

DISTRICT ATTORNEYS ASSOCIATION OF THE STATE OF NEW YORK
UNIVERSAL PROSECUTOR STANDARDS

PREAMBLE

We are New York's 62 diverse prosecutors who are uniquely qualified to recognize the needs of our respective counties, secure in the knowledge that our primary responsibilities are public safety, the pursuit of justice for crime victims and the maintenance of the integrity of the world's greatest system of justice. Our offices are established by the Constitution of the State of New York and we represent the more than two and a half million people of Brooklyn and the five thousand people of Hamilton County and every County in between. We are diverse in political party, in race, in gender and in ideology. But we are united in these core beliefs that are consistent with our oaths of office, our dedication to the State and Federal Constitutions and to the People of the State of New York, who we proudly represent every day of our lives.

Those People are diverse as well. They have a multitude of needs and hopes and dreams and they are united in their core desire for life, liberty and the pursuit of happiness, words we as a People have lived by since they were written in 1776. When those pursuits are derailed by the killer, the predator, the sex trafficker, the drunk driver, to whom do those victimized turn? Inevitably they turn to us. We are the ones who comfort that child, who tell the grieving parent that we will seek justice for their murdered baby, who free the victims of sex trafficking from the yoke of oppression, who pursue those who would prey on our weakest members or who would injure someone based on their race, religion or sexual orientation. We don't wear armor, we don't carry weapons, we fight fiercely but fairly and are never prouder than when we stand in the dock of the court and state with conviction that we represent the People of the State of New York.

We are frequently blamed for many of society's problems and we rarely, if ever, receive credit for alleviating the suffering of those in need. In order to give the public and the media a fair understanding of what we do and why we do it, we the undersigned present this Preamble for the People of New York along with a list of standards we accept as basic to our core beliefs.

THE TEN PRECEPTS

1. IT'S AXIOMATIC THAT A PROSECUTOR FOLLOWS HIS OR HER ETHICAL DUTY, BUT WE FAR EXCEED OUR STATUTORILY MANDATED DUTIES. WE EXONERATE THE WRONGLY SUSPECTED OR ACCUSED, WE FOLLOW THE EVIDENCE, WE SEEK THE TRUTH REGARDLESS OF ITS POPULARITY AND WE FIGHT FAIRLY FOR THE VICTIMS WE SERVE.
2. WE FOLLOW THE RULES, ALWAYS, EVEN WHEN NO ONE IS WATCHING. WE TURN OVER EVIDENCE THAT IS HELPFUL TO THE ACCUSED OR EMBARRASSING TO THE ACCUSER. WE ARE REGULATED BY THE LAW, BY STATE, FEDERAL AND APPELLATE JUDGES, BY THE GOVERNOR, BY GRAND JURIES, BY TRIAL JURIES, AND BY THE PRESS, BY THE VOTERS AND BY THE ATTORNEY GRIEVANCE PROCESS. WE EVEN REGULATE OURSELVES BY THE VEHICLE OF OUR STATE ETHICS SUBCOMMITTEE. WE RECOGNIZE THE POWER WE HOLD AND EMBRACE THESE RESTRAINTS IN OUR PURSUIT OF JUSTICE.
3. NOTHING IS MORE DEVASTATING TO CONFIDENCE IN THE CRIMINAL JUSTICE SYSTEM THAN A WRONGFUL CONVICTION. WE EMBRACE AND SUPPORT SENSIBLE EFFORTS TO ELIMINATE WRONGFUL ARRESTS AND WRONGFUL CONVICTIONS. WE ENCOURAGE THE CREATION OF CONVICTION INTEGRITY UNITS OR A CONVICTION REVIEW PROCESS FOR THE SMALLER OFFICES. WE BELIEVE THAT ONLY COMPETENT EVIDENCE SHOULD BE PRESENTED TO JURIES, EVIDENCE THAT IS RIGOROUSLY SUBJECTED TO PEER REVIEW AND JUDICIAL GATEKEEPING AND OTHER EVIDENCE THAT IS LEGALLY ADMISSIBLE.
4. WE DO NOT SEEK NOMINAL BAIL ON NON-VIOLENT OFFENSES TO PENALIZE AN INDIGENT DEFENDANT AWAITING TRIAL. WE FOLLOW THE RULES AS OUTLINED IN THE CRIMINAL PROCEDURE LAW IN MAKING BAIL RECOMMENDATIONS AND RECOGNIZE THAT THERE IS BUT ONE SYSTEM OF JUSTICE IN NEW YORK AND AN ACCUSED'S ECONOMIC STATUS DOES NOT FACTOR INTO OUR BAIL REQUESTS.

5. WE BELIEVE THAT JAIL OR PRISON IS RESERVED FOR THOSE WHO PRESENT A DANGER TO PUBLIC SAFETY, FOR THOSE WHOSE CONDUCT IS SO EGREGIOUS THAT IT NEEDS TO BE PUNISHED AND DETERRED AND FOR THOSE WHO CONTINUE TO PREY ON OUR PEOPLE DESPITE REPEATED SOCIETAL EFFORTS AT REHABILITATION. WE NOT ONLY EMBRACE DIVERSIONARY PROGRAMS, WE CREATED THEM AND CONSTANTLY SEEK WAYS TO BREAK THE CYCLE OF ADDICTION, TO REUNITE FAMILIES, TO SUPPORT MEANINGFUL RE-ENTRY PROGRAMS, TO PROTECT VICTIMS OF DOMESTIC VIOLENCE, AND TO CHOOSE REDEMPTION OVER RETRIBUTION WHEN PUBLIC SAFETY IS NOT COMPROMISED.

6. PROSECUTORS DO NOT SEEK IMPRISONMENT FOR OFFENDERS WITHOUT ARTICULABLE AND JUSTIFIABLE REASONS. WE DO NOT EMPLOY PRISON SENTENCES TO SUBJUGATE SEGMENTS OF OUR SOCIETY BASED ON THEIR RACE OR ECONOMIC STATUS AND ARE CONSTANTLY MINDFUL THAT JUSTICE MUST BE APPLIED EVENLY. WE HAVE HELPED REDUCE NEW YORK'S PRISON POPULATION BY 25% IN THE LAST TWO DECADES WHILE MAINTAINING NEW YORK STATE'S STATUS AS THE SAFEST LARGE STATE IN AMERICA.

7. WE SPEAK FOR THOSE WHO OFTEN CANNOT SPEAK FOR THEMSELVES: CHILDREN WHO HAVE TO FACE THOSE WHO STOLE THEIR INNOCENCE, PARENTS WHO HAVE EMPTY SEATS AT THE DINNER TABLE, MERCHANTS WHO LAY OFF EMPLOYEES BECAUSE THOSE THEY TRUSTED HAVE STOLEN FROM THEM...ALL THOSE PEOPLE NEED THEIR ADVOCATES IN COURT. WE ARE THOSE CHAMPIONS AND WE CHERISH THAT ROLE.

8. WE RECOGNIZE THAT RECENT IMMIGRANTS TO OUR STATE, REGARDLESS OF THEIR LEGAL STATUS, ARE READILY SUBJECT TO VIOLENT AND FINANCIAL PREDATORS. WE DO NOT HESITATE OR HOLD IN RESERVE OUR MAXIMUM EFFORTS TO PROTECT THESE RESIDENTS AND STRIVE TO CONDUCT OUTREACH PROGRAMS TO EDUCATE THEM ABOUT THEIR RIGHTS AND TO UNDERSTAND THAT WE ARE THEIR STAUNCH ADVOCATES.

9. WE BELIEVE THAT EVERY ELECTED DISTRICT ATTORNEY AND HIS OR HER STAFF SHOULD BE INTIMATELY INVOLVED IN THEIR COMMUNITIES. AS OUR COUNTY'S CHIEF LAW ENFORCEMENT OFFICERS, WE CAN PRIORITIZE WHICH CRIMES TO AGGRESSIVELY ENFORCE AND WHICH CRIMES TO DIVERT AND POSSIBLY NOT PROSECUTE AT ALL. WE ARE NOT LIMITED IN WHAT PRACTICES WE ADOPT TO DETER CRIME, TO DIVERT OFFENDERS AND TO ENHANCE OUR ROLES IN DISPENSING JUSTICE.

10. WE FIRMLY BELIEVE THAT OUR COLLECTIVE WISDOM IS SUPERIOR TO THAT OF THE INDIVIDUAL. OUR ASSOCIATION HAS ESTABLISHED A BEST PRACTICES COMMITTEE TO SCRUTINIZE PROGRAMS AND SELECT THOSE THAT ARE EVIDENCE BASED AND PROVEN SUCCESSFUL TO PUT THE BEST PRODUCT POSSIBLE IN FRONT OF A JURY. AMONG OUR ACCOMPLISHMENTS ARE WORKING WITH STATE LEGISLATORS TO IMPROVE THE PROCEDURES FOLLOWED FOR EYE WITNESS IDENTIFICATION, TO MANDATE WHEN A SUSPECT'S INTERROGATION IS TO BE RECORDED AND TO DEVELOP PROTOCOLS REGARDING BODY CAMERAS AND DATA STORAGE AND WE WILL CONTINUE TO STRIVE TO CONSTANTLY IMPROVE IN THE FAIR ADMINISTRATION OF JUSTICE.

WE AFFIRM THESE PRECEPTS AND OFFER THIS FURTHER NARRATIVE TO MORE FULLY EXPLAIN OUR CORE PRINCIPLES.

1. A PROSECUTOR'S DUTY

A prosecutor's primary responsibility is to seek justice. Exoneration of the innocent who have been falsely accused of a crime is a primary responsibility of the prosecutor and we do that more routinely than the most successful defense attorneys. This is also something we take great pride in accomplishing.

The prosecutor "is the representative not of an ordinary party to a controversy, but of a sovereignty...whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilty shall not escape or innocence suffer. He may prosecute with earnestness and vigor – indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one." Berger v. United States, 295 U.S. 78, 88 (1935).

We prosecutors have the best job in the criminal justice system because we have more freedom than other actors to do, and are charged with doing "the right thing" on each and every case. Defense counsel protects their clients' interests and legal rights. Judges protect the parties' rights and the public's interest in the proper resolution of pending cases. But it's not their job to find the truth, decide who should be charged, or hold the perpetrator accountable. Only prosecutors are given the freedom - and with it the ethical duty – to promote all of these vital components of "the right thing."

We understand that we and our assistants have great power to alter the lives of many people: people accused of crimes, people victimized by crimes, their families and friends, and the community at large. A criminal charge may be life-changing to both an accused and a victim; it must never be taken for granted. We should handle it with great care - like a loaded gun and never forget its power to protect or harm.

We keep an open mind. Not every person who is suspected should be arrested, not every suspect who is arrested should be prosecuted, not every case should be tried, and while we advocate for convictions at trial, we understand when fact finders acquit and accept these judgments as a strength of our system of justice. As prosecutors, we have broad discretion to prioritize which cases should be aggressively pursued and in some instances which cases should not be prosecuted at all. We have the freedom, and with it, the ethical duty not to bring a case to trial unless we have diligently sought the truth and are convinced of the defendant's guilt. Even then, none of us – not the police, the witness, the prosecutor, the judge, nor the juror – is omniscient or infallible. Like all lawyers, we have an ethical duty to zealously advocate for our client. But unlike other lawyers, the client we represent is the public, whose interests are not necessarily served by winning every case. We recognize that a guilty verdict serves our client's interest only if the defendant is in fact guilty and has received due process.

We seek the truth, tell the truth, and let the chips fall where they may. We serve our client's interest when we respect the rights of the accused, when we leave no stone unturned in our search for the truth, and when the jury's verdict reflects the available evidence. When a jury convicts, we can sleep at night because the outcome – with its awesome consequences – is the product of our best effort and the fairest system humans have devised. When a jury acquits, we can sleep at night for the same reason.

It means we succeed when the innocent are exonerated, as well as when the guilty are convicted.

Each of us has a duty to know the ethical rules that govern our conduct, and to remain vigilant regarding the myriad and often subtle ethical challenges that arise in our work.

District attorneys and their senior staff must set the tone, emphasize the primacy of ethical conduct, instruct junior prosecutors in these principles, and monitor their compliance.

These core principles, which at once define what it means to be a prosecutor and make it the best of jobs, are also reflected in mandatory rules of professional conduct. Violations can ruin the lives and reputations of innocent suspects, cheat victims of their chance at justice, and endanger the public. Such dire consequences to others justify dire consequences to prosecutors who act unethically. Ethical violations expose prosecutors to formal discipline including: censure, suspension and disbarment; case-specific sanctions, such as reversal of convictions, preclusion of

evidence, and dismissal of charges; and employment sanctions, including damaged reputation, demotion, and termination. Fortunately, compliance with ethical rules requires only that we know the rules, recognize that they define rather than restrain our mission, and commit to follow them.

II. WE FOLLOW ETHICAL RULES AND ABIDE BY THE BRADY AND GIGLIO DECISIONS AND THEIR PROGENY

Acknowledging our duty to behave in an ethical manner, we prosecutors recognize that our job is to seek the truth regardless of whether that reality comports with the police, the media or some other passionate advocacy group's version of what that "truth" should be. We do so without fear or favor. We do so knowing full well that a defendant may have repeatedly escaped accountability for numerous offenses due to the suppression of evidence, or witness intimidation, a child's inability to say what happened or any other of a myriad of reasons, but we nevertheless will follow our ethical duty to pursue each case based on the provable facts of that case.

We recognize that all of us and our thousands of assistant district attorneys must follow our obligations under Brady, under Giglio, and under all the decisions that require us to share with the defense favorable information, to disclose evidence that substantially questions the credibility of any of our witnesses and that in any way mitigates the potential punishment a defendant may receive. In fact, we have created, and fully support an ETHICS SUBCOMMITTEE to constantly educate our members about their ethical duties, to present cases from New York and across the nation that opine on these issues and to constantly remind our members that it is always important to do the right thing, even when no one is watching.

"The prosecutor...enters a courtroom to speak for the People and not just some of the People. The prosecutor speaks not solely for the victim, or the police, or those who support them, but for all the People. That body of 'the People' includes the defendant and his family and those who care about him." Lindsey v. State, 725 P.2d 649 (WY1986) (quoting *Commentary On Prosecutorial Ethics*, 13 Hastings Const. L.Q. 537-539 [1986]).

III. WE SUPPORT ANY EFFORTS TO ELIMINATE WRONGFUL CONVICTIONS, AT ANY STAGE OF THE PROCESS BE IT PRE-ARREST OR POST CONVICTION, AND WE SUPPORT ALL CONVICTION INTEGRITY REVIEW

A prosecutor's worst nightmare is not losing a major case or watching a dangerous criminal go free, it's convicting an innocent person. Nothing is more repugnant to our core principles of truth and justice. Unethical behavior by a prosecutor increases the risk that an innocent person will be convicted. The consequences for the defendant are obvious: incarceration, destruction of reputation, separation from family and friends, and extended damage to employability.

The consequences to society are equally damaging. The loss of confidence in our system, the knowledge that the actual perpetrator is at liberty and free to offend again and the devastation to the defendant and the victim's families.

We acknowledge that every DA's office, regardless of size, should have a Conviction Integrity process to review all claims of innocence. If a wrongful conviction is discovered through analysis of the case should be undertaken. Was the wrongful conviction the result of bad defense lawyering, perjured testimony, mistaken ID, a false confession, unethical behavior by the prosecutor, faulty forensic science, or some other reason. All these avenues should be explored until a cause is determined and protocols are put in place to prevent a recurrence. We as prosecutors support constant training for all of our assistants in the areas of forensic science, the phenomenon of false confessions, the foibles of eyewitness testimony and the overall assurance that a trial jury consider only competent admissible evidence.

“The prosecuting officer represents the public interest, which can never be promoted by the conviction of the innocent. His object like that of the court, should be simply justice; and he has no right to sacrifice this to any pride of professional success. And however strong may be his belief of the prisoner's guilt, he must remember that, though unfair means may happen to result in doing justice to the prisoner in the particular case, yet, justice so attained, is unjust and dangerous to the whole community.” Hurd v. People, 25 Mich. 405, 416 (1872).

IV. PROSECUTORS MAKE BAIL RECOMMENDATIONS CONSISTENT WITH THE STATUTORY CRITERIA, OUR RESPONSIBILITY TO PROTECT VICTIMS AND WITNESSES, AND THE ACKNOWLEDGEMENT THAT NO DEFENDANT SHOULD BE INCARCERATED PRE-TRIAL DUE SOLELY TO A LACK OF FINANCIAL RESOURCES

As the State's elected prosecutors, we all have one thing in common. None of us have ever set bail on a defendant. We recognize that bail in New York is statutorily designed to assure a defendant's reappearance in court to face his or her charges.

There are a number of factors the court may consider in setting bail as outlined in Criminal Procedure Law §510.30 and of course a court may listen to recommendations by defense counsel and the prosecutor in setting or denying bail. We as prosecutors do not believe in utilizing bail as a punitive measure to incarcerate any accused, especially the indigent. We also recognize our primary responsibility of protecting the public. The financial background of an accused is not a compelling factor in our recommending bail for a murder defendant, a child rapist or a serial robber. While public safety is such a factor, New York law does not allow a court to take that into consideration, except in cases of domestic violence.

We don't seek "nominal" bail on non-violent low level offenses. We believe that bail should not be determined based on financial status but rather on the applicable statutory criteria, including the available evidence of guilt, the seriousness of the offense and the defendant's prior history in honoring his or her commitment to appear. We believe that every office should review the bail status of those being held pending trial to ensure that these criteria are being met and no defendant sits in jail awaiting trial on a misdemeanor or a non-violent offense solely because of his or her economic status.

V. PROSECUTORS IN NEW YORK NOT ONLY SUPPORT DIVERSIONARY PROGRAMS, WE CREATED THEM

We believe that incarceration should be reserved for maintaining public safety, punishment of the accused and the need to deter future misconduct. It was prosecutors, not Governors, not the Judiciary and not the Legislature who first recognized that successfully dealing with and prosecuting certain crimes necessitated a holistic approach, particularly in the area of drug prosecutions. We prosecutors enthusiastically support diverting non-violent offenders from incarceration that may currently be mandated by State Law, as an exercise of our prosecutorial discretion. We New York's prosecutors have supported, and continue to support:

- 1) Diversionary programs for non-violent addicted drug offenders, including Drug Courts;
- 2) Mental Health Courts to deal with offenders with mental health issues and who for the most part have been ignored by our state government;
- 3) Integrated Domestic Violence Courts to deal with the horrific issues of victims of familial violence, primarily women, who have been abused, assaulted, and emotionally and financially denigrated by their spouses; to, when possible, reunite a family in a loving nurturing environment and, when not, to ensure that the victim and the children in that family are safe;
- 4) Veteran's Courts to deal with the particular issues faced by our service men and women whose criminal conduct may have and triggered by their service to their Country and the trauma they endured;
- 5) Opioid/Specialty Courts to deal with the unique crises created by the opioid epidemic which will kill more Americans in 2018 than died in the Vietnam War; and
- 6) Other specialty courts and informal programs designed to address the issues leading to the criminal conduct in the first place and prevent re-offense.

These courts and programs were created almost exclusively by Prosecutors and with minimal financial support to our offices from the State. Nevertheless we continue to support these initiatives to divert certain offenders from local or state incarceration and return them as productive members of society while contemporaneously keeping our neighborhoods safe.

VI. NEW YORK'S PROSECUTORS REJECT THE CALUMNY THAT WE SUPPORT MASS INCARCERATION AND ARE THE MAIN CAUSE OF THIS FALSE NARRATIVE

As prosecutors, we have another thing in common...none of us have ever sentenced a convicted defendant. We make recommendations within the statutory frameworks created by our State legislators. We make those recommendations considering the nature of the crime, its impact on society, the victims of the crime, the need for public safety, the need for deterrence of future

misbehavior and the background and the criminal history of the defendant. We do not make recommendations based on the race of the accused nor the race of the victims. As prosecutors we recognize that historically there have been those who have weaponized the criminal justice system to oppress people of color. We also recognize that discrimination based on race whether intentional or inadvertent is a cancer that needs to be destroyed.

America represents about 5% of the earth's population yet accounts for the 23% of the world's prison population, or so the narrative goes. New York's experience contravenes that narrative. New York's prosecutors have helped reduce our state prison population by 25% in the last ten years while keeping New York as the safest large state in the Union. It is crucial to note that it was prosecutors who recognized the discriminatory effects of the legislatively enacted Rockefeller Drug Laws, that we established diversionary programs to deal with that issue and enthusiastically supported repeal of some of the draconian measures of those statutes. In discussing the canard that New York's prosecutors are the cause of the "mass incarceration", the critics ignore the following:

- 1) Judges, not prosecutors, sentence defendants within a range of appropriate sentences based on the seriousness of the offense created by laws passed by the legislature and approved by a Governor (or if vetoed, overridden by the legislature);
- 2) No single group has done more to establish diversionary programs for offenders who would otherwise be compelled by legislation to be incarcerated than New York's prosecutors;
- 3) Law enforcement in New York is very good at catching criminals and prosecutors are very good at proving their guilt. We insist on top caliber forensic evidence, on collaboration amongst law enforcement agencies, on making it easier for child victims and adult sex abuse victims to report their crimes and to seek victim services. We do not apologize if that leads to more predators being prosecuted and subsequently incarcerated.
- 4) Prosecutors throughout the state actively engage with ex-offenders to minimize recidivism through programs that promote re-entry and that morally engage people to make smart decisions for the community as well as for their own future. We advocated

for, and supported the effort to create a Criminal Conviction Sealing Statute in New York;

- 5) As for our disproportionate share of the world's incarcerated peoples, we note as follows; many totalitarian countries do not accurately report their incarceration rates, forty-five countries do not recognize domestic violence as criminal behavior, others including India and China do not recognize spousal rape or other domestic crimes, and few countries in Southeast Asia recognize crimes of human trafficking and child pornography.

Our point is that we do not apologize for keeping our people safe. Mass incarceration is a false narrative that has no factual support in New York. We do not lock people up for the sake of statistics, for the sake of political expediency nor out of some perverse malice. We seek prison sentences to maintain public safety, to punish the guilty, to deter future misconduct and to follow our oaths as prosecutors. Arguments to the contrary are at best, misleading and at worst, absolute falsehoods.

VII. WE PROSECUTORS BELIEVE THAT WE ARE THE VOICE FOR VICTIMS WHO OFTEN CANNOT SPEAK FOR THEMSELVES

WE BELIEVE THAT crime forces people into a strange and frightening world in the role of "Victims." Some have already suffered horrific losses. The ordeal of appearing in court, facing the perpetrator, risking retaliation, describing the crime to strangers, being cross-examined, having his or her credibility attacked, and waiting in suspense through jury deliberations may be the second-most harrowing experience of a victim's life. It leaves most victims and their families thinking: "I never want to go through that again."

We believe in seeking justice for crime victims. We deal every day with children who have to face in court a former parent, caretaker or relative who have insidiously stolen their innocence; with women who are trapped in the cycle of domestic violence and who seek aid from us when so many other social institutions have failed; with loved ones who get a phone call or knock on the door in the middle of the night, only to learn that they have lost a child at the hands of a drive by shooter or a drunk driver. We embrace this role and strive to make our offices a welcoming place with victim advocates, with Child Advocacy Centers, with comfort animals, with professionals trained in proper forensic interview techniques, with family resource centers; and

the list goes on. At the same time we also believe in robust re-entry programs to reintegrate those released from prison back into society. That is who we are.

VIII. PROTECTION OF IMMIGRANTS

Many of us are children or grandchildren of immigrants to America. We are strengthened by our diversity of people with a common thirst for liberty. We know that many come to our shores through legal channels and some come under other circumstances. When it comes to victims we draw no distinction. Criminals tend to prey upon immigrants. Many who settle in our counties are vulnerable due to lack of understanding of our systems, a lack of trust of law enforcement or cultural differences that make them reluctant to seek aid. That is why we firmly believe that every office should have immigrant outreach staff members trained to reach out to our immigrant communities, to educate them about our laws, to support them if they become victimized, and to ensure that every resident of New York has an effective advocate in Court should they become a crime victim.

IX. COMMUNITY PROSECUTIONS

We as prosecutors believe that we can only be effective if we truly serve as advocates for those we represent. That means reaching out to neighborhood groups, to merchants, to tenants, to victims groups, to clergy, to our teachers, in short, having a presence in our communities. Whether it's a neighborhood watch meeting in Syracuse, a Shriners meeting in the North Country, or a community outreach program in the Bronx, we believe in knowing our neighbors and understanding their diverse needs and interests. We should not be strangers to them, nor they to us. We are acutely aware of the power we hold and how easily that power can be abused, whether by intent or inadvertence matters not. We strive every day to keep our communities safe, to protect our victims and to treat our neighbors often at the lowest point of their lives, with the utmost dignity, compassion and respect.

X. BEST PRACTICES

We believe that our collective wisdom is superior to that of the individual. We believe in collaboration in determining what programs work and which do not. We have collectively developed protocols on police interrogations, on eye witness identification, on officer involved shootings, on body camera usage and data storage and on a myriad of other issues related to our jobs. We will continue to strive to pool our collective expertise to develop best practices in New

York to ensure Constitutional protections for defendants, to prevent wrongful arrests and convictions, and to seek justice for victims.

We respectfully affirm these standards in an effort to educate those willing to listen to our commitment as prosecutors to seeking restorative justice when possible, to determine the root causes of wrongful convictions and when appropriate to divert offenders from incarceration and use our best efforts to make them productive members of society. We vow to keep our People safe, to provide justice for the survivors of violent crime, or the families of those who did not survive, to perform with the highest ethical standards, and to strive every single day of our professional lives to attain the ultimate goal of doing the right thing for the right reason and with the right results.