

The Meaning of Justice

By Christopher S. Bae

I started as a line assistant in the Queens District Attorney's Office in the Spring of 2016. As a Queens native, born of immigrant parents, and a product of the New York public school system—The Bronx High School of Science, SUNY Binghamton, CUNY Law School—accepting this job at the Queens District Attorney's Office was an honor and a privilege.

Two principles still remain fresh in my mind from my first-year training from what seems like a lifetime ago: 1) When in doubt, do the right thing, and 2) This is the best job you'll ever have. Looking back at my early struggles of Criminal Court and the oft crushing case-load that came with it, I've found that a unified effort in the pursuit of justice indeed made this job the best job that I'll ever have.

that she had made a mistake and signed a dismissal form. I then notified defense counsel and moved to dismiss the case on the next court date. After the case was dismissed, defense counsel thanked me, saying had I not disclosed the surveillance video and instead offered a non-criminal disposition such as an adjournment in contemplation of dismissal or even a disorderly conduct, her client would have accepted and ran with it. But I wasn't deserving of her thanks because that's not how the system works. Unlike her, I don't have an individual client. I represent the People of the State of New York and the pursuit of justice. I have bosses who preach that we do the right thing. I have supervisors and colleagues who share the same goal of pursuing justice. And justice dictates equally zealous advocacy for exonerating the innocent as we have for convicting the guilty. That's how the system works.

"Justice also means recognizing the community that you represent; every time you state your name for the record followed by 'For the People,' it is recognizing that your jury, victims, and witnesses come from the most diverse county in the world."

Even what seemed like simple cases provided big lessons. I recall a case where a woman alleged that a man grabbed her butt as he walked passed her in an aisle of a supermarket. The defendant was arrested and charged with forcible touching under Penal Law § 130.52. When I spoke with the woman, she seemed credible and confident, willing to move forward and hold the defendant accountable for his actions. But when I subsequently received and reviewed the surveillance video from the supermarket, I learned that the video told a different story. There she was shopping and standing in an aisle made narrower by boxes of goods stocked on the floor, and out comes our defendant walking down the same aisle. As he walks by her, with his arms swinging by his sides, and partially sidestepping the boxes on the floor, either the sleeve of his jacket or the back of his hand arguably grazed the woman's butt. It was debatable if it was his hand or his jacket, or if he ever made contact with her at all. But one thing was clear, this wasn't a "grab" as the woman initially thought.

When I reviewed the surveillance video with my supervisor, she agreed with my initial assessment that the video was troubling but advised me to bring the woman in, review the video together, and see what she had to say. And when I met with the woman and we reviewed the tape together, she candidly acknowledged

Justice also means trying the tough cases that need to be tried. One of my first jury trials was for charges stemming from a domestic violence incident where after a heated argument, the jealous boyfriend, my defendant, punched the victim in the face, destroyed her cell phone with a hammer, and threatened to throw a cinderblock through her car windshield. We charged the defendant with third-degree assault, second-degree harassment, fourth-degree criminal mischief, and second-degree menacing. According to the victim, this wasn't the defendant's first jealous outburst and his outbursts got worse and worse over time. Although there was scant physical evidence, her allegations were credible and consistent with multiple third-party 911 calls. She was neither vindictive nor overzealous, nor was she asking that we throw the book at him. But she finally had enough and decided to make a stand, because in her mind we are all responsible for our actions. Although defense counsel

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and the court pushed hard for a non-criminal disposition, my supervisor and I agreed that doing the right thing in this situation was giving this victim an opportunity to take the witness stand, face her abuser, and tell the jury, "That's the man who did this to me."

Justice also means recognizing the community that you represent; every time you state your name for the record followed by "For the People," it is recognizing that your jury, victims, and witnesses come from the most diverse county in the world. And I'm proud to have worked for Judge Richard A. Brown who recognized this dynamic and proactively worked to better the communities that we serve. In 2015, he established the Office of Immigrant Affairs—for which I continue to serve as a liaison—to address the unique concerns of immigrants. Through the OIA we partnered with community organizations to get the word out that if you're the victim of a crime, our office will help you seek justice regardless of your immigration status. As a liaison, I help with the intake process when we receive complaints from the Korean immigrant community and I recall

one complaint where the victim alleged that he was the target of immigration fraud where a purported attorney promised the desperate victim a Green Card in exchange for thousands of dollars but instead applied the victim for asylum. What really struck me was when the victim told me in Korean, "I was weary of contacting your office because I don't know who to trust here, but I'm reporting this incident because I saw you at the Korean Community Services event and I realized that there's one of us in the DA's office." I'm proud to work for a boss that recognizes that language barriers, cultural differences, fear of immigration repercussions, and a distrust of government make it difficult for victims to come forward, and is actively working to overcome these obstacles in the pursuit of seeking justice for our victims.

In a time where social justice and criminal reform issues seem to constantly make headlines, I am proud to work for an office that has been steadfast in doing the right thing in the pursuit of justice. It is worth repeating: this is truly the best job that I'll ever have.

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