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**DISTRICT ATTORNEY VANCE DELIVERS COMMENCEMENT ADDRESS AT
NEW YORK LAW SCHOOL'S 123RD GRADUATION CEREMONY AT CARNEGIE
HALL**

Remarks As Prepared For Delivery:

We meet today at the intersection of two improbable circumstances: I never thought I would receive an honorary degree from New York Law School. And some of you never thought you would graduate.

So thank you, Anthony, for bestowing upon me an honorary degree and for your kind introduction. My wife, Peggy, and I are so happy to be here today with you and especially with the Class of 2015 to celebrate the end of law school and the beginning of your next, great adventures – and above all, to congratulate you.

After many years as a prosecutor and as a defense attorney, one might think I am by now accustomed to speaking in public. In a sense I am.

But I can assure you, trying a case in a criminal courtroom is nothing like delivering a speech in Carnegie Hall.

I am accustomed to speaking in courtrooms to an audience of twelve people, occasionally being interrupted by someone yelling “objection!”

And as I prepared to share my thoughts with you this evening, I worried about the objections, you, as lawyers, might interpose.

“What challenges will the future bring, and how will you meet them?”

“Objection! Compound question!”

“As Abraham Lincoln once said...”

“Objection! Hearsay!”

And perhaps most painfully of all,

“Allow me to share with you my wisdom.”

“Objection! Assumes a fact not in evidence!”

But there is one that a judge might sustain, and that is what I hear you saying the loudest:

“Objection! Relevance!”

Today, I want to take on the question some of you are asking of the legal system. What is the relevance of your legal education to the world you are about to enter?

New York Law School has made heroic efforts to transform legal education to make it relevant to today’s world. You have been trained in a broader variety of practical skills than any generation before you.

I have seen the results. My office runs a criminal court clinic with New York Law School. Your classmates have prepared and tried real cases. Their performance has been remarkable – and I will soon be proud to call several of them my colleagues at the District Attorney’s Office.

And so you can be assured that with respect to trial advocacy; with respect to negotiation and client counseling; with respect to mediation and drafting – in all of these areas, your preparation is not just relevant, but second to none.

But your clients, and your employers, will seek in you one skill above all the rest: they want a lawyer who possesses that intangible called “good judgment.”

All of those hours that your professors battered you with questions in Socratic dialogue have trained you: to challenge received opinion, to expose unstated assumptions, to expand the range of alternative solutions, and – ultimately – to reason your way to principled decisions.

Every line of every hornbook may – and likely will – become obsolete at some point in your legal career. But, you have learned to think like a lawyer, and you will be leaders of change, as the law adapts to the vital issues of our day.

You graduate today at a time of enormous citizen unrest and eroding faith in the criminal justice system. Many believe our justice system is racially biased; that if you are a person of color, the scales of justice are not balanced evenly.

As a lawyer, my first experience with race and criminal justice occurred more than 30 years ago, when I began my career as a rookie Assistant District Attorney in Manhattan. I spent many lonely hours in arraignment court, representing the prosecution in case after case, from the most notorious murders to the most pedestrian petty thefts.

But while the crimes were diverse, no thinking person could stand in the well of that court for long without noticing that the defendants being arraigned were disproportionately young men of color. Even back then, long before the term “mass incarceration” entered the general conversation, no person with a conscience could stand there for very long without asking, how did this come about and what can we do about it?

That question never left me. The principles it evoked were clear enough: we are all against crime, and we are all in favor of racial equality, but does our criminal justice system accommodate them both?

Now, there are two ways politicians traditionally deal with such challenges. The first is to take a poll, and then do whatever 51 percent of likely voters in the next primary tell you to do. The other is to appoint a blue ribbon commission, with an earnest mandate to report back to you with recommendations – sometime after the next election.

I resolved to address this challenge in a different way. I resolved to address it directly, the way we are trained to do as lawyers. I felt that any words I offered would carry little weight, unless I had first examined our own assumptions and biases. So, I invited the Vera Institute of Justice, an independent and non-partisan think tank, to analyze to what extent race affected our decisions. And I promised to make those findings public, no matter how good or bad the results turned out to be.

The Vera report had findings that were encouraging to me; others revealed race remained a factor in certain case outcomes. And, I concluded that the biggest and most immediate impact we could make on that long docket in arraignment court was to focus on how we handled minor crimes and violations, and to divert many of those cases before they ever made it to a courtroom.

And that’s what we’re doing, in partnership with the police, and the Center for Court Innovation. We have started with 16- and 17-year-old first-time arrestees charged with low-level offenses. If the young man or woman successfully completes a community service program, my office will decline to prosecute the arrest, and neither the young person nor the case will ever enter a courtroom.

How far it will go to create a climate of trust if a young person who has done nothing more serious than put his feet on a subway seat receives not a trip downtown and a docket number, but a real intervention in his life, to put him on a positive path forward?

But we also must acknowledge that unconscious bias may be playing a role – albeit unwittingly – in a prosecutor’s decision-making about a case, just as it may play a role in a corporate executive’s decision to hire one applicant over another, or a principal’s decision to pick one teacher over another to receive the benefits of special training.

What I can do as District Attorney – and have commenced doing – is to provide all of my Assistant District Attorneys training in what unconscious or implicit bias is, and how it might affect the handling of a case in subtle and subconscious ways. I firmly believe the shame is not in finding that we have unconscious biases or that our current policies have a disproportionate racial impact – the shame lies in refusing to ask the questions to see if we have problems, and then correct them.

Putting issues of bias aside, democracy works only when citizens get the facts. And there are still corners of our criminal justice system which are secret, some of them needlessly so.

I have presented many cases to many grand juries. I have come to have a profound admiration of the work the citizens of this county do in reviewing evidence and determining whether or not felony charges should be brought against a defendant. Every day, grand jurors exercise common sense and conscience in reaching principled decisions. But because the grand jury proceeding remains secret, the public is denied the facts upon which to evaluate either the wisdom of the decision, or the fairness of the process.

In recent days there have been a wide variety of recommendations about how to reform the grand jury process. I will be urging our legislature to allow grand juries, in certain cases in which no indictment is voted, to produce more than just a one-page document stating, "no true bill." I will be arguing for a change in the law where in instances where the grand jury process will not be compromised and with the permission of a supervising court, prosecutors may release more information about the evidence underlying a grand jury's decision.

As District Attorney, I made a promise to do two things. I promised to do all I can to make the city safer. And I promised to do everything I can to make the justice system fairer. I don't think the essential responsibilities of a District Attorney can be synthesized any more succinctly.

In attempting to make good on my promises, first understanding and then addressing racial bias and inequity is and will be one of my greatest challenges as District Attorney, and it may be the measure of my success or failure in this job.

You graduate at a time when many have lost faith in our justice system. The uncertainty about what kind of world will emerge from all this may have you wondering about the relevance of your education at New York Law School.

In a few moments, you will come to this stage to collect your diploma. Generations of musicians have said that the longest walk in the world is the few steps from the wings of Carnegie Hall to center stage. I am sure that it has felt like a very long journey indeed that has brought you here, to center stage. I want to assure you this evening that it is worth all of your sacrifice.

You have been educated in this school community of enduring values these past few years. Now, at last, you disperse, wondering how those values – and principles – from this place will guide you in the vast, complex, and often unreasoning world beyond. I came today to tell you that the life and practice that awaits you demands an education like the one you received. And it's not just because many famous and successful lawyers have walked your halls and studied in your classrooms. Nor is it because New York Law School has set before you a roadmap which, if but followed perfectly, will lead to success or fulfillment.

In fact, to the contrary. Your education here is crucial precisely because there is no roadmap.

Thousands of years ago, King Ptolemy, in exasperation, asked of Euclid whether there was not an easier way to learn geometry. Euclid's answer has endured as long as his postulates: Euclid told the King, "There is no royal road."

It has not been a royal road that has taken you to this stage. And there is no royal road to lead you from this great hall to confront the many urgent challenges for which your skills as lawyers are needed. But it is precisely for this complex and uncertain world this education has trained you. You are tough. You are, after all, as your motto states, “New York’s Law School.” You know what hard work is; you know nothing in life is given to you, you have to earn it. No life worth living has ever been travelled as the shortest distance between two points. There is, truly, no royal road.

You leave this place without a road map, but with a compass. You will find within you – from the skills of reasoning you have developed in law school, from the values imparted to you by your family and your legal education – values like honesty, excellence, and commitment to help your community to be a better place – the guidance that will orient you toward what is right and true, even when you see no familiar landmarks along your way.

This is the career and life for which your education prepared you. It has not been an easy preparation, but neither will life be easy. Any life well-lived will be a life well-tested.

I have not often in public invoked the memory of my father, but my constituents have long suspected that, since my name is Cyrus R. Vance, Jr., there might be some relation to the former Secretary of State of the same name.

In addition to being a cabinet member and diplomat, my dad happened to be partner in a large and prestigious law firm, and a President of the New York City Bar Association. He brought his values, the principles underlying them, and his rigors of legal reasoning to everything he did – whether it was counseling a client, advising a President, or guiding his son through life’s inevitable challenges and frustrations.

There is one particular piece of advice he gave I would like to leave you with, as you start your careers as counselors at law.

At a crucial crossroad for our country and in my father’s career as Secretary of State, he advised a President who was faced with a stark choice of options: in the midst of the greatest international crisis of his presidency, should the United States seek a diplomatic solution, or a military one?

My father believed passionately that a diplomatic solution could succeed. And where diplomacy can bring a peaceful solution, there is no justification for war.

Others in the administration felt just as passionately the other way. And perhaps tipping the scales was the fact that the President faced a looming re-election campaign.

In any event, the President decided to ignore my father’s advice, and ordered a military operation to rescue American hostages held in Tehran. That rescue operation failed.

In advance of that raid, my father told the President that, respectfully, whatever the result, whether tragic failure or glorious success, he would resign from office the next day. And my father was true to his word.

My father will be remembered for many accomplishments, but not one of them is more important than his devotion to core values and principle.

Your path may take you to the White House or to the Department of State. You may counsel in a law office or a legal department. Your advice may affect the fate of one person, or hundreds of thousands.

Today you carry with you the confidence of your mentors, your families, and myself, that you are women and men of principle. Starting from today, you are lawyers.

Congratulations. Thank you.

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