



**Evening with Los Angeles County District Attorney Candidates George Gascon and Rachel Rossi**  
February 12<sup>th</sup>, 2020

*All three candidates were invited to the Q&A. Candidates were not given the questions beforehand. This was not a debate. The moderators were scientists and graduate students, not experts in the law or policy. The goal was to learn from the candidates about how they view the evolving role of the D.A. and how they can incorporate data, scientific literature, and scientists into their process.*

*Questions were not meant to be a comprehensive overview of the many crucial issues at the hands of the D.A. and at stake in this election. They were meant to focus on those issues that we think can be most influenced by – or even helped and improved by – science, data, and evidence.*

### **1. Question: Juvenile Justice & Neuroscience**

We would like to start with the topic of juvenile justice. Data shows that children's brains continue developing until around 24-25, and that the parts of the brain that develop first tend to be more related to impulsive behaviors, emotional responses, and lack of inhibition, while the parts that develop later tend to be involved in assessing options, inhibiting impulses, etc. Findings also suggest that children's brains are much more susceptible to peer pressure and that merely the presence of a peer increases the likelihood of impulsive or risky choices. Luckily, the data shows that our brains have a tremendous capacity to adjust and recuperate, if placed in the right environment and circumstances. Environments like incarceration have been shown to exacerbate such issues and lead to poorer mental health and aggression outcomes. How would you reconcile the differences between this science and many prosecutorial techniques?

### **2. Question: Mass Incarceration & Addiction**

We would now like to turn to the addiction crisis. The war on drugs is increasingly acknowledged to have been politically motivated to turn substance abuse into an incarceration issue rather than a public health issue. Evidence also shows us how harmful incarceration is in terms of the mental health repercussions of imprisonment and in terms of exacerbating mental health or addiction issues, among other problems. Stress and trauma also significantly affect the brain, altering decision-making capabilities later in life. This means that the disproportionately nonwhite incarcerated population is at a substantially higher risk of such issues and therefore substantially disadvantaged due to their incarceration.

You have both spoken extensively on your goals to disrupt policies that drive mass incarceration of minority populations, such as gang enhancements and the three-strikes law. The first part of my question is, can we expect to see an appropriate sense of urgency in reconciling the discrepancy between substance abuse policy and policies that target minority populations? And the second part is what measures will you take to delegate the persisting issue of substance abuse to appropriate public health, medical, and neuroscience experts?

### **3. Question: Addiction & Treatment Centers**

Staying with the topic of addiction, we'd like to ask you about holding rehabilitation centers accountable - especially seeing as here in LA County we have a huge number of such centers. For instance, because of the cap in medical malpractice in California, it's impossible for many people to get justice for themselves or their loved ones. One example is American Addiction Centers, which owns and operates centers around the country and here in LA, and has been repeatedly involved in patients dying under suspicious or negligent circumstances while in their care. Some of their facilities have the word "hospital" in the title, even though they are no such thing. How would you approach such issues of fraud and negligence - and even wrongful death - in such facilities, especially these big corporations that own multiple centers?

### **4. Question: Environmental Racisms & Classism**

We now have a few questions about how you see the role of the office of the D.A. and the environment. Both of you have platforms that include shifting prosecutorial resources to focus on environmental crimes and

pollution. How would you prioritize different communities most susceptible to environmental pollution, poor air quality, or toxic waste? For instance, situations like the recent Delta jet fuel dump, where jet fuel was dumped on a low-income neighborhood. How do you view the role of the D.A. in such situations, where environmental racism and classism are at play? For instance, what steps can the D.A. take in such situations, in terms of getting justice for the victims, holding companies accountable, and preventing such an event from happening again?

## **5. Question: Green Spaces & Resource Allocation**

Evidence shows that things like green spaces can improve air quality and decrease temperatures in neighborhoods, subsequently increasing physical activity and the related health benefits, and even improve mental health, social cohesion, and public safety. They have also been shown to help mitigate climate change by eliminating and storing greenhouse gases like carbon dioxide and removing air pollutants. The disparity in abundance and locations of such spaces fits clearly into economic and racial lines. Evidence seems to suggest the benefits of shifting resources from jails to enhancing green spaces. How can the office of the DA be used to promote these changes? Is the allocation of resources to green spaces directly within the authority of the DA? and if not, how will you advocate for this?

## **6. Question: Justice & Sexual Violence**

This question is about justice for victims of sexual violence. When women report sexual crimes, it's been shown that law enforcement and justice officials are biased by preexisting beliefs about the truthfulness of the allegations. Such biases affect decisions into which cases are worth investigating and eventually prosecuting. Lots of these beliefs can come from people who have never experienced such violence or abuse, or from such acts being portrayed in films and the like. The result are uninformed practices, vulnerable to bias, partly because of a lack of comprehensive, written policies based on scientific evidence of how victims respond to trauma.

For a timely example, I am going to ask about the case against Harvey Weinstein, who the L.A. county's district attorney filed criminal charges against just last month. Many witnesses to the Harvey Weinstein case have been discounted for continuing positive relationships with him, both superficially or intimately. However, these patterns have been corroborated by scientific literature as well-characterized behaviours of sexual assault victims.

Could you elaborate on how the D.A. can implement trauma-informed practices? How will you incorporate the scientific literature and data to create comprehensive policies to prevent biases? And, most importantly, how much of this is truly within your control?

## **7. Question: Safety & Justice for Commercial Sex Workers**

This next question pertains to safety for commercial sex workers, who are particularly vulnerable to violence because of the criminalization of sex trade. Work from scientists like Dr. Elizabeth Barnert here at UCLA led to California state legislation that prevented underage girls from being arrested for "prostitution", and instead, recognized them as victims of sexual child abuse with pressing medical and psychological needs. In this case, systematic decriminalization lead to better safety and health outcomes for victims of sexual violence and trafficking. Mr. Gascon, during your time as D.A. in San Francisco, you implemented a policy that the D.A.'s Office will not prosecute people for involvement in sex work for when they are victims or witnesses of violent crimes.

Mr. Gascon and Ms. Rossi, how do you envision the role of the D.A. in terms of their responsibility to ensure justice for commercial sex workers? What challenges to implementing such policies here in Los Angeles do you envision facing?

## **8. Question: Immigration**

This next question is about justice for immigrants. The University of California appeared before the Supreme Court to defend DACA recipients and fight against the federal administration's end to DACA. In the justice system, immigrants facing charges for misdemeanors or petty crimes can be faced with deportation, a disproportionately severe consequence, especially for those seeking refuge from violent circumstances back home. Ms. Rossi, I have heard you speak about your time as a public defender when you would ask the judge to reduce charges in an attempt to mitigate the risk of deportation for the defendee. Could you speak briefly about challenges you may face if your role were to shift from public defender to chief prosecutor? And Mr. Gascon, how do you view the role of the D.A. in such matters?