

WESTCHESTER COUNTY DISTRICT ATTORNEY
MIRIAM E. ROCAH INAUGURATION SPEECH

January 4, 2021

I am honored to stand before you today as Westchester's new District Attorney. I come to this position as the daughter of a holocaust survivor, the child of victims of horrific violent crime, a mother of two young children, and a long-time former federal prosecutor.

I also come to this position during the most challenging of times; challenges that none of us could have imagined when I began this journey last Fall. But, today, I want to focus on something hopeful. We are in the midst of an unprecedented movement for criminal justice reform. And, we can not let this moment pass us by. We must work to make criminal justice reform a reality here in Westchester despite these challenging times.

I know that I could not have gotten here without the support of so many people. People who believe in me and people who believe that we can keep our communities safe and honestly deal with the longstanding shortcomings and biases of our criminal justice system. I can't name everyone but I want to mention just a few.

First and foremost, my family -- my husband, David, who is my partner, my rock and my best friend; my kids, Sabrina and Aaron, who keep me real, keep me inspired and never fail to let me know when I am embarrassing them (like now). My parents -- my late father, an immigrant and ground-breaking architect who would be so proud today, and my mother, a pioneer for women in her field, and a support and inspiration to me. Both of them instilled in me, as Justice Ruth Bader Ginsburg put it, to "do something outside yourself, something to repair tears in your community, something to make life a little better for people less fortunate than you."

To my friend and mentor, Preet Bharara, who taught me and legions of prosecutors that our responsibility is always to "do the right thing, in the right way, for the right reasons." Preet, your example of leadership and integrity, your support and guidance have meant so much to me. Thank you.

To the people of Westchester, the armies of grassroots supporters across the county, the many elected officials who supported the new-comer -- thank you for your faith in me and your commitment to justice.

Thank you to my incredible campaign team, especially my campaign manager, Jin Whang, and my outstanding transition team co-chaired by legendary public servants Zachary Carter and Leroy Frazer.

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And of course I want to thank my predecessor, Anthony Scarpino, for his years of public service, his work as DA during incredibly difficult times, and for his assistance during this transition.

During the campaign, I spoke a lot about my vision of an office committed to justice for everyone; an office that uses a precision prosecution model to target the most violent and repeat offenders, an office that does not define success only by the number of convictions or the length of prison sentences; an office that speaks for historically silenced victims of crime; an office that stands with communities of color, immigrants, women, and the LGBTQ community all of whom have been repeatedly harmed by a sometimes unfair criminal justice system. But, this isn't just my vision for this office. This is the vision of the hundreds of thousands of voters who clearly voted for a mandate for change. And now it is up to us to make that a reality.

In preparation for taking office, we engaged with experts in criminal justice policy, leaders in law enforcement and victim advocacy, and partners from community organizations and services across the County. We spoke with DAs and prosecutors across the Country to get their best practices and ideas. Most importantly, we interviewed every attorney in the Westchester DA's office to get their perspective on how this office can do its job even better. And, let me tell you: these Assistant DAs are dedicated and talented public servants and it is my honor to join them and lead them in this vitally important work.

Our goals are clear: keep our communities safe, while making our system more fair. Foster new ideas and rethink systems that no longer work. And, most of all, help restore the public's trust and confidence in our justice system.

These changes won't all happen overnight; many will take time and all will take effort. But we must commit to making changes and not run away just because the challenges are hard.

So, let's start with changes that are key to the integrity of our system.

Few things are as important as holding public officials accountable and stopping corruption. We will be giving the public integrity cases of the office the priority and resources they deserve. We will be changing the reporting structure for the public

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integrity bureau so that it reports directly to the Executive Office of the DA so that I know exactly how we are conducting these sensitive investigations.

Similarly, our nation is demanding greater accountability for police officers and we must answer that call together with our partners in law enforcement. To those partners I say: We want the same thing. We want our communities to trust us. We want our badges to have respect. We want to be proud of our job and our colleagues. None of us can do our job effectively when people question our integrity. We will work with you to reduce crime and keep our communities safe in a way that will earn and keep the public's trust. We won't always agree, but I promise to listen to your point of view and have dialogue. And, I will ask nothing of you I do not ask of myself and the prosecutors in my office.

To the community: We will strive to do better. We will demand the highest standards of integrity from the DA's Office and the many police forces that serve Westchester County. To that end, the DA's Office will now have more stringent ethical guidelines and a dedicated ethics officer to ensure that every prosecutor knows the immense responsibility of their position and has a place to turn for ethical guidance. We will have a zero tolerance policy for intentional prosecutorial misconduct, and we will increase training and enforcement on disclosure and integrity rules. We will review, as warranted, past police involved-killings, and establish protocols for working or declining to work with officers whose conduct is under investigation.

As promised, I will create a truly independent Post Conviction Review Unit with a mandate to not only review cases of potential wrongful convictions, but also to review excessive sentences and past convictions based on testimony from officers who were later convicted of crimes or had credible allegations of misconduct against them. We will actively work to educate past defendants on expunging their records for now-decriminalized behavior. The Post Conviction Review Unit will be led by a professional with wide experience in this type of work from outside the DA's office.

There will also be changes in how this office operates externally with the community we serve. Beginning immediately, our office will establish a system to make contact with families of homicide victims and the victims of serious violent crimes within 24 hours and provide increased support throughout the investigation, prosecution and beyond. To the victims and their families, please know that you are the reason so many of us do this work, and you will be treated with decency and humanity and given as much transparency as we can.

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Our duty as prosecutors is particularly significant with cases that have been stalled or ignored. Victims and their families never stop hoping for justice and neither should we. We will create a new cold case unit to look at these cases with fresh eyes and reinvestigate as necessary. We will make it a priority to examine untested forensic evidence, including rape kits, that could help bring answers and justice to victims and their families.

We will also make the office more accessible with the hiring of a full-time Spanish interpreter, make available Spanish translations of public addresses like this one, and I am proud that today is the first time the Westchester County District Attorney's Office has used a sign language interpreter for a public event.

Going forward, the Office will be even more attentive to the rights of the immigrant community. Collateral consequences like deportation will be considered when making charging decisions or resolving a case. We will seriously consider U-Visa applications where appropriate, and consider vacating past convictions for individuals subject to deportation where warranted. Finally, to encourage members of Westchester's immigrant population to report crimes, we will create anonymous hotlines for wage theft and unsafe working conditions as part of our new focus on worker safety. And we will specifically task our investigators with investigating covid-related frauds and scams.

We will establish new mechanisms for people to easily report hate incidents and hate crimes and greatly expand our outreach to communities in this area. Our Special Prosecutions Division will enhance its focus on human trafficking, sex trafficking and child exploitation.

Increasing diversity and inclusion in the DA's Office is a top priority. We now have a zero-tolerance sexual harassment policy, and we will never simply move people around the office to avoid dealing with harassment. We are making overdue changes to address underrepresentation of people of color and women at the highest levels of the Office through well-deserved promotions and hirings that I will begin to announce in the coming days. We now have an Executive level Officer of Diversity & Inclusion who will work with a committee to coordinate internal office training, ensure diverse hiring and maintain an inclusive environment.

We will hold ourselves accountable by making public data on racial disparities in arrests and case dispositions, as well as internal data on diversity within the office. We will also use this data to make sure we are prosecuting cases fairly and without bias.

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We are going to significantly expand opportunities for diversion and alternatives to prosecution through a “community first approach.” We will look increasingly to community service alternatives for many of the less serious crimes we prosecute. We will work to reduce current barriers to entry to these programs such as mental health, substance addiction, or certain prior criminal histories.

Finally, we need to address Westchester’s rising rates of gun violence. We must get guns off the street and out of the hands of violent offenders. And, while there are no simple answers, there is more we can do. We will immediately implement mandatory red-flag notification for victims of domestic violence - letting them know that they have the right to have a firearm removed from their abusive partners. We will train our ADAs and law enforcement partners to identify cases in which an extreme risk protection order may be appropriate, and use them in cases where guns need to be seized quickly. We will partner with schools to educate parents on methods and legal responsibilities for safe storage of firearms, using the Moms Demand Action “Be SMART program.” And we will support community-group, violence intervention programs and work to create a better gun buy-back program to get more guns off the streets.

These are major changes; and they are numerous. And, while some can and will be implemented today, others will take time and hard work to implement. As Justice Ginsburg said, “real change, enduring change, happens one step at a time.” But, we are in a unique moment in our history where we have an opportunity to change how things have always been done and to rethink our policies, our attitudes and our duties as prosecutors.

I am honored, and deeply humbled by the faith the voters have entrusted in me to accomplish this goal, and I look forward to getting to work today to make it a reality. To quote my mentor once again, “In the end, the law doesn’t do justice. People do.” I pledge to be a District Attorney who seeks to do justice for all the people of Westchester.