



The Thurgood Marshall Bar Association (TMBA) expects our elected leaders to demonstrate excellence. We expect our leaders to work diligently to ensure diversity, equity, and inclusion.

TMBA recently learned that District Attorney Todd Spitzer has taken a series of actions that can be described as nothing short of racist. Over recent years:

- DA Spitzer repeatedly used the N-word in a talk to a local bar association and instead of apologizing, defends his actions as only quoting others.
- During the prosecution of Donte Epps, a young Black man, DA Spitzer said "He's lucky to be alive. When police came into the apartment, they had the legal right to shoot him. I don't think the cops acted with enough force." He made this statement despite the fact that the officers on the scene saw a mental health crisis, deemed no reason to use deadly force, and successfully and safely de-escalated the situation without using such force.
- In considering whether to seek the death penalty against a Black defendant, Spitzer said Black men's motivation in dating white women is improving "their stature in the community."

DA Spitzer shows no remorse for these choices. Additionally, we continue to see Black Orange County residents over-represented in our jails. A recent report showed significant disparities for Black residents in our community in charging, sentencing, and diversion practices. https://meetyourda.org/wp-content/uploads/2022/02/oc-da-report_final.pdf

We call on all persons invested in our collective future to take swift action to address racism in Orange County. First, by condemning Spitzer's actions. Second, by committing to help ensure the person leading criminal prosecution in Orange County will never again treat Black defendants in the manner that Spitzer's office has done so. Lastly, by calling for the resignation of DA Spitzer and call on the Attorney General to investigate systemic and institutional racism within the policies and practices of the Orange County District Attorney's Office.

I wish I could say that racism and prejudice were only distant memories. We must dissent from the indifference. We must dissent from the apathy. We must dissent from the fear, the hatred and the mistrust...We must dissent because America can do better, because America has no choice but to do better. ~ Justice Thurgood Marshall