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## **Free: Aborn: 'Stop Crime Before It Starts'**

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Richard M. Aborn began a recent 18-hour day shaking hands with parents dropping off their children at a Harlem school and generally angling for support in tomorrow's Democratic primary for Manhattan district attorney.

"I'd love to get your vote," he told one man.

The potential voter congratulated Mr. Aborn for "[coming] across the best" in a debate hosted by NY1. "There seemed to be some strife" between Mr. Aborn's rivals, Cyrus R. Vance Jr. and Leslie Crocker Snyder, the man said.

"I try to stay out of nonsense," replied Mr. Aborn.

Mr. Aborn has portrayed himself as a progressive, forward-thinking candidate who would bring the district attorney's office into the 21st century by implementing a series of policy changes that, in the words of one flier, "stop crime before it starts."

His message has garnered the support of many local political clubs and government officials. He fills "the niche of the candidate with the most liberal support—Manhattan is a very liberal borough," said political consultant Jerry Skurnik.

Mr. Aborn is a managing partner of the 50-attorney antitrust law firm Constantine Cannon and helps run a side business that advises law enforcement agencies. He also is the former head of the Citizens Crime Commission, a nonpartisan, nonprofit organization working to reduce crime.

His opponents have criticized his lack of recent trial experience, noting that he has not tried a case to verdict since 1992. Ms. Snyder has called him a "consultant." And even some of those who admire his ideas question whether they can be implemented within the statutory confines and financial realities of the district attorney's office.

But Mr. Aborn claims he has "broader" credentials than his opponents because of his experience working with clients like the Los Angeles Police Department and the British Transport Police, as well as his 1999 investigation into the practices of the New York City Police Department after the shooting death of Amadou Diallo.

Fellow lawyers who support Mr. Aborn say they are drawn to his big-picture ideas.

"I've known Richard for a few years and he is a student of criminal justice," said Michael C. Rakower. "Mr. Aborn is both a thinker and an achiever. He uses crime studies and statistics to craft intelligently designed criminal justice programs."

"The job of district attorney is a very complex position requiring a very broad understanding" of the criminal justice system and law enforcement, Mr. Aborn said in an interview. He said he believes that compiling statistics and mining data for trends are the keys to knowing which initiatives are successful and he plans to implement "PreventStat"—the computerized tracking of offenders through the system that he says will help prosecutors track in "real time" which rehabilitation programs and measures are working and which should be modified or abandoned.

### Changing the 'Paradigm'

While he changed his campaign slogan from a "true progressive" at the beginning of the race to now read "progressive and effective," Mr. Aborn has not strayed from his original position of remaining "very aggressive on violent crime" while "switching the paradigm on non-violent crime to a prevention model."

### **Richard M. Aborn, 57**

Partner, Constantine Cannon, 2004-present  
President, Constantine & Aborn Advisory Services, 2004-present

#### **Other legal experience:**

Director, NYPD Misconduct Investigation Unit, Office of the Public Advocate, 1999-2001  
President, Center to Prevent Handgun Violence, 1992-1996  
Member, Aborn & Anesi, 1984-1994  
Assistant district attorney, New York County District Attorney's Office, 1979-1984

#### **Education:**

J.D., John Marshall Law School 1979  
B.A., University of Dubuque, 1974

#### **Personal:**

Born in New York City; married for 18 years to Ingrid Rossellini, a professor of Italian literature at New York University; one daughter

### **Aborn's Major Initiatives**

- **Implement PreventStat**, a computerized system incorporating data from numerous agencies to track the effectiveness of treatment programs to prevent crime.

He says he would direct prosecutors to work with defense attorneys to determine whether their clients would benefit from a drug or mental health treatment program, as it "makes no sense to put someone with a mental health issue in jail."

Mr. Aborn said he was "generally...looking to

- **Negotiate a regional, multi-state compact to curb gun trafficking;** establish a five-year renewal process for handgun permits.
- **Improve "consent to search" program,** where parents would give police permission to search their homes for guns without risking criminal charges.
- **Clamp down on wrongful convictions** by revamping line-up and photo array procedures and require the videotaping of all custodial interrogations of suspects accused of violent felonies.
- **Target intervention programs** to reduce recidivism among juvenile offenders; lobby state legislators to give the district attorney the discretion to try in Family Court offenders under 18, rather than 16.
- **Assign a team of prosecutors to prosecute traffic fatalities** and prosecute as criminally negligent homicides, if appropriate; work closely with family members and witnesses to deter reckless driving.
- **Make investigations of white-collar crime more efficient** and technologically advanced.
- **Criminally prosecute wage law violations.**
- **Work with tenants associations,** community groups and others to protect tenants from unscrupulous landlords.
- **Establish a specialized hate crimes unit** to work with a community affairs bureau to maintain close

give people a fresh start." He pointed to Brooklyn District Attorney Charles J. Hynes' model of offering substance abuse treatment as an alternative to incarceration for nonviolent felony and misdemeanor drug offenders.

Current recidivism prevention efforts are "offender-centric" while crimes by nature affect people other than the criminal, Mr. Aborn said, pointing to domestic violence cases where a husband may go to jail but a battered wife and a small child are often left to deal with the emotional and physical trauma.

"We never think about the other people that come in contact with the system," he said. "All the conversation you hear around treatment is all focused on the person that gets arrested—it's never focused on anybody else. What I'm saying is that we have an enormous opportunity to help others [who are impacted] by the system."

Mr. Aborn worked as an assistant district attorney from 1979 to 1989, but on the campaign trail he has stressed his later experience as a criminal justice policy expert and social behavior analyst.

#### Policy Emphasis

In particular, he has repeatedly cited his involvement with the national gun control movement, which began as a volunteer with the state gun control lobby and ended with him becoming president of Handgun Control Inc., now called the Brady Campaign to Prevent Gun Violence ([NYLJ, June 24](#)).

At candidate forums and debates, Mr. Aborn has cited the passage of the 1993 Brady Handgun Prevention Act, which required an initial five-day waiting period for a handgun purchase, as the crowning achievement of his tenure as president.

relationships with community groups representing New Yorkers most likely to be targeted in hate crimes.

- **Repeal the Rockefeller Drug Laws** and replace them with a policy "grounded in public health and common sense" that sends drug "kingpins" to prison but gives first- and second-time non-violent offenders "an opportunity to rebuild their lives."



In one mailing, he boasts that he is "the NRA's worst enemy" and includes a 1993 photograph shaking hands with President Bill Clinton, who is quoted as expressing his "gratitude" at Mr. Aborn's help in passing the law.

As district attorney, he says he would seek a multi-state regional task force to combat gun trafficking and implement a search-and-consent program to enlist the community's help in finding guns.

Manhattan defense lawyers interviewed about Mr. Aborn's platform say that while his ideas are good in theory, executing them might prove a challenge.

"A lot depends on how they do it—if part of getting the treatment is getting [offenders] to incriminate themselves [or the alternative] is a long period of incarceration for treatment purposes, then it's a different warehouse with a different name," said David L. Lewis, a partner in Lewis & Fiore.

Criminal defense attorney Martin Adelman agreed that while intervention and treatment programs can help if they are "well-conceived," the key to their success is proper supervision of how they are carried out.

Jeremy Saland, a partner in Manhattan's Crotty Saland, said in an e-mail interview, "If the Manhattan district attorney also advocates these types of alternatives, the benefits both to the accused and the general public could be enormous."

But Mr. Saland, also a former prosecutor under Mr. Morgenthau, said that implementing any change in policy could be tougher than simply promising change.

"It is one thing to galvanize the constituency behind the principle of decreasing crime through alternative means, but it is another thing to have a comprehensive plan that will actually achieve the desired results effectively and efficiently," he said.

## Ground Game

As the campaign entered its final days, the Aborn campaign said it was relying on an extensive "ground game" managed by the Working Families Party to get out its voters.

More than three dozen paid workers have been knocking on doors each night. Tomorrow, the campaign plans to deploy more than 1,000 volunteer canvassers.

"It is direct voter outreach—the model of the campaign is to leave no voter untouched, all day on the weekends, all day every day," he said.

If he could campaign all over again, Mr. Aborn said he would do things exactly the same.

"I'm actually very pleased with the way we executed this campaign and we are sticking to that," he said. "I have been saying that from the very beginning our overall strategy was to get out the vote and we are doing that—we are knocking on as many doors as we can."

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