



## Progressive Prosecutors Are Damaging Law Enforcement

**P**rogressive prosecutors, often elected with George Soros's money, are freeing criminals or calling for reduced sentences for thugs across America.

Once again progressives claim that criminal justice is being reformed in the name of social justice. And, once again, the *Mindszenty Report* asks, "Social justice for whom?" Not for the victims of these criminals; not for the communities these criminals live in; and not for Americans who believe in the rule of law.

This widespread effort by left-wing prosecutors in cities such as Seattle, Chicago, Philadelphia, Baltimore, St. Louis and Boston—just to name a few—is already having consequences. "New statistical studies show a deep, yearslong decline in misdemeanor cases across New York and California and in cities throughout other regions, with arrests of young black men falling dramatically," the *Wall Street Journal* reported on October 6.

### The Baleful Impact of Soros Money

**T**he campaign to elect soft-on-crime prosecutors is a burgeoning movement that has achieved notable electoral successes. George Soros has joined with a consortium of other progressive activist groups and philanthropists to reshape the criminal justice system.<sup>1</sup> In 2018 elections in California, for example, Soros and other progressives poured millions of dollars into key district attorney races.

These campaigns were not always successful for the social justice warriors and "woke" capitalists. The incumbent career prosecutor in Sacramento County, Anne Marie Schubert, was able to fend off the insurgent campaign by Noah Phillips, a deputy prosecutor who attacked his boss for failing to indict a police officer who mistakenly shot an unarmed black man. Phillips credited the Soros team with scripting and paying for his television ad. Behind Phillips's fundraising campaign was a political action committee (PAC) known as Real Justice, whose declared mission is "to fix our broken justice system." Real Justice is underwritten by Cari Tuna, the wife of Facebook's co-founder Dustin Moskovitz. Only the revelations of earlier racist and sexist emails from Phillips turned the tide. Each candidate in the race raised about \$1.1

million. Most of Schubert's contributions came from other prosecutors, the business community and police unions. Over half of Phillips's million came from Soros.

Soros's campaign to defeat Summer Stephan for San Diego district attorney also went south. Challenger Genevieve Jones-Wright received only about 34 percent of the vote, but not for lack of money. The Soros PAC contributed a whopping \$2.2 million supporting Jones-Wright.<sup>2</sup> Her platform called for releasing low-level offenders from prosecution, reforming the bail system and creating a police misconduct unit, but the heart of the campaign was about how blacks and racial minorities were being persecuted through a racist criminal justice system. Jones-Wright decried what she described as "criminalizing poverty."

Although the 2018 California district attorney elections did not go well for Soros, in 2015 to 2016 Soros spent some \$9 million on just 13 races around the country, of which his candidates won 11. Campaign money is only one avenue for Soros. His network for criminal justice reform, open borders, abortion, climate change, health care reform and voter registration is a spider's web of activism, including support for 187 known groups.<sup>3</sup> At the same time, there are numerous secondary and indirect affiliates of the Soros network that do not receive direct funding from Soros or his Open Society Foundations, but benefit from other philanthropic foundations funded by him.

### Where Leftist Prosecutors Have Won

**P**rogressive prosecutors have been elected over the course of the last few years in many cities, but there is a growing backlash against their policies. Speaking to the Fraternal Order of Police in New Orleans on August 12, U.S. Attorney General William Barr blasted the new class of reformed-minded district attorneys as "anti-law enforcement DAs" who "spend their time undercutting the police, letting criminals off the hook, and refusing to enforce the law."<sup>4</sup>

Philadelphia District Attorney Larry Krasner is typical of these progressive DAs. Before being elected with Soros funding, Krasner was an activist criminal defense and civil rights

attorney. He sued the police department some 75 times. He called law enforcement “systematically racist.” After taking office in 2018, he continued to talk incessantly about “social justice” and “inequality.” Under Krasner, shootings and murders in Philadelphia have increased.<sup>5</sup> As of June, police had logged 154 murders in the city this year, an eight percent increase from last year. Shootings have climbed six percent with 631 victims.

U.S. Attorney William McSwain blames this increase directly on Krasner, who has insisted on lenient bail policies and requests for shorter prison sentences. In 350 gun cases closed in late 2018, Krasner’s office secured a lower percentage of guilty verdicts and saw more cases tossed than the year before. Convictions declined, with many cases withdrawn by prosecutors or dismissed by a judge. He purged 31 prosecutors in his first few days on the job. In his first year in office, homicides rose 12 percent.

Instead of prosecution, Krasner funneled an increased number of gun cases to a court diversionary program called Accelerated Rehabilitative Disposition (ARD). An illustration of how this program works is the case of Maalik Jackson-Wallace, who was given a second chance by Krasner’s office. Jackson-Wallace was charged with gun possession. The case was sent to ARD and he received probation. Then he was arrested a second time for gun possession and released on unsecured bail. The result: On June 13 he was arrested and charged with murder of a 26-year-old man. He claims it was self-defense.<sup>6</sup>

Similar stories are told in Boston’s Suffolk County, where progressive DA Rachael Rollins was elected in late 2018. She ran her campaign on a pledge to reduce rates of incarceration, which affect black youths in a higher proportion than their share of the population. She developed a list of 15 low-level crimes which her office would be generally reluctant to prosecute.<sup>7</sup> These crimes include trespassing, shoplifting, larceny under \$250, receiving stolen property, and drug possession with intent to distribute. She came under heavy attack in an op-ed by another Massachusetts DA, Michael O’Keefe, in the *Boston Globe* on May 28. O’Keefe declared that the “idea that we should exempt any groups of people from having to obey the law is an insult to them and a destructive form of pandering, because it suggests that these people are lesser beings than those we expect to obey the law.”<sup>8</sup>

### Lax Enforcement on West Coast

Philadelphia and Boston are not the only cities where liberal prosecutors are wreaking havoc. In Seattle, small businesses are complaining about city attorney Pete Holmes, who is declining to press charges in nearly half of the non-traffic misdemeanor cases that come to his office.<sup>9</sup> Seattle business leaders bemoan the problem of theft by homeless people and the toll it is taking on business. This is forcing small businesses to flee the city. The president of Impact Bioenergy, a “green” company, announced in October that it is moving its

business out of Seattle. He lamented to KOMO News, “All this crime is crushing us. We are a small company. We just can’t do it.” In the past three years his company has suffered continual wire theft and theft of their electric cargo tricycle for collecting food to be converted to bioenergy.

Move south to San Francisco to find similar problems. Automobile break-ins are the major reason that the city by the bay averaged a whopping 5,844 property crimes per 100,000 residents per year from 2014 to 2016. This is more than twice the number of reported thefts per capita in Los Angeles or Santa Clara County.<sup>10</sup> Yet San Francisco has the lowest arrest record per capita of any large California city. Property crime has escalated in the city. Arrests in San Francisco came in at 226 property crime annual arrests per 100,000 residents, compared to Alameda County’s 374 per 100,000 residents, Los Angeles County’s 371 and Santa Clara’s 283. Property crime includes burglary, motor vehicle theft, and larcenies such as pickpocketing and shoplifting.

Critics charge that San Francisco is suffering because of the aftermath of Proposition 47, a voter-approved state measure that dropped property crimes of less than \$950 in value to a misdemeanor that carries little if any jail time. This is a statewide problem, exacerbated in San Francisco because the police have been directed to avoid arrests for property crimes. At the same time, San Francisco DA George Gascon announced his office was initiating a program aimed at “removing implicit bias from prosecutions.”<sup>11</sup>

“From Seattle to Los Angeles, a ‘shoplifting boom’ is hitting major retailers, which deal with thousands of thefts, drug overdoses and assaults each year” fueled by drug addiction, homelessness and expectations of little if any punishment, the *City Journal* blog reported on October 21.

### Not Helping in Baltimore, St. Louis

Other disastrous progressive prosecutors include Baltimore’s Marilyn Mosby, who announced in February that the city will no longer prosecute marijuana possession cases, regardless of the amount or a person’s criminal record—while the homicide rate continues to increase. In Baltimore, there is almost one killing per day. Mosby is notorious for bringing criminal charges against six police officers in the death of black criminal suspect Freddie Gray in 2015 as a result of injuries he sustained while being transported in a police van. Rioters demanded prosecutions. However, none of the three police officers who were prosecuted was convicted at trial, prompting Mosby to drop charges against the other three.<sup>12</sup>

In the high-crime city of St. Louis, which reported 309 homicides in 2018, the Soros-backed progressive prosecutor Kim Gardner has spent much of her time fending off legal complaints of misconduct in her handling of a prosecution of former Missouri

governor Eric Greitens. Her staff has had greater than 100% turnover since she took office in 2017, with at least 65 prosecutors who resigned or were fired. Still, she has found time to relax bail requirements and issue a list of 28 police officers whom she refuses to call as witnesses, leading to the dismissal of a number of felony cases. “She’s detested by the 1,100 police officers that I represent,” said Jeff Roorda, the business manager for the police union, in May. “She is a complete failure when it comes to prosecuting dangerous criminals in our cities.”<sup>13</sup>

In nearby St. Louis County, the veteran Democratic prosecutor Bob McCulloch was ousted in 2018 by the progressive-backed Wesley Bell in apparent payback for a grand jury’s decision not to indict the police officer who shot the resisting black criminal suspect Michael Brown in Ferguson in 2014. Bell has purged his staff of veteran prosecutors, leading to turmoil in his office. He too has announced various measures to ease up on criminal law enforcement.<sup>14</sup>

### The Jussie Smollett Farce in Chicago

And let’s not forget progressive Cook County prosecutor Kim Foxx, who decided to go easy on television star Jessie Smollett for his quickly disproven allegation that he was physically attacked by right-wing thugs wearing “Make America Great Again” hats. Foxx’s actions have led to the appointment of a special prosecutor to look at Foxx’s apparent cover-up.<sup>15</sup>

These progressive prosecutors are obsessed with racial justice. Their assumption is that an implicit, if not explicit, racial bias is invariably to blame for U.S. high rates of incarceration. They wilfully ignore the fact that most people in jail and prison are there because of chronic felonious behavior; and high rates of incarceration of blacks reflect high rates of criminal offenses by blacks, notably including murder. Ignoring bad behavior, or emptying the prisons, is not going to solve the problem.<sup>16</sup>

Heather Mac Donald at the Manhattan Institute, a vociferous critic of progressive crime policies that are undermining law enforcement in our cities, has debunked the myth that black Americans are punished out of proportion to their offenses.<sup>17</sup> Paul Mirengoff of the Power Line blog has been equally scathing in his data-based arguments that early release from prison for drug felons to enter “rehab” programs is a disaster in the making. In the end, he writes, the advocates of criminal justice reform won’t be the next victims of the beneficiaries of these early-release programs, but “many thousands of Americans will be. And a disproportionate number of them will be law-abiding African-Americans.”<sup>18</sup>

As authors Matt DeLisi and Paul Wright show in a recent *City Journal* essay, anti-social behavior explains crime. The authors point to studies done by social scientist Lee Robins, who looked at pro-social and anti-social behavior. He found that environmental conditions such as poverty bear little relationship to anti-social behavior that leads to crime, school dropout, chronic

unemployment, substance-abuse problems and transiency. Robins found that behavior is the foremost predictor of subsequent conduct and later life circumstances.

DeLisi and Wright describe anti-social behavior as “behavioral poverty,” which is reflected in attitudes, values and beliefs that spurn personal responsibility and reject traditional social mechanisms of advancement. Behavioral poverty, they write, is characterized by high self-indulgence, low self-regulation, exploitation of others, and limited motivation and effort. The causes of behavioral poverty are complex, involving parents, genes and culture, but anti-social behavior occurs early in childhood as evidenced in poor performance in school, juvenile arrests, and the development of few skills. The point is that not every child born poor, raised in a fatherless family, growing up in an environment surrounded by drugs, gangs and criminals, becomes a drug addict or criminal.

Sociologist Elijah Anderson supports this argument in his award-winning book *Code of the Street: Decency, Violence, and the Moral Life of the Inner City* (1999). Anderson describes two types of residents: those who identify as “decent,” who lead law-abiding lives, and those who identify as “street,” leading anti-social lives where violence is acceptable behavior. Those who identify with the streets tend toward fatalism, hedonism, and are obsessed with street respect. They terminate their education by dropping out, are chronically unemployed, and accumulate little wealth or assets. Those who identify themselves as “decent” have a strong belief in the future, for themselves or their children, and believe in working hard, saving money and investing in their future.

### Religion Instills Responsibility

Once the road to bad social behavior begins, it is hard to correct. Studies show that even when offenders re-entering society were provided with a wide range of social, psychological and employment services, these services and support systems had almost no effect on offenders in preventing later criminal activity or drug use or in addressing mental health issues. The conclusion is not that programs preventing recidivism should be abandoned. Instead, individuals who have led anti-social, impoverished lives need to be shown that they can take individual responsibility for their lives and should not blame society for their circumstances. Finding religion is often a first step in this process, and this is why churches can play important roles in changing lives.

The intrepid Attorney General William Barr made a similar point in an important speech at the University of Notre Dame law school on October 11. He argued that the waning of religion’s influence in American life has left more people dependent on the government, which merely tries to alleviate bad consequences instead of encouraging personal responsibility. Meanwhile, “the secular project has itself become a religion.”

“So the reaction to growing illegitimacy is not sexual responsibility, but abortion,” Barr said. “The reaction to drug addiction is safe injection sites. The solution to the breakdown of the family is for the state to set itself up as an ersatz husband for the single mother and an ersatz father for the children. The call comes for more and more social programs to deal with this wreckage—and while we think we’re solving problems, we are underwriting them.”<sup>19</sup>

Encouraging criminals, drug addicts and others to see themselves as victims of society—and letting them off easy when they do commit crimes—only perpetuates the problem and ensures further anti-social behavior. At the same time, progressives undermine faith in the justice system and create further social chaos. With chaos, progressives predictably call for more social programs, redistribution of wealth, and the eradication of “privilege.” In the end, nobody is served, except self-righteous progressives seeking power.

Chaos is the inevitable result when a Christian culture is subverted; individual responsibility is replaced by a culture of victimization; and a religious society is superseded by a powerful secular state.

- 1 Paige St. John and Abbie Vansickle, “Here’s Why George Soros, Liberal Groups are Spending Big to Help Decide Who’s Your Next D.A.,” *Los Angeles Times*, May 23, 2018.
- 2 Greg Moran, “DA Race: Stephen Easily Defeats Challenger Jones-Wright, Earns Full Term,” *San Diego Union*, June 6, 2018.
- 3 “America is Under Attack by 187 Groups Funded by George Soros,” <http://humansarefree.com/2017/04/America-is-under-attack>.
- 4 <https://www.justice.gov/opa/speech/attorney-general-william-p-barr-delivers-remarks-grand-lodge-fraternal-order-polices-64th>; see also Bobby Allyn, “U.S. Attorney Slams Philadelphia DA Over ‘Culture of Disrespect for Law Enforcement,’” *National Public Radio*, August 17, 2019.
- 5 “Prosecutors on the Firing Line: Backlash against ‘Progressives’ Grows,” *The Crime Report*, June 24, 2019.
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- 7 “Prosecutors on the Firing Line: Backlash against ‘Progressives’ Grows,” *The Crime Report*, June 24, 2019.
- 8 Ibid
- 9 John Sexton, “Seattle Suffering from Street Crime and City Attorney Won’t Deal with Criminals,” <https://hotair.com/archives/john-s-2/2019/10/09/seattle-suffering-street-crime-city-wont-deal-criminals/>.
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- 17 E.g., <https://www.city-journal.org/democratic-candidates-racism-crime>.
- 18 [https://www.powerlineblog.com/archives/2018/08/in-defense-of-tom-cottons-critique-of-leniency-for-criminals-legislation.php?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+powerlineblog%2Flivefeed+%28Power+Line%29](https://www.powerlineblog.com/archives/2018/08/in-defense-of-tom-cottons-critique-of-leniency-for-criminals-legislation.php?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+powerlineblog%2Flivefeed+%28Power+Line%29).
- 19 Quoted in William McGurn, “Bill Barr ‘Gets’ Religion,” *Wall Street Journal*, October 15, 2019.

**November 11** is Veterans Day  
in the U.S. as well as the feast day of  
St. Martin of Tours, a patron saint of soldiers  
who was born in present-day Hungary.

## Mindszenty Report Reprints

**THE LEFT’S LATEST PLOY FOR POWER: ENDING THE ELECTORAL COLLEGE.** The fashionable view that the Electoral College had racist origins is wrong about history, and the National Popular Vote Interstate Compact to circumvent the Electoral College is a bad and anti-constitutional idea.

Ask for 10/19

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Ask for 9/19

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