

The New York Times

April 26, 2013

Democrats Said to Discuss Plan for Bronx District Attorney to Resign

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With the prosecution record of the longtime Bronx district attorney, **Robert T. Johnson**, under fire, the borough's Democratic leaders have been discussing a plan that would ease the way for him to step down within months, according to several people familiar with the idea.

Though Mr. Johnson, who is New York City's longest-serving district attorney, has not publicly expressed interest in leaving before his term is up in 2015, the chain of events being discussed by party officials would provide for him to resign and vie for a seat as a State Supreme Court justice in the Bronx in the November election.

People familiar with the plan say it is the brainchild of Assemblyman Carl E. Heastie, who as the Bronx Democratic leader holds significant sway over electoral politics in the overwhelmingly Democratic borough. He is one of the few people who other Democratic officials believe has a read on the intentions of Mr. Johnson, who is fiercely private and has few political confidants.

Mr. Heastie, who said through a spokesman that he would not "comment on speculation," has told several close associates that Mr. Johnson, who took office in 1989, has grown "tired of the job" and "feels beaten up," and that his discontent has only mounted as his performance has come under increasing scrutiny, according to these people. They spoke on the condition of anonymity so as not to damage their relationship with Mr. Heastie.

Mr. Johnson would not say whether he was familiar with the plan or any part of it, but strongly denied in a statement any intent to quit: "I am scratching my head that you would write a story like this based on hearsay. I have no intention to leave office. I am hard at work at a job that I love and will not respond further to speculation and rumor."

Prosecutors in the Bronx now win jury trials less than half the time, a rate that has declined significantly during Mr. Johnson's tenure and is sharply lower than any other borough. That, combined with the high rate of cases the office declines to prosecute, has provoked concern that his policies are allowing potentially dangerous defendants to go free.

This month, The New York Times published [a series of articles](#) on the dysfunction of the criminal justice system in the Bronx that underscored failures by Mr. Johnson's office, among other problems. It noted that his management and policies had been criticized by judges in the borough, as well as by police and city officials who believe that he has not done enough to highlight or resolve the problems.

The people familiar with the plans said party leaders were not pressuring Mr. Johnson to resign. But Mr. Heastie has made clear to associates that if Mr. Johnson does resign, he would like it to occur in time for Mr. Heastie to put his choice as a successor on the November ballot. His choice is Darcel D. Clark, who was recently appointed associate justice with the New York State Appellate Division First Department, four people familiar with the plan said. Justice Clark spent over a decade in the district attorney's office before she was first appointed to the criminal court.

Justice Clark, reached on Friday evening, said she had no comment on the plan, adding, "I don't know anything about it."

The plan would call for Mr. Johnson to step down in September, after the Bronx [Democratic Party's](#) judicial nominating convention, at which Mr. Heastie would push for Mr. Johnson to appear on the party line for the November election. The state's complicated election and public officers law would then allow the Bronx Democratic County Committee, led by Mr. Heastie, to select Justice Clark to appear on the ballot as the party's candidate for district attorney without her having to win a primary.

A former public defender, prosecutor and judge, Mr. Johnson won a contested election in 1988 with the backing of Democratic leaders to become the first black district attorney in the state. Since then he has easily won re-election, often without opposition. His wife is a judge on the New York State Appellate Division First Department.

Though Mr. Johnson has maintained a low public profile, his tenure has been marked by periodic controversies over his resistance to the death penalty and his challenges to the Police Department's [stop-and-frisk](#) tactic, which critics say disproportionately targets minorities and harasses innocent people.

His stands have won him support in the Bronx, where more than 80 percent of the population is Hispanic or black. But they have also exacerbated a sometimes contentious relationship with law enforcement officers.

William Glaberson contributed reporting.