



Written by [R. Cort Kirkwood](#) on February 9, 2021

## Judge: DA Gascón Cannot Simply Ignore the Law

A superior court judge in Los Angeles has, for now, upended leftist District Attorney George Gascón's plans to rewrite state law.

Judge James Chalfant says Gascón, put into office with the help of millions of dollars from anti-American leftist George Soros, cannot unilaterally declare that he will not enforce state law.

Ruling in a lawsuit from Gascón's own prosecutors, the judge blocked the pro-criminal DA from not pursuing enhanced sentences under the state's Three Strikes law.



Photo: Kuzma/iStock/Getty Images Plus

### I'll Do What I Want

After voters unwisely turned over prosecutions to Gascón on November 3, [he quickly announced](#) that he would not prosecute a long list of crimes, would end cash bail, would not seek the death penalty, and would ignore the Three Strikes law.

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Specifically, Gascón said his office will always side with criminals in trying to undermine sentence enhancing. He ordered his deputy prosecutors to "join in the Defendant's motion to strike all alleged sentence enhancement(s)" or "move to dismiss all alleged sentence enhancement(s) named in the information for all counts."

Understandably, prosecutors protested and filed suit. Eric Siddal, chief of the prosecutors union, [told Fox News](#) that he and his colleagues didn't want a scrap with Gascón, but he left no choice. "We filed this lawsuit because we want to make sure that our members don't have this terrible choice of, 'Do we follow the law or do we follow what our boss is saying?' And that's really what it comes down to."

On Monday, the judge sided with the prosecutors and said Gascón cannot ignore the law simply because he doesn't like it.

The DA has "almost unfettered discretion to perform his prosecutorial duties and the public expects him to evaluate the benefits and costs of administering justice in prosecuting crimes," the judge ruled. "He was elected on the very platform he is trying to implement and any intrusion on this prosecutorial discretion is not in the public interest unless clearly warranted."

That doesn't mean that he can ignore the law:

The District Attorney's disregard of the Three Strikes "plead and prove" requirement is unlawful, as is requiring deputy district attorneys to seek dismissal of pending sentencing enhancements without a lawful basis.



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Gascón won't give up easily, Fox's Bill Melugin observed. "Expect Gascon to appeal this or ask for a stay of the injunction," he tweeted:

Ultimately, this will likely end up in a higher court, but for the moment, it is a legal rebuke to some of Gascon's special directives which he has asserted are lawful. Judge says no, they're not.

## **No Appearing at Parole Hearings**

Yesterday's setback is the second recent embarrassment for the hard-left DA.

Another of his policies, as [The New American reported](#) last week, is not attending parole hearings for criminals — including murderers — to support victims and their families.

That was another of the major changes he imposed shortly after Los Angelenos elected him. Ignoring victims at parole hearings is now his office's "default policy."

It quickly backfired when his office ducked a parole hearing for one of the Manson Family murderers, [Bruce Davis](#).

Davis was present when Charles Manson initiated the vicious murder of his first victim, Gary Hinman, and Davis helped murder Donald "Shorty" Shea.

Though Gascón is doing exactly what he promised, voters likely didn't anticipate that leaving victims alone at parole hearings for murderers was part of the bargain.

The county sheriff said his office will stand beside crime victims.

[Three leftists provided](#) 35 percent of the funding for Gascón's winning campaign. Nearly 20 percent of it came from one man: the communist billionaire and global subversive George Soros.

The rest of that 35 percent came from Netflix CEO Reed Hastings and his wife.



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