



STEPHEN COGER

Prosecuting Attorney, District 04

Stephen Cogger is the founder and Executive Director of Arkansas Immigrant Defense, a nonprofit law firm serving children survivors of sex trafficking, labor trafficking, and child abuse.

Describe the qualifications and experiences that make you the best candidate for the prosecutor's office.

I have served survivors of violence for 15 years, and I have seen how misplaced priorities over penalize people and allow the traffickers and abusers of my clients to face little to no consequences. I've watched as young people have been criminalized for marijuana possession, and forced to choose between wearing a wire and selling harder drugs to their friends or facing the ridiculously unnecessary violence of incarceration.

In your opinion, what is the biggest challenge facing the prosecutor's office and how do you plan to address it?

The biggest challenge is misplaced priorities: we're too busy holding people down who need lifted up. I plan to address it by adjusting those priorities; that means we'll work to end cycles of fines and fees that leave people destitute; we'll stop charging children as adults so that they have a chance at a future; and, we'll stop relying on cash bail because it lets out some people who need to stay in and it traps way too many people in who need to get back to their families, jobs and day-to-day lives.

What role should money/cash bail play in pretrial release?
What steps would you take to safely reduce the rate of pretrial incarceration in our county?

Money/cash bail should be an option only rarely, if at all, and only for those with an ability to pay. There is so much that we could do; models are proving successful all across the country. When folks are awaiting trial we can let people out on their own recognizance, we can let them out with restrictions that they do or do not do X or Y. We can setup pretrial services that will be hundreds of thousands of dollars cheaper (not to mention more humane) to get people what they need: medical care, therapy, food, and reminders about their court appearance.

What is your attitude/approach toward negotiating plea bargain versus trial litigation in criminal cases?

Although most of us think of the criminal justice system playing out at trial, the reality is that only 1% of criminal charges in Washington and Madison County go to trial.

Plea bargaining can be a good thing—it allows people to get on with their lives, and it allows the community to avoid the comparatively expensive cost of trial.

But, too frequently, prosecutors take a “hard line” in plea bargaining negotiations, and threaten to file overly harsh charges if defendants don’t agree to their terms. I will ensure that plea bargaining in the Prosecutor’s Office is conducted fairly and uniformly; I will set up systems with the UA sociology and/or anthropology department that tell us what ages/races/towns are being charged at what rates for what crimes. I’ll collaborate with the business school’s Econ department as well to show how our new way of doing things is far more economical.

What do you think is the most effective way to deal with low-level drug offenders? What would your office policies be regarding plea bargaining in drug offense cases? Use of these individuals as criminal informants?

As an elected official, I have to enforce the law as it is written, but I will also have lots and lots of discretion. Misdemeanor possession of marijuana charges will be dropped unless they are related to a crime of violence in which case they may be used. Possession of tools to smoke or grind marijuana would likewise be dropped. If someone is trafficking in this or any illegal substance, I would however have to bring those charges in many situations.

Studies show racial disparities in drug law enforcement, despite the fact that white people and people of color use and sell drugs at the same rate. What would you do to minimize these disparities?

I will work with the UA to develop systems of automated transparency; we will see each prosecutor's, each police officer's, statistics and ensure that we are policing and prosecuting equitably. If we are not, then I will work with nonprofits, police and my staff to see what needs are not being met in communities being targeted so that they get less police involvement and can get their needs met. This is similar to my approach on juvenile justice issues, but more on that in the next question.

What would your policy be regarding charging children in adult court? When would you use your authority to file charges in adult court and when would you pursue a case in juvenile court?

My opponent has charged 58 children as adults in his 8~ years in office. I am committed to not doing that at all; there is a fantastic resource from Fair & Just Prosecution [here](#).

I like their suggestions a lot and would implement them. Further, when I sued Fayetteville last year to stop the addition of School Resource Officers, I drew the ire of many. However, whereas the police see the solution to the fight at Ramey Jr High as being more cops, I think the solution is having adults invest in the communities around the school to ensure that children are getting their needs met. Fights happen when kids are sad, hangry, when needs are not being met. I will lead the discussions in partnership with Black, Brown and queer parents and neighbors, and I will attract corporate and other philanthropic investment in the area to address the needs there.

What would you do to develop a trusting relationship with the immigrant community in your county?

I have served immigrants and refugees for 15 years in the legal field, most of that in the 4th Judicial District. I hope that my reputation will help create that relationship; however, I will also assign to my more culturally literate staff the task of visiting JO Kelly Middle School, and other diverse schools to get to know immigrant and refugee children and their concerns. I will meet monthly with leadership of the Arkansas Coalition of Marshallese, RootED NWA, Arkansas Immigrant Defense, and Canopy NWA to see how my office can proactively serve their constituencies.

Mental health has been a significant topic throughout the debate about reducing the jail population. Incarceration has been widely shown to make mental health conditions worse. What steps will you take as DA to divert people with mental health conditions from the criminal justice system?

I have said since the beginning of my campaign in November that I will set up mental health courts; these are proving super important around the country and my opponent just announced last week that he--allegedly--supports them, too. I will do everything I can do make sure that people who are struggling with mental health get access to resources and not just jail or prison, even if that means writing grants myself (which I have done for years, having raised over \$3 million in my time as a grant writer)

How would you handle use of force incidents involving local police?

The police are the same as any other resident of Washington County and Madison County; they will get no special treatment, neither harsher nor less harsh. Last year my opponent dropped the charges against an armed white supremacist Nazi who attacked 3 Springdale cops; I would have charged him in ways that led to him losing all of his gun rights. Likewise, if police attack someone unnecessarily, they will also be charged with whatever degree of violence is appropriate to the situation.