

Los Angeles Deserves Better

A Review of Los Angeles District Attorney Nathan Hochman's First Year in Office

Angelenos deserve a district attorney who protects communities through policies rooted in safety, equity, and care. On the campaign trail, Los Angeles County District Attorney Nathan Hochman often portrayed himself as a centrist who rejects both blanket decarceration and mass incarceration policies that are not “anchored in the facts and the law.”¹ He promised a “hard middle”² approach and changed his party affiliation to Independent after an unsuccessful run as the Republican candidate for attorney general, saying he wanted to take politics out of the job.³ While D.A. Hochman has taken a few commendable steps during his first year in office, such as permitting exonerations to move forward, these actions stand out as exceptions. Overall, his record reflects a hardline approach to prosecution and reveals a pattern of extreme and debunked approaches to crime, many that will increase mass incarceration.

The following report outlines five public policy issues L.A. County advocates and community members have tracked during D.A. Hochman's first year in office that are anything but apolitical and moderate.



Resurrecting The Death Penalty

1

“It’s incomprehensible that D.A. Hochman is once again pursuing the death penalty in Los Angeles, the county that has sent more people to California’s now-defunct death row than any other in the state. And there is no thoughtful rationale for doing so. It is incomprehensible that a responsible district attorney would waste the millions of dollars necessary to pursue death sentences in a state with a moratorium on capital punishment, especially when a recent comprehensive study found that not only is the public less safe in states that are most active in carrying out executions, those states are also the most dangerous for members of the police forces. Given Mr. Hochman’s ‘hard right’ approach to criminal justice and his apparent lack of interest in meeting and discussing the issue, it’s clear our only alternative is to work around him in support of the coalition’s efforts to reform the criminal legal system in California.”

- MIKE FARRELL, DEATH PENALTY FOCUS PRESIDENT

Despite the 200+ plus innocent people on death row who were exonerated and released nationwide since 1973,⁴ D.A. Hochman reinstated the death penalty in L.A. County.

The issues that have driven L.A. County voters to repeatedly reject the death penalty still ring true: its legacy of racially discriminatory and arbitrary use, its proven failure to improve public safety, its endorsement of brutality and murder as solutions to complex problems, its tax dollar waste, its punishment of those with inadequate representation rather than those who commit the worst crimes, and its tragic fallibility.⁵

Although the Trump administration is ramping up death penalty prosecutions, many politicians and prosecutors are moving away from its use and policies aligned with the administration. For example, Santa Clara D.A. Jeff Rosen, who does not align with the progressive prosecutor movement,⁶ asked courts to resentence nearly everyone on death row from his county, saying he had, “...trusted that as a society, we could ensure the fundamental fairness of the legal process for all people. With every exoneration, with every story of racial injustice, it becomes clear to me that this is not the world we live in.”⁷

The last district attorney in Los Angeles to pursue the death penalty, D.A. Jackie Lacey, assembled a special committee that undertook comprehensive reviews of each case, as D.A. Hochman has promised to do. Even with stringent precautions in place, L.A. County still managed to send only people of color to death row between when D.A. Lacey was sworn into office in 2012 and June 2019, when the ACLU wrote a study on the death penalty in L.A. County.⁸

The death penalty is a racially biased, politicized attempt at crime control and a distraction from identifying and supporting anti-crime measures proven to work. Moreover, D.A. Hochman is diverting resources from public safety measures L.A. voters actually support to costly death penalty prosecutions. D.A. Hochman should take a step towards racial justice — which requires a step away from extreme policies pushed by the executive branch — and help end L.A. County’s experiment with the death penalty.

Racial Justice Act Opposition

2

“The California Racial Justice Act (RJA) was designed to give public defenders a legal mechanism to confront racial bias and inequity that is deeply rooted in our criminal legal system. Opponents of the RJA say that it is too expensive to uphold. What is truly unaffordable is a legal system where racial disparities are allowed to persist unchecked. If it costs too much to rid the system of racism, then the answer is not to slow down racial justice — it is to stop being racist.”

- RICARDO D. GARCIA, LOS ANGELES COUNTY PUBLIC DEFENDER

The California Racial Justice Act (RJA) bans the legal system from using race, ethnicity, or national origin to convict or sentence people.⁹ The RJA aims to make California fairer by reducing well-documented racial disparities in the state’s criminal legal system.¹⁰

The RJA specifically prohibits prosecutors from using language that compares defendants to animals, recognizing that such comparisons tap into racial biases that can shape how juries perceive a case and impact sentencing outcomes. In the RJA’s legislative intent, the bill’s author references the recurring example of prosecutors calling defendants of color “Bengal tigers” as an example of “racially incendiary or racially coded language, images, and racial stereotypes in criminal trials.”¹¹

D.A. Hochman publicly avowed to support the RJA and stated that if an error “showed in the transcripts, he would follow the law and not tolerate racism.”¹² He also assured those worried about racial bias in death penalty cases that the RJA would act as a safeguard.¹³ However, D.A. Hochman filed an amicus brief¹⁴ in the California Supreme Court for a death penalty case his office wasn’t even prosecuting to chip away at RJA protections. Specifically, Hochman argued that “the Bengal tiger analogy is not one that appeals to racial bias”¹⁵ contrary to the specific reference in the RJA’s legislative intent and California Attorney General Rob Bonta conceding that Bengal tiger analogies do violate the RJA.

D.A. Hochman’s arguments against the RJA attempt to weaken the very law he claims would safeguard his death penalty decisions from racial bias. To contribute to a more just legal system and stop exacerbating racial disparities, D.A. Hochman should follow and protect the Racial Justice Act, not fight it.

Extreme Charging Practices

3

“I grew up in Los Angeles during the 1990s, when California had many tough-on-crime policies and the largest prison population in the country. In my childhood, police and D.A.s targeted youth as “super predators” if they had gang affiliations or were seen as delinquents. Youth grew up in historically underfunded communities with little access to the community-based services and resources that help neighborhoods thrive and increase safety. I got caught up in that and the only thing that got me out was access to services in the community. Now, I’m watching L.A. County return to those backward days.”

- FRANCISCO VILLARRUEL, GRADUATE STUDENT, UCLA LUSKIN SCHOOL OF PUBLIC AFFAIRS

D.A. Hochman claimed he would walk a centrist line and reject both “extreme decarceration” and “mass incarceration” policies.¹⁶ Yet, he resumed sentencing enhancements, gang enhancements, and extreme charging practices — blueprints for mass incarceration and racial bias — despite research showing that longer sentences undermine community safety and can fuel recidivism.¹⁷

Reinstating Enhancements

During the avalanche of “tough-on-crime” politicians and laws from the 1980s and 90s, California adopted harsher punishments than it already had, including sentencing enhancements, which add years to a person’s sentence and often double the recommended sentence for a crime. When sentences are this much longer, the size of the state’s prison population increases.¹⁸

D.A. Hochman reinstated gang and sentencing enhancements this year, even after the California Committee on the Revision of the Penal Code found that sentencing enhancements are imposed with “extreme racial disparities”¹⁹ and “over 98% of people sentenced to prison for a gang enhancement in Los Angeles are people of color.”²⁰ Hochman’s decision to reinstate enhancements furthers a two-tiered criminal legal system that operates based on the color of people’s skin.

Exploiting Politically Heightened Moments to Showcase Extreme Charging

During both the wildfires and the protests in L.A. County, D.A. Hochman organized press conferences laden with politicized, tough-on-crime rhetoric and shared a litany of filed charges. He also revealed the names of accused people — who had not yet been convicted — in his press conferences, on his website, and on social media, despite how destabilizing that can be to someone’s life and the risks of exposing people to retaliation and political violence.

In his remarks on the wildfires, D.A. Hochman promised to prosecute anyone found looting to the “fullest extent of the law”²¹ and prescribed brutal punishments for any theft. In one press release, he named a 22-year-old who would receive a sentence of up to 22 years if convicted as charged, and a 23-year-old who could face a lifetime in prison, both accused of stealing from an abandoned house.²²

When addressing the protests in L.A. County, D.A. Hochman again used the moment to amplify law-and-order messaging. He publicly exalted law enforcement for how they handled the protests despite widespread, documented law enforcement abuse and illegal activities.²³ D.A. Hochman’s praise came in direct contradiction to his own public promise to “not tolerate criminal conduct by those we entrust to enforce the law.”²⁴

He then announced dozens of charges against civilians, including a young woman who faced over three years in prison for allegedly throwing a plastic water bottle at law enforcement.²⁵ Meanwhile, D.A. Hochman issued no charges against — and offered no criticism of or warning to — the law enforcement officers who shot, trampled, and beat protesters in flagrant disregard for departmental force policies, state law, and the Constitution.²⁶

In response, the ACLU SoCal and the National Lawyers Guild (NLG) sent D.A. Hochman an advocacy letter, co-signed by 34 partner organizations, urging him to exercise leniency and safeguard the exercise of free speech amid the pain, panic, and horror Angelenos experienced under the federal government's unconstitutional actions. The letter did not accuse D.A. Hochman of violating the First Amendment; rather, it called on him to use his broad prosecutorial discretion to drop all charges arising from the protests and focus his resources on the broader crisis of law enforcement misconduct. The letter also asked D.A. Hochman to remove the names of people arrested from his office's press releases and website given the climate of increasing political violence.

Advocates sought to inspire bold action and urge D.A. Hochman to take a principled stand against the harm caused by federal immigration enforcement actions. At the same time, the request was a precedented one, within the scope of D.A. Hochman's authority and duties. Prosecutors often exercise leniency and discretion in dropping felony charges related to protests, including in Kentucky,²⁷ Michigan,²⁸ North Carolina,²⁹ and Oregon.³⁰

D.A. Hochman's responses to the letter were troubling, as discussed below. He also made no comment on law enforcement's actions and kept the names of those arrested published on his website and in his press releases.

Public safety is not achieved through more incarceration, publishing the names of those still legally innocent, or applauding violent actions from law enforcement. If it was, the U.S. would be among the safest nations in the world, along with the four countries that incarcerate more people per capita than the U.S.: Turkmenistan, Rwanda, Cuba, and El Salvador.³¹ Rather than defaulting to ineffective, excessive sentences, D.A. Hochman should pursue proven ways to deliver public safety, justice, harm repair, and accountability.³²

Continued Prop 36 Support

4

“Prop. 36 is straining the demand for drug treatment that is sorely needed across California and it is also tremendously increasing incarceration costs, which takes away from local governments’ ability to get the residents access to what they need. [...] All Californians should be calling on their local government, their state government, to fully fund the programs that we know keep us safe, things like affordable housing, good jobs, access to mental health and drug treatment.”

- **CLAIRE SIMONICH**, ASSOCIATE DIRECTOR, VERA CALIFORNIA
AS QUOTED IN THE LA DAILY NEWS³³

D.A. Hochman was a mouthpiece for unfounded statements about crime on the campaign trail, including when he told the L.A. Times (LAT) editorial board that former D.A. George Gascon refused to prosecute misdemeanors and generally avoided prosecuting felonies.³⁴ As the LAT editorial board wrote, “When asked to show evidence, [Hochman] couldn’t — because there is no such policy. This is particularly troubling because the ex-Republican has attracted support from GOP donors across the country.”³⁵ Hochman backed Prop 36 with his distorted crime rhetoric as well, even though property crime was at an all-time low before Prop 36 passed³⁶ and California already had some of the toughest theft laws in the country.³⁷

Prop 36 proponents promised voters harsher penalties for theft and mandated “treatment” for people found with drugs, but the measure did not set aside a single dollar to help people get care, and in fact, it threatens funding for programs already providing care. Prop 36 is classic *war-on-drugs* and *war-on-crime* law wrapped in messaging more palatable for today’s voters.

Reports on implementation confirm what many Prop 36 critics feared. People charged under Prop 36 are not receiving treatment.³⁸ Prop 36 is driving up the LA County jail population during one of the deadliest years on record for LA County’s jails.³⁹ And law enforcement (including district attorneys) are using Prop 36 to target, arrest, and charge Black and brown people at far higher rates than their white counterparts.⁴⁰ As of September 2025, 28% of people incarcerated on Prop 36 charges in L.A. County were Black,⁴¹ though they make up only 8% of the county population according to the US Census Bureau.

The stark racial disparities are especially concerning as the federal government ramps up arrests and scrutiny of communities of color. For immigrants, even if they receive drug treatment under Prop 36, they will still receive a felony conviction on their records for having drug dependency issues, a health problem. Felony convictions carry the harshest immigration consequences, including family separation, deportation, and never being able to return home to the U.S. Despite these issues, D.A. Hochman continues to trumpet his support for Prop 36.

It is self-benefitting for politicians to offer simple solutions to crime, like more jail time and harsher penalties, none of which have been shown to increase public safety. The harder work is following data-driven policies that address the root causes of crime and that are proven to support people getting on their feet.

L.A. County has seen outstanding returns on its investment in supportive programs. Ninety percent of people who participated in L.A. County community-based reentry programs did not commit another crime.⁴² Prop 36 will eliminate much of the funding that keeps those organizations going, along with other services that offer diversion, housing, mental health care, addiction services, schooling, and employment support — all proven stabilizing factors in people’s lives.

Preventing the Adoption of Care-Centered Community Safety Solutions

5

“The opposition to AB 572 was frustrating, including D.A. Hochman’s office. Gaslighting and denial were their responses to Lexipol’s manipulative, coercive way of talking with families after a loved one has been killed or seriously injured by police. The D.A. is supposed to investigate the police in question, instead they protect police, coercing statements from the families. In the end, the D.A.s were not united in their own fight against the bill. In the end, the families impacted by police brutality stay united. We continue in our fight for accountability for our loved ones.”

- DEANNA SULLIVAN, MOTHER OF DAVID SULLIVAN WHO WAS KILLED BY BUENA PARK POLICE IN 2019

D.A. Hochman claims to support reform,⁴³ second chances,⁴⁴ and diversion;⁴⁵ yet he signed off on lobbying letters that oppose those opportunities and installed a person who has a long and extreme record of opposing reform, second chances, and diversion as his special counsel on legislative affairs.⁴⁶

D.A. Hochman’s office lobbied against the following transformative justice priorities and initiatives this legislative cycle:

1. **AB 572**, a bill originated by families who lost loved ones to police violence. AB 572 arose from healing circles where families worked through the excruciating experiences of police killing or seriously injuring their loved ones. In many cases, law enforcement took advantage of these families’ emotional distress, using interrogation tactics to extract information that could justify the harm done.⁴⁷ Families affected by these practices shared their experiences in “The Thin Blue Lie” videos.⁴⁸ AB 572 sought to protect these families by requiring officers and district attorneys to clearly identify themselves, disclose the status of the loved one, explain the investigation, and inform families of their right to have a support person present during interviews. Crucially, the bill sought to prohibit coercive tactics or deception during — or to obtain — these interviews. D.A. Hochman’s office opposed the bill, claiming in his opposition letter that these protections would make conversations “difficult” and “discourage communication.”⁴⁹

2. **Diversion opportunities.** L.A. County jails are dangerous⁵⁰ and especially inappropriate for individuals needing mental health treatment.⁵¹ Diversion is a proven practice of accountability and safety that offers people accused of crimes the opportunity to avoid incarceration in favor of receiving the services and support they need to turn their lives around. Incarceration causes people with mental illness to experience severe exacerbation of their conditions and leave jail with worsened mental health issues that can fuel a cycle of incarceration.⁵² By contrast, L.A. County’s Office of Diversion and Reentry (ODR) has shown great success in breaking that cycle. One study found that 86% of ODR program participants with serious mental health diagnoses received no new felony convictions.⁵³

D.A. Hochman has repeatedly denied or tried to limit people’s access to diversion through ODR, saying he thinks diversion programs are appropriate only for “someone who has committed a non-violent, non-serious crime that could respond to treatment in a locked or in-patient facility.”⁵⁴ He also fought diversion in the legislature. In bills he authored after the wildfires, D.A. Hochman proposed to make anyone accused of looting ineligible for diversion.⁵⁵ His office supported AB 483, which would decrease access to diversion, and vehemently fought AB 1231, which sought to allow judges discretion to offer people charged with low-level, non-violent felonies the option of completing job skills training or community-based behavioral healthcare services. D.A. Hochman’s office opposed AB 1231 at every step.

3. **AB 704**, a bill that sought to allow people with certain arrests or convictions before age 26 to have their record sealed and destroyed if they've stayed free of new crimes for four years.
4. **AB 938**, a bill that sought to support survivors of human trafficking, intimate partner violence, and sexual violence by providing processes to address convictions that resulted directly from their victimization.

In the past legislative session, D.A. Hochman's office lobbied for the following:

1. **Bills that increased penalties and would contribute to mass incarceration**, despite California already having many of the harshest laws in the country.⁵⁶
2. **SB 820**, a bill to involuntarily medicate people charged with misdemeanors who are incompetent to stand trial, despite the individual's long-term treatment plan and what it suggests is best for their health.

In addition, D.A. Hochman appointed Michele Hanisee as his special assistant for legislative affairs. Hanisee, who led the Association of Deputy District Attorneys (ADDA) when it endorsed Hochman for D.A., previously tried cases and commented on legislative positions under former D.A. Lacey. Hanisee has a long history of publicly opposing community safety solutions rooted in care, effectiveness, and equity.⁵⁷ She also expressly supported the idea of unconstitutionally applying the death penalty based on a defendant's race. Many may remember her widely reported quote in the The New York Times (NYT) on how to deal with racial bias in her death penalty cases. Hanisee told the NYT, "Of the 24 or so who are presently eligible for execution, half of them are white men. So let's execute them."⁵⁸ Executing someone on the basis of their race is, of course, unconstitutional.

If D.A. Hochman is serious about public safety, he will stop fighting reform of a system proven to fail our communities and advocate for more of what is proven to keep us safe: supportive community services rooted in care.

Advocates on Working with D.A. Hochman

Addressing policy issues and finding solutions that benefit the safety of Angelenos

“When I asked D.A. Hochman about how his office plans to handle youth prosecutions given the horrific conditions at Los Padrinos, he cut me off multiple times asking whether I’d ever been there (I have) and responding with hostility instead of engaging in dialogue. It felt like he wasn’t interested in hearing from the community at all — only in shutting down the question. It was a terribly frustrating experience to try to be in conversation with an elected official and to feel bullied and demeaned as I attempted to get truthful answers.”

- HELEN EIGENBERG, ORGANIZER, HANG OUT DO GOOD (HODG)

After being elected in November 2024, D.A. Hochman stated he looked forward to “representing all of the people, whether they voted for me or not,” positioning himself as a responsive, unifying figure.⁵⁹ But his record tells a different story. Advocates engaging in decades of policy work with the district attorney’s office report disappointment over D.A. Hochman’s practice of acting inappropriately or ignoring constituents with whom he doesn’t agree.

In their meeting with D.A. Hochman, members of the Menendez family shared that the district attorney’s “hostile, dismissive, and patronizing tone created an intimidating and bullying atmosphere, leaving us, the victims, more distressed and feeling humiliated.”⁶⁰ One of the brothers’ family members criticized the D.A. in a letter to the Civil Rights Division of the U.S. Attorney’s Office, saying D.A. Hochman “proceeded to verbally and emotionally re-traumatize the family by shaming us for allegedly not listening to his public press briefings.”⁶¹ D.A. Hochman’s office then withheld victim services according to Los Angeles Magazine.⁶² Relatives of Kitty and Jose Menendez are crime victims, but they have been “denied access to victim services by the District Attorney’s Office due to their disagreement with District Attorney Nathan Hochman’s position on resentencing. Legal experts and advocates have raised concerns that tying victim services to political alignment may violate ethical standards.”⁶³

When D.A. Hochman met with the D.A. Accountability Coalition (DAAC), he was asked about his office’s plans for youth prosecutions because of the gruesome conditions and gladiator style fights guards demanded of children at Los Padrinos.⁶⁴ He repeatedly interrupted speakers and posed aggressive questions without letting members of the coalition answer.

Months later, D.A. Hochman met with the ACLU SoCal and the NLG about the sign-on advocacy letter discussed above and confronted advocates with insults, expletives, and condescension.

When D.A. Hochman reinstated the death penalty, Mike Farrell, the president of Death Penalty Focus (DPF), reached out multiple times to the district attorney’s office to discuss serious concerns. After months passed, it became evident that the D.A.’s office would not secure a date to meet. DPF changed tactics and met with other advocacy groups to brainstorm ways to approach an unresponsive office.

D.A. Hochman’s behavior has raised significant questions about how his office will treat individual community members who voice concerns about his actions. Given his behavior when questioned, many criminal legal system advocacy groups remain discouraged and pessimistic about working with D.A. Hochman and his office. We deserve better from our elected officials and hope that D.A. Hochman will honor his pledge to represent all members of L.A. County, not only those who seem to agree with him.

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of crime vastly prefer more diversion, treatment, and community service programs to incarceration.

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