and mentoring of new DA's depends on having the right experienced personnel mentoring and training new personnel who are just as carefully selected for their character and shared values.

If Mr. Krasner wins the primary, his outreach to highly regarded law schools known for their academics and their dedication to progress as well as their dedication to Philadelphia begins immediately (yes, interviews and hirings would have to wait until his administration). A truly progressive District Attorney in one of the nation's largest cities will be a big draw for the best law school graduates who share progressive values and the ethics and character to follow through.

17) What do you think can and should be done by the DA's office about witness intimidation in the Philadelphia courts?

Krasner's plan on this point includes using already existing technology to enable anonymously

providing video and other evidence where potential witnesses are fearful. This is a longer talk, which he can explain in person and a longstanding gap in Philadelphia's law enforcement efforts. Other resources already exist and can be enhanced based upon resources liberated by other changes noted in this questionnaire to prevent witness intimidation. As an attorney who has been in court 4-5 days per week for 30 years, Krasner is extremely well qualified to address these issues in all their case-specific detail.