

NO GOOD PROSECUTORS

NOW OR EVER



HOW THE
MANHATTAN DISTRICT ATTORNEY
HOARDS MONEY,
PERPETUATES ABUSE OF
SURVIVORS, AND
GAGS THEIR ADVOCATES

TABLE OF CONTENTS

1

INTRODUCTION

3

S&P NY PERSPECTIVES ON PROSECUTING OFFICES

- Prosecutors Are Our Opponents, Not Our Allies
- We Will Not Prosecute Our Way Out of Violence

5

PROSECUTING OFFICES HOARD PUBLIC FUNDS AND SABOTAGE SURVIVOR SAFETY

- How Prosecutors Accumulate Funds
- Where Does This Money Go?
- DA Funding Undermines Survivors' Collective Safety:
The Role of Mainstream Gender-based Violence Organizations
- Prosecutor Allies:
How Did the Anti-violence Movement Lose Its Way?
- Relying on Criminalization and Prosecution:
Protecting White Women, Leaving other Survivors Behind
- An Abuse of Discretion: How Prosecutors Criminalize Survivors

13

WHAT WE COULD EXPECT FROM THE CANDIDATES

- Where Do the Candidates Stand on Funding?
- Criminalized Survivor Case Study:
Snapshot of the Tracy McCarter's Story
- Fool's Gold:
District Attorney Candidates and Sex Crime Unit Reform

17

ACTION STEPS TO GET INVOLVED

ACKNOWLEDGEMENTS

Deep appreciation for all of our comrades inside NY prisons and jails that shape what we know about criminalization and prosecutors' everyday violence. We will continue to fight for your freedom and healing. Love and gratitude to Tracy McCarter and the #StandWithTracy defense team for allowing us to share her story. Thanks to Jett George for their beautiful (and swiftly produced!) illustrations and design. Forever gratitude to the abolitionist, Black feminist queer disabled organizers, and survivors before us that promised us that there is another way to bring healing and safety to our communities, without state violence.

INTRODUCTION

The Anti-Prosecution Working Group of Survived & Punished NY exists to build power and energy toward a future free of all prosecutorial mechanisms in New York. We recognize that safety and healing for communities will NOT be achieved through state prosecution. As prison abolitionists, we know that prosecutors are law enforcement and are integral to the Prison Industrial Complex (PIC). They represent the state in bringing criminal charges against an individual and in pursuing punishment. Prosecutors send people to jail, prison, probation, and parole and they are the primary purveyors of the state's racial and gender violence.

In New York, prosecutors are elected officials, and June 22, 2021 is the primary election for the Manhattan District Attorney (DA). While Survived & Punished NY will never endorse a candidate for top cop, or participate in candidate-focused electoral organizing, we recognize election time as an opportunity for public education and building power. Ultimately our aim is to shrink the size, scope, resources of the prosecuting offices as we move closer to the abolition of prosecution and the prison industrial complex. That said, **we vehemently oppose [Tali Farhadian Weinstein](#)^[1] and [Alvin Bragg](#)'s^[2] proposals to expand the Manhattan DA's power and budget in the name of "survivors."** While some survivors may support those expansions, Survived and Punished NY recognizes it not only fails to address root causes, but funnels more funds into a system that routinely fails survivors and creates new survivors trapped in violent and controlling state institutions.

This zine outlines S&P NY's analysis around prosecutors and how they criminalize and punish survivors of gender-based violence (who we will refer to as criminalized survivors¹). We also focus on how the Manhattan DA's office is funded and how candidates approach the issue of funding.

1 Criminalized survivor: a person who has lived through domestic, sexual, or other forms of gendered violence who is charged for their act of survival (whether it was self-defense or other actions taken as a result of the abuse they experienced)

Beyond the election, we hope this zine inspires New Yorkers to start or join campaigns to #DefundDAs and imagine safety, healing, and justice for survivors outside of prosecution and the PIC.



S&P NY PERSPECTIVES ON PROSECUTING OFFICES

Prosecutors Are Our Opponents, Not Our Allies

Prosecutors are tasked with distributing punishment within a racist, unequal and violent society. Because of this, we know that elected prosecutors are NOT our co-strugglers but instead targets we can push on the path to eliminating prosecution and policing altogether. They are the top law enforcement officials in any given jurisdiction and are required to work within the very same systems of harm that PIC abolition seeks to dismantle. In many states, prosecutors murder people directly by pursuing death penalties or life sentences (death by incarceration), which disproportionately affect Black people.

When candidates run on “tough on crime” platforms, they deliver by fighting for harsh and excessive sentences and coercing people to accept plea bargains once elected. When they run on “progressive prosecutor” platforms, they still end up prosecuting people under a criminal code premised on anti-Indigeneity and anti-Black racism. And when they claim they will “support survivors,” we know that it will be poor people of color, including survivors fighting for their literal survival, who will be warehoused in cages rife with sexual and physical violence.

Instead of declining to prosecute cases and actively choosing to reduce the power of their offices, elected “progressive prosecutors” have continued to engage in practices across the country that expand the carceral state. While no prosecutors will be progressive, some will have a disproportionate impact on the criminalization of survivors. Thus, we organize around how to further push decriminalization, de-carceration, and shrinking the resources and power of the office of the prosecutor, while supporting survivors currently being harmed by prosecutors.

We Will Not Prosecute Our Way Out of Violence

During this Manhattan DA campaign, we have witnessed carceral feminists — some of them survivors and others affiliated with prominent NYC anti-violence organizations — demand an increase in resources for prosecutorial and police power. While we can understand the complicated responses that undergird some survivors' desire for vengeance disguised as "justice," we know that carceral feminist prosecution "solutions" do not address the root causes of gender violence nor prevent it from continuing. It actually multiplies patriarchal violence.

Survivors of violence are not a monolith and have various views, [but it has been found that many](#)^[3] survivors of violence do not support perpetual revenge and punishment through incarceration. Rather, many want the harm to stop and to prevent the harms they experienced from happening to others. Many also want the people who caused harm to take responsibility for their actions, which rarely, if ever, happens through incarceration. Furthermore, we reject the rigid binary between survivors and harm doers that so often is used against survivors who fight back or take other actions for their survival. We will share an example of such a survivor, Tracy McCarter, who is currently being cruelly prosecuted by the current Manhattan DA Cy Vance's office for saving her own life.

Survived and Punished NY opposes carceral feminist solutions embraced by mainstream anti-violence organizations because of the surveillance and brutality they inflict, particularly on people of color, sex workers, immigrant, queer and trans and disabled communities. Furthermore, [longitudinal data](#)^[4] show that the massive investments in criminalization do not impact the frequency of violence. The sexual abuse to prison pipeline must be disrupted in a way that does not inflict more violence.

PROSECUTING OFFICES HOARD PUBLIC FUNDS AND SABOTAGE SURVIVOR SAFETY

How Prosecutors Accumulate Funds

In order to de-resource district attorneys, we must understand where their money comes from and how that money is used to maintain their power. The Manhattan District Attorney (DA) gets funding from (1) the city council/mayor-approved budget and (2) asset forfeiture funds.

In the proposed budget for Financial Year 2021, which was proposed and passed in the middle of a historic uprising and demands to defund the police, the city allocated over \$455 million to District Attorney offices and the Special Narcotics Office, which was an increase of \$33.5 million from the previous year's budget. Of that, \$125 million was allocated to the Manhattan DA, which employs over 1,000 people.

As of June 2017, the Manhattan DA's office also had \$730 million in federal and state asset forfeiture funds. This means that they have six times their city-allocated budget through asset forfeiture, despite the ongoing [affordable housing crisis](#)^[5] and [devastating cuts](#)^[6] to NYC's school system already under serious strain.

Most of the Manhattan DA's asset forfeiture funds come from funds received under deferred prosecution or non-prosecution agreements, in which prosecutors make deals with corporations so they can avoid prosecution in exchange for paying fines & forfeitures. This practice has been called "[little more than outright bribery](#)."^[7] As a Marshall Project report argues, through asset forfeiture DAs get to decide how public funds are spent, despite little public scrutiny. "Given that these are essentially public dollars, more transparency and accountability is warranted," the city's Independent Budget Office stated in a [2018 report](#)^[8] on asset forfeiture funds.

Where Does This Money Go?

Starting in 2014, Cy Vance established the [Criminal Justice Investment Initiative \(CJII\)](#)^[9] with the intention to “improve public safety.” This initiative is an attempt to improve the public image of the DA’s office and tout a message of reform while in reality, these programs continue to expand the scope of the DA and give them more tools to criminalize and incarcerate Black and Brown people.

As of 2019, the \$415.20 million was allocated to CJII in the categories of Youth, Family, and Communities (\$64.8 million); Victims of Crime (\$50.9 million); Division and Re-Entry (\$82.7 million); and 21st-Century Crime Fighting (\$216.50 million). More than half of the CJII money went towards the “21st-Century Crime Fighting,” which includes “upgrading security” in NYCHA and giving cops more technology like tablets. However, in their [2019 progress report](#)^[10], this focus area is not even mentioned or reported on. This minimizes the explicit role of policing in the disbursement of asset forfeiture funding. The DA’s office would much rather instead highlight their quasi-philanthropic relationships with nonprofit organizations and service providers.

DA Funding Undermines Survivors’ Collective Safety: The Role of Mainstream Gender-based Violence Organizations

According to page 54 of the [CJII’s 2020 annual report](#)^[11], \$41.7 million of the Manhattan District Attorney’s CJII money goes towards non-profits that are supposed to “serve victim communities that face significant barriers in accessing services tailored to their specific needs.” This includes organizations that specifically focus on domestic violence (DV) and gender-based violence (GBV), including Crime Victims Treatment Center, Edwin Gould Services for Children and Families, New York City Anti-Violence Project, and Sanctuary for Families.

While this may seem like a promising advancement to some, this channeling of money actually chains these organizations to prosecutors specifically, but also the City's criminal legal system more broadly. The public silence of so many anti-violence organizations, now dependent on prosecutor and police funding, is striking as [case](#)^[12] [after](#)^[13] [case](#)^[14] [pops up](#)^[15] of the system abusing the people it is supposed to protect. The non-profit model discourages biting the hand that feeds it, and so many of these organizations choose proximity to carceral power and money OVER being in solidarity with the most marginalized survivors the system abuses.



As these criminal legal and anti-violence organizations' relationships become more institutionalized, the demands that anti-violence organizations make become more carceral and less focused on transforming the underlying economic and political reasons, like predatory housing landscape and low wages for caregiving and service economies. They become tools of funneling more people into prisons and jails, exposing more people to the extreme physical and sexual violence of these institutions. For a recent example, in 2018, Sanctuary for Families ignored the objections from survivors of commercial sexual exploitation and sex workers and lobbied with the Manhattan District Attorney for the passage of Public Law 115-164 (known to many as FOSTA-SESTA, or the

Fight Online Sex Trafficking Act, and the Stop Enabling Sex Traffickers Act). FOSTA-SESTA consists of policies that trafficking [survivors](#)^[16] and [those in the sex trade](#)^[17] have repeatedly explained as endangering their ability to meet their basic needs and develop community safety mechanisms. Instead, these policies ensnare more sex workers in police and prosecutor's webs. For their collusion with the criminal legal system and criminalization of sex workers, [Sanctuary for Families receives over \\$3.4 million](#)^[10] from the Manhattan District Attorney's Criminal Justice Investment Initiative.

Prosecutor Allies:

How Did the Anti-violence Movement Lose Its Way?

[Mimi Kim](#)^[18], [Beth Richie](#)^[19] and other transformative justice and abolitionist thinkers and organizers have pointed to policy and organizing decisions in the last 50+ years that morphed the anti-violence movement into a cadre of [professionalized and carceral aligned service providers](#)^[20]. Some major events that are related to the connection between the state and the anti-violence movement and their relationships with prosecution and DA funding are in this timeline.



In addition to entrenching responses to domestic violence within criminal laws, we see, especially in the 2000s, an incredible amount of money from federal and local prosecutorial institutions dedicated to opening DV organizations, organizations for victims of crimes, and Family Justice Centers.

While the history carceral feminists tout the [Violence Against Women Act](#)^[21] (a component of the infamous 1994 Crime Bill) as a win for survivors, there have been radical survivors sounding the alarm on the dangers of using state violence to end interpersonal violence. [Before](#)

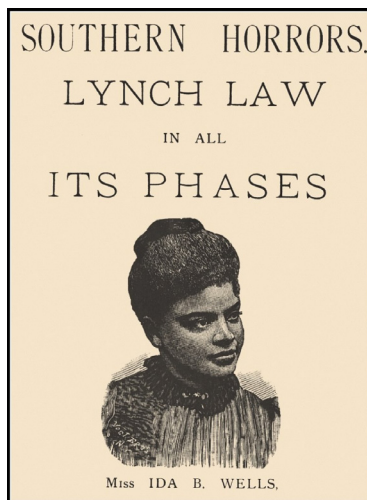
[VAWA legislation](#)^[22] was even in draft form, survivors have been [calling for more](#)^[23] life affirming and structural changes to further safety. Furthermore, activists like Andrea Ritchie and others from [INCITE!](#)^[24], have revealed the ways that law enforcement's [sexual violence](#)^[25] has been a continuous problem throughout history. These radical survivors, advocates and abolitionists have taught us [the names of Frances Thompson, Claudette Colvin, and Joan Little](#)^[26], survivors of police sexual violence throughout history, to show us that policing and incarceration have always been antithetical to anti-violence, particularly for marginalized survivors. And while we could never purport to speak for all survivors (because like all populations, survivors are not a monolith), [more than 75%](#)^[23] of sexual violence survivors do not report, let alone are supportive of the prosecution process. Survivors are "voting" with their feet and showing us that the carceral system is not one that helps them heal or feel safe. Thus, DA candidates' [campaigns to funnel more funds](#)^[27] into a system that most survivors avoid feels like little more than a state financed public relations campaign.

GBV organizations that work closely with and receive money from carceral systems aid prosecutors in their campaign for legitimacy. They do this using a narrative that policing protects survivors of "violence against women". This narrative relies on white women's historic experience with police in the United States, protecting them from the racialized male other, and comes at the expense of communities of color.

Relying on Criminalization and Prosecution: Protecting White Women, Leaving other Survivors Behind

As the historic work of Black thinkers like Ida B. Wells documents, in the U.S. white women have historically been revered as the demographic most in need of protection. This has subsequently justified violence against people of color in order to keep them "safe": from the 19th century mob and state-sanctioned [lynching](#)^[28] of Black men while ignoring white sexual violence against Black women, to [20th](#) and [21st century wanton criminalization](#)^[29,30] of Black "sexual predators," to policies like FOSTA-SESTA that [prominent white carceral feminists](#)^[31] pushed despite the hazardous carceral repercussions the legislation would have

on already systemically policed [sex workers of color](#)^[32]. Not only have these patterns led to the criminalization of countless men of color; archetypes of white women serve to dehumanize and criminalize women and gender non-conforming people of color as well.



Particularly significant to our work, when the vision of a perfect victim of abuse is a white woman, Black women and other people of color are often seen as, at best, at fault for their abuse, and at worst, as abusers themselves. Cases like [Marissa Alexander, Alisha Walker, and Ky Peterson](#)^[33] have given us glimpses of the carceral system's everyday cruelty. This is especially true when survivors of color are poor, disabled or sex workers. So, when organizations tasked with supporting survivors are embedded in racist carceral systems, we know it can have devastating impacts on Black women and other people of color. As such, calling on the separation of GBV orgs and prosecution is an explicitly anti-white supremacist and explicitly pro-Black move.

Survived & Punished NY's Anti-Prosecution working group has worked to expose and condemn the relationship between mainstream GBV organizations and the prison industrial complex, and to ultimately abolish the relationship between the organizations meant to support survivors, and those that punish survivors. Part of abolishing this relationship is cutting off the direct funding ties between the DA's office and GBV organizations.

An Abuse of Discretion: How Prosecutors Criminalize Survivors

In evaluating potential DA candidates, it's crucial to understand the impact they have over criminalized survivors, and the numerous avenues through which they may elect to inflict punishment or offer survivors relief. From a survivor's arrest until after their conviction, prosecutors have an impact on the criminalization of survivors at almost every step, and as such are hugely influential over survivors' lives.

ARREST: Typically, once survivors are arrested, they are brought to central booking at the courthouse for an intake, during which time prosecutors gather evidence and determine whether to charge — and with what offenses to charge — a survivor. The arresting officer's story is typically prioritized, but when survivors are interviewed, they do so with the intent of uncovering incriminating evidence. If they do prosecute, they typically either charge survivors with the highest count — the most serious offenses — or with a plethora of charges, both strategies that serve to ensure survivors are criminalized one way or another. High counts ensure that if prosecutors do offer a plea deal, the deal looks lenient, while numerous charges increase the prosecutor's odds that the survivor will be indicted of at least one offense. However, at this point, prosecutors could, and should, decline to prosecute all survivors of violence.

INDICTMENT: In New York, if the survivor is charged with a felony, their case is subsequently brought in front of a Grand Jury, which will decide whether to indict the survivor. The Jury's decision relies on both the counts and charges prosecutors share with the Jury, as well as the legal definition of the charges. During this time, the prosecutor could choose to define "self-defense", if they believed it relevant to the survivor's case; prosecutors are also required to disclose evidence of gender-based violence, if the prosecutor collected such evidence during intake. Because it is their discretion to choose to reveal this information, in order to secure the indictment, they often do not. Additionally, at this point, prosecutors could also decide to dismiss all survivors' charges.

COURT APPEARANCES: Following an indictment, a survivor will enter court appearances, when prosecutors typically either offer survivors a plea deal or determine the timing for a trial. Prosecutors themselves determine the parameters of a plea deal, and as such have full decision-making power over how many years a survivor is sentenced to prison, which alternatives to incarceration they are offered, or whether to include an order of protection. The sentence itself can clearly be detrimental to survivors, but so can punitive alternatives-to-incarceration programs — such as those that resulted in the [death of Layleen Polanco](#)^[34] — as are orders of protection, which, if violated, can lead to further legal cases years down the line. About 94% of convicted people [accept plea deals](#)^[35], and as such, survivors rarely go to trial. At this point, as well, prosecutors could instead decide to dismiss all survivors' cases.

CONVICTION: Should the survivor be convicted, they may seek numerous avenues of relief, including appeals and clemency, or may be eligible for release through policy change. Prosecutors are allowed to oppose clemency applications, and should the survivor appeal, prosecutors will present a case against the appeal. Too often, prosecutors support carceral policy, or advocate against decriminalization advocacy efforts as well. Alternatively, prosecutors could advocate for the clemency of all criminalized survivors, could help to ensure appeals are won, and could advocate for policies that end the criminalization of survivors.

In fact, if a prosecutor is to sincerely commit to decriminalizing survival, they must decriminalize numerous, if not all, offenses, as the inciting incidents that lead to criminalization are often not just self-defense. Often, survivors are forced to act as an accomplice in their abusers' crimes, are accused of child neglect or endangerment when children are present during the abuse, are self-medicating and charged with drug-related offenses, or are criminalized for securing resources they need to survive while in poverty or fleeing violence.

WHAT WE COULD EXPECT FROM THE CANDIDATES

Where Do the Candidates Stand on Funding?

Four of the candidates — Diana Florence, Alvin Bragg, Liz Crotty, and Tali Farhadian Weinstein — [have stated](#)^[36] that they will NOT reduce the budget of the office and may expand the budget.

Two candidates stated that they will reduce the budget, but not by a specific amount. Two candidates committed to cutting the budget by 50%. The budget cut questions posed to the candidates were asked about the \$140 million city-allocated budget, not about the asset forfeiture funding, which makes up the majority of the District Attorney's budget.

When asked about their position on asset forfeiture, the majority of candidates state that they still want to prosecute banks/corporations and allocate that money to community-based organizations. While this may sound promising on its face, this action will continue to INCREASE the scope of the office. What's more, it ties community-based organizations to the racist carceral system, essentially buying their allegiances and reducing the likelihood they will hold them publicly accountable when the office abuses its growing power.

Criminalized Survivor Case Study: Snapshot of Tracy McCarter's Story

A prime example of how prosecutors harm survivors, particularly those deemed too "undeserving" to be innocent, is the ongoing Manhattan DA's case against Tracy McCarter. Tracy McCarter, a nurse that provided vital caregiving to her community, was in her apartment on New York's City's Upper West Side the night of March 3 when her estranged husband, Jim, barged into the home drunk. A domestic violence incident occurred between Tracy and her now late husband, Jim, that resulted in his passing. Following the incident, Manhattan DA Cy Vance's office charged McCarter with second degree murder. Rather than care and healing for

the trauma she experienced, in the midst of a deadly pandemic, she was then banished to a cage on Rikers Island to await trial. McCarter was denied bail four times, with judges declaring her a flight risk. It took over 7 months of McCarter pleading for release so that she could return home to work and support her family. And despite her physical release from Rikers, she has stayed caged by an e-shackle (some call an electronic monitoring device) that barely allows her to leave her own home. Vance's office has also purposefully [omitted evidence to the grand jury](#)^[15], which they deemed "insubstantial", that showed Tracy had endured abuse in her relationship. Once again, the racist carceral state tells a Black survivor her fear and pain is not real. As a Black woman, Tracy isn't seen as a full human, and thus has [no self to defend](#)^[37].



Tracy McCarter was assaulted by her husband and fought back in self defense. She survived and is now being punished for defending herself against violence. Donate to a fundraiser for her legal fees:

#SurvivedAndPunished

bit.ly/tracyfund

Survived and Punished NY has been part of her defense campaign struggling to free Tracy, have her charges dropped, and expose how

prosecutors and the carceral system criminalize survivors and magnify the harm done to them. To-date, Cy Vance has poured his office's time and resources into locking up McCarter (on Rikers Island in the height of COVID infection rates) and other Black and Latinx New Yorkers, revealing the hollowness of his promises to seek racial justice and progressive prosecution practices. Manhattan has led the five boroughs in arrest and arraignments. Despite having one of the lowest populations of the boroughs, Manhattan has [both the most arrests](#)^[38] and the highest rate of criminal summonses. It's been this way since 2015. Journalist Josie Duffy Rice even [detailed Vance's high rates of prosecution](#)^[39] for Black and Brown New Yorkers in an op-ed. While we have targeted Vance, we know that the struggle is larger than him and condemn all prosecutors.

During a Manhattan DA candidate forum for the 2021 election, candidates running to replace Cy Vance provided non-committal responses to whether they would acknowledge Tracy's survivorship and drop her charges. When asked to commit to dropping the charge against McCarter none of them could affirmatively commit. This is despite the fact that in response to a questionnaire from community groups prior to the event, seven candidates -- all except Liz Crotty who did not participate -- [committed to declining to prosecute survivors of domestic violence](#)^[40] if elected. While they offered excuses as to why they could not say anything definitively, as abolitionist and survivor organizers, we know that the gender and racial justice platitudes come cheap every time electoral campaigns are in progress. In [an article from this May](#)^[15], only 1 of the 8 DA candidates even responded to McCarter's unjust case and issued an actual criticism of Vance's shady operations.

As abolitionists, our fight is against the state's racial capitalist and patriarchal violence against Black and Latinx communities, anti-Black ideology that criminalizes Blackness, and the state's organized abandonment, particularly of poor people, that falsely propose jails and carceral systems as the only response to basic human needs. Our labor system has abdicated responsibility to workers, particularly those who are caregivers like McCarter. Our social service system has abandoned any responsibility to meet the needs of survivors of gender-based violence — survivors who are forced to turn to self-defense, without a robust safety

net to create wellbeing through affordable and stable housing, universal and quality mental and physical healthcare, or family services without threat of police or child welfare targeting. Lastly, elected officials have failed Black people and other communities of color, whom they claim to stand with, but overwhelmingly support a budget that increases prosecutor, police and prison budgets and power.

Ultimately, prosecutors must drop all charges against Tracy and free all criminalized survivors and all people in New York City's jails and state prisons. As advocates against gender violence, we know that criminalization and incarceration do nothing to stop violence. Instead, incarceration is responsible for the production and reproduction of racial and gender-based violence. It is well documented that police are major perpetrators of sexual and domestic violence. NYC jails and prisons, disproportionately filled with Black and Latinx people, are brutal [sites of unrelenting sexual violence](#)^[12]. Criminalization, prosecution, and incarceration inherently spreads the violence, rather than solves it. Prosecution and incarceration have failed to provide the safety and healing it has promised survivors of abuse and violence.

Fool's Gold: District Attorney Candidates and Sex Crime Unit Reform

Survived and Punished NY opposes proposals to reform the sex crimes unit. These proposals from candidates like Alvin Bragg include [more aggressive involvement and intervention by DA's and police in sex crimes](#)^[27]. Overall, the proposed reforms:

- Are based on the false premise that sex crimes can be better resolved and prevented through criminalization;
- Do not address the root causes of gender and domestic violence;
- Will further criminalize and harm survivors who act in self defense;
- Are more tools to buttress the white supremacist racial capitalist and patriarchal systems that must be dismantled;
- Will yet again empower police and prosecutors to terrorize the most historically marginalized communities.

In short, these reforms are just business as usual in the criminal punishment system.

ACTION STEPS TO GET INVOLVED

Given the reality of the District Attorney's role in maintaining the carceral apparatus, there are demands voters can make of DA candidates, City's officials and those in your community that promote the safety of survivors like Tracy McCarter and others who are harmed by the system.

What to demand of DA candidates?

- **Demand DA Candidates stop prosecuting survivors.** DA candidates should publicly commit to declining to prosecute survivors for self-defense and for other survival actions, and should call for clemency for all survivors currently incarcerated.
- **Demand DA Candidates shrink their punishment machine:** Demand that DA candidates advocate for an end to stacking charges, up-charging, and plea bargaining. Demand an end to the practice of requesting bail: affirmatively recommend pre-trial freedom in all cases. Demand an end to requests for detention without bail; warrants for missed court appearances; fines or fees; continuances and case delays. Demand an end to the practice of requesting the death penalty and life sentences with or without parole. Demand the elimination of the mandatory minimum term—to-life sentences (e.g. 25 years to life) and eliminate the consecutive sentences; rather, make sentences run concurrently.
- **Demand DA Candidates commit to full decriminalization:** Advocate that all DA candidates fully decriminalize sex work as some candidates have pledged to do.

What to demand of NYC Government officials?

- **Demand the NYC government divest from prosecution and invest in life affirming supports:** Contact your City Council representative and the Mayor to demand that they defund DAs and fund community organizations supporting people in need. Advocate overall for no government spending on prosecutors' offices and other carceral institutions and actors. Call for funneling these reclaimed budgets into things survivors say they need most:

safe housing and healing services, as well as no-string cash assistance, education, healthcare, and other community group supports.

- **Advocate for access to a meaningful defense:** Demand that prosecutors provide open and early discovery, support funding for public defense, and end the secret grand jury process.

What to demand of the NYC anti-violence non-profits?

- **Email your local anti-violence organization and ask them to refuse to accept DA or police money now or in the future.**
- **SUPPORT these abolitionist healing justice, mutual aid, and survivor support projects in NYC:**



- Project Hajra: <https://alliedmedia.org/post/donate-to-project-hajra>
- Audre Lorde Project's Safety Outside of the System: <https://alp.org>
- Jahajee Sisters' Sister Circles (<http://www.jahajeesisters.org/sister-circles.html>) & Emergency Fund (<http://www.jahajeesisters.org/emergency-fund.html>)
- Centro Corona abolitionist mutual aid fund: <http://bit.ly/CentroMutualAid>
- Connect NY: <https://www.connectnyc.org>
- Survived and Punished NY Mutual Aid: <https://www.survivedandpunishedny.org/mutual-aid/>
- Support two criminalized survivors now coming home from prison: <http://bit.ly/CLFundraiser>

How to support Tracy McCarter?

- **Support Tracy McCarter's legal fund and learn more about her case:** Please support Tracy's legal fund: bit.ly/tracyfund and, if you are a healthcare worker, [sign the petition](#) calling for Tracy's freedom.

REFERENCES

- [1] Steinem G, Ossorio S. The DA candidate women should support. NydailynewsCom n.d. <https://www.nydailynews.com/opinion/ny-oped-the-da-candidate-women-should-support-20210609-xjfjlldrb-fgsno5jo76nxfwb3u-story.html> (accessed June 10, 2021).
- [2] Hoechstetter M. The Manhattan District Attorney Sexual Assault Survivors Deserve. Gotham Gaz 2021. <https://www.gothamgazette.com/open-government/130-opinion/10308-manhattan-district-attorney-sexual-assault-survivors-deserve> (accessed June 10, 2021).
- [3] Anderson L, Rooks R. No, crime survivors don't want more prisons. They want a new safety movement. Wash Post 2021. <https://www.washingtonpost.com/opinions/2021/03/16/prisons-public-safety-trauma/> (accessed June 9, 2021).
- [4] Bump P. Over the past 60 years, more spending on police hasn't necessarily meant less crime. Wash Post n.d. <https://www.washingtonpost.com/politics/2020/06/07/over-past-60-years-more-spending-police-hasnt-necessarily-meant-less-crime/> (accessed June 9, 2021).
- [5] Bradley-Smith A. Unaffordable NYC: The Rising Cost of Calling New York City Home. BK Read 2020. <https://bkreader-newspack.newspackstaging.com/2020/01/19/unaffordable-nyc-the-rising-cost-of-calling-new-york-city-home/> (accessed June 9, 2021).
- [6] Amin R. In financial crisis, NYC cut \$707M from its education budget. These programs will feel the effects. Chalkbeat N Y 2020. <https://ny.chalkbeat.org/2020/7/22/21334981/education-budget-cuts-hiring-freeze> (accessed June 9, 2021).
- [7] Tom Robbins. More from The Marshall Project. Marshall Proj 2018. <https://www.themarshallproject.org/2018/04/29/more-from-the-marshall-project> (accessed June 9, 2021).
- [8] Nest Egg: City's District Attorneys Holding Millions in Off-Budget Funds From Asset Forfeitures. New York, NY: New York City Independent Budget Office; 2018.
- [9] Manhattan District Attorney's Office Selects the CUNY Institute for State and Local Governance to Advise on Criminal Justice Investments. Manhattan Dist Atty Off 2014. <https://www.manhattanda.org/manhattan-district-attorneys-office-selects-cuny-institute-state-and-local-governance/> (accessed June 9, 2021).

- [10] Manhattan District Attorney's Criminal Justice Investment Initiative. Criminal Justice Investment Initiative; 2019.
- [11] Innovations and Lessons Learned from the Manhattan District Attorney's Criminal Justice Investment Initiative. Criminal Justice Investment Initiative; 2020.
- [12] Law V. #MeToo in NYC's Jail System: Why New Department of Correction Policies on Sexual Abuse Fall Short. The Appeal 2018. <https://theappeal.org/metoo-in-nycs-jail-system-why-new-department-of-correction-policies-on-sexual-abuse-fall-short-384728f42628/> (accessed June 9, 2021).
- [13] Four women sentenced over attack on man. NBC News 2007. <https://www.nbcnews.com/id/wbna19233888> (accessed June 9, 2021).
- [14] Ritchie A. The trials of Anna Chambers: Police departments haven't done nearly enough to protect people from sexual exploitation at the hands of cops. NydailynewsCom n.d. <https://www.nydailynews.com/opinion/ny-oped-the-trials-of-anna-chambers-20190514-4hump2keoza-wdc66pfhgmdvn3a-story.html> (accessed June 9, 2021).
- [15] Gill L. Prosecutors Ignored Evidence of Her Estranged Husband's Abuse. She Faces 25 Years in Prison for Murder. The Intercept 2021. <https://theintercept.com/2021/05/24/manhattan-district-attorney-domestic-violence-tracey-mccarter/> (accessed June 9, 2021).
- [16] Roux L. Updates: Instagram Amplifying & Public Law No: 115-164. #SurvivorsAgainstSESTA 2019. <https://survivorsagainstsesta.org/> (accessed June 9, 2021).
- [17] Blunt D, Wolf A. Erased - The Impact of FOSTA-SESTA and the Removal of Backpage 2020. Hacking//Hustling; 2020.
- [18] Kim M. Dancing the Carceral Creep: The Anti-Domestic Violence Movement and the Paradoxical Pursuit of Criminalization, 1973-1986 2015.
- [19] Richie BE. Reimagining the Movement to End Gender Violence: Anti-racism, Prison Abolition, Women of Color Feminisms, and Other Radical Visions of Justice (Transcript). Univ Miami Law Soc Justice Rev 2015:18.
- [20] Bumiller K. In an Abusive State: How Neoliberalism Appropriated the Feminist Movement against Sexual Violence. Duke University Press; 2008.
- [21] Higgins A, Táíwò OO. How the Violence Against Women Act Failed Women 2021.

- [22] mc'duff robin, pernell deanne, saunders karen. letter to the anti-rape movement. *Our Backs* 1977;7:9–10.
- [23] Thuma EL. *All Our Trials: Prisons, Policing, and the Feminist Fight to End Violence*. University of Illinois Pres; 2019.
- [24] INCITE!, Critical Resistance. Statement on Gender Violence and the Prison Industrial Complex. INCITE! 2018. <https://incite-national.org/incite-critical-resistance-statement/> (accessed June 10, 2021).
- [25] Andrea Ritchie. "Invisible No More" Examines Police Violence Against Minority Women. NPROrg n.d. <https://www.npr.org/2017/11/05/561931899/invisible-no-more-examines-police-violence-against-minority-women> (accessed June 10, 2021).
- [26] Ritchie A. Timeline of Violence and Resistance. *Invis. No More Police Violence Black Women Women Color*, 2018.
- [27] Hoechstetter AB& M. How District Attorneys Must Step Up to Support Survivors. *Gotham Gaz* n.d. <https://www.gothamgazette.com/opinion/130-opinion/10499-how-district-attorneys-support-survivors-sexual-assault> (accessed June 10, 2021).
- [28] Wells-Barnett IB. *Southern Horrors: Lynch Law in All Its Phases*. The Project Gutenberg; n.d.
- [29] Blakemore E. The 'White Slavery' Law That Brought Down Jack Johnson is Still in Effect. *HISTORY* n.d. <https://www.history.com/news/white-slave-mann-act-jack-johnson-pardon> (accessed June 10, 2021).
- [30] Wilkinson A. A changing America finally demands that the Central Park Five prosecutors face consequences. *Vox* 2019. <https://www.vox.com/the-highlight/2019/6/27/18715785/linda-fairstein-central-park-five-when-they-see-us-netflix> (accessed June 10, 2021).
- [31] agencies S and. Actors call on Amnesty to reject plans backing decriminalisation of sex trade. *The Guardian* 2015. <http://www.theguardian.com/society/2015/jul/28/actors-streep-winslet-thompson-dunham-amnesty-decriminalisation-sex-trade> (accessed June 10, 2021).
- [32] Interactive Map: See Where the NYPD Arrests Women Who Are Black, Latina, Trans, and/or Wearing Jeans. *Village Voice* 2016. <https://www.villagevoice.com/2016/11/22/interactive-map-see-where-the-nypd-arrests-women-who-are-black-latina-trans-andor-wearing-jeans/> (accessed June 10, 2021).
- [33] Educational Videos. *Survived and Punished* 2018. <https://survivedandpunished.org/educational-videos/> (accessed June 10, 2021).

- [34] Dickson EJ. How the Tragic Death of Layleen Polanco Exposes Horrors of Criminalizing Sex Work. Roll Stone 2019. <https://www.rolling-stone.com/culture/culture-features/layleen-polanco-transgender-decriminalize-sex-work-847437/> (accessed June 10, 2021).
- [35] Valle GD. Most criminal cases end in plea bargains, not trials. The Outline n.d. <https://theoutline.com/post/2066/most-criminal-cases-end-in-plea-bargains-not-trials> (accessed June 10, 2021).
- [36] Voter Guide. Brooklyn Community Bail Fund n.d. <https://brooklyn-bailfund.org/voter-guide/> (accessed June 10, 2021).
- [37] Kaba M. Black women punished for self-defense must be freed from their cages. The Guardian 2019. <http://www.theguardian.com/commentisfree/2019/jan/03/cyntoia-brown-marissa-alexander-black-women-self-defense-prison> (accessed June 10, 2021).
- [38] Criminal Summonses Rate by Borough – NYC – Mayor's Office of Criminal Justice n.d. <https://criminaljustice.cityofnewyork.us/individual-charts/criminal-summonses-rate-by-borough/> (accessed June 10, 2021).
- [39] Rice JD. Cyrus Vance and the Myth of the Progressive Prosecutor. N Y Times 2017. <https://www.nytimes.com/2017/10/16/opinion/cy-vance-progressive-prosecutor.html> (accessed June 10, 2021).
- [40] Candidate Comparison. Peoples Coalit Manhattan Account n.d. <https://peopleforprosecutoraccountability.org/candidate-comparison/> (accessed June 10, 2021).

