



## Guest Commentary: George Soros' Bad Bet on Progressive Prosecutors



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10 months ago



Header photo of Larry Krasner courtesy Philadelphia City Council / Flickr

As George Soros exits the public stage, [handing over control](#) of his central nonprofit operation, the Open Society Foundation, to his son, it's a good time to examine the results of the experiments he funded in the American criminal justice system.

Soros famously made his fortune by [massively shorting](#) the British pound, leading to more than \$1 billion in profits for him and economic calamity for the United Kingdom's central bank. With his riches, Soros eventually became politically active in America as a major donor. He [funded](#) high-profile Democratic candidates for national office, and then shifted gears to focus intently on criminal justice.

Soros gambled that he could swing district attorney elections by heavily funding candidates who favored his version of justice, which focuses on de-prosecution and decarceration in the name of

racial equity. Prosecutors like [Larry Krasner](#) in Philadelphia, Kim Foxx in Chicago, George Gascón in Los Angeles, and Alvin Bragg in New York rode [Soros's funding](#) to victory.

In pursuing this strategy, Soros made some successful calculations and some mistakes — both leading to ruinous consequences for American cities.

## Why Soros backed DAs

Soros's initial evaluation was that American chief prosecutors were almost completely unconstrained in their ability to decide *not* to prosecute cases. When a prosecutor charges a defendant with a crime, the U.S. Constitution and rules of criminal procedure establish a series of checks and balances that act to constrain the powers of the prosecutor (for example, indictment or preliminary-hearing requirements, the exclusionary rule for illegally obtained evidence, appeals, and so on).

But virtually no limitations existed on decisions *not* to prosecute a defendant, regardless of the facts or the law. While prosecutors traditionally exercised this discretion on a narrow, [case-by-case basis](#), no apparent legal reason prevented Soros-backed prosecutors from declining to charge entire categories of [crimes](#).

Soros was correct in his assessment of the negative discretion of chief prosecutors. Indeed, he was almost a decade ahead of the general public in recognizing this potent de-prosecution tool. The political world is now trying to catch up by establishing some [guardrails](#) for prosecutorial decision-making.

Soros's publicly stated premise was that the de-prosecution and decarceration reforms ushered in by his prosecutors would not degrade but in fact improve safety in American cities. That belief was a major miscalculation.

Soros's next calculation was that district attorney races could be won with a relatively modest investment. Most chief prosecutor elections were sleepy affairs, with district attorneys serving until they were ready to hand over authority to an experienced supervisor from within the office. Soros figured that a cash infusion for heavy media spending would allow previously unknown candidates that he favored to overwhelm any opposition in popular elections. Once again, he was right.

For instance, in Philadelphia, Soros provided approximately \$1.7 million in funding for the [first campaign](#) of then-unknown defense attorney Larry Krasner, who won the splintered Democratic primary for district attorney with [38 percent](#) of the vote in an election where only 17 percent of eligible voters turned out. Because winning the primary almost ensures victory in heavily Democratic Philadelphia, Krasner effectively won with the approval of less than 7 percent of eligible voters, at a rough cost of \$33 per vote — a canny targeted investment by Soros. In smaller jurisdictions, Soros-related entities might make donations of [\\$20,000](#) or [\\$100,000](#) to swing the elections. Consistent with his background as an investor, Soros had found a way to bet relatively small amounts of money and achieve outsized returns.

Soros's ultimate calculation was that he could make enough of these investments in radical prosecutors that it would cause a major shift in law enforcement in American cities. Once again, he proved prescient. Soros-backed candidates won elections in Manhattan, Los Angeles, Chicago, Philadelphia, Boston, Portland, San Francisco, St. Louis, Dallas, Tampa, Denver, Orlando, the Northern Virginia suburbs surrounding the District of Columbia, and other population hubs. By one [calculation](#), 20 percent of the population of the United States was covered by Soros-funded prosecutors, with an even heavier concentration in the urban cores. Critics may vehemently disagree with Soros's policies, but they must concede that he has been extraordinarily successful in implementing his battle plan.

## **A major miscalculation**

However, it was at the height of his influence that the errors in Soros's reasoning began to appear. Soros's publicly stated premise was that the de-prosecution and decarceration reforms ushered in by his prosecutors would not degrade but in fact [improve safety](#) in American cities. That belief was a major miscalculation.

In poor cities, homicides have spiked, including the largest single-year [increase](#) in American history in 2020, continued escalation in 2021, and lingering high rates of murder clustered in cities with progressive prosecutors even after the end of Covid restrictions. (Apologists who blame Covid for homicide increases should note that murders were rising in cities with progressive prosecutors before the pandemic hit.)

In wealthy cities with Soros-backed prosecutors, like San Francisco and Austin, [property crimes](#) rose dramatically. Once-idyllic cities like Portland, now under the jurisdiction of Soros-backed chief prosecutor [Mike Schmidt](#), have suffered from rising violent crime and property crime. Several

progressive American cities, including Baltimore, Chicago, Boston, and [Philadelphia](#) experienced mass shootings during Fourth of July celebrations. Cities under the influence of Soros-backed prosecutors are less safe than a decade ago. The promise of increased safety was an illusion.

Soros was right about their discretionary powers and right about the impact his donations would have on elections — but dead wrong that those reforms would improve safety.

Soros also premised his experiment in criminal justice on the belief that his preferred reforms would benefit minorities and disadvantaged people in American cities. However, the [main victims](#) of the rising homicide rates have been Black Americans. Moreover, as businesses have [fled](#) increasingly [lawless urban centers](#), the remaining residents have lost both their jobs and their local businesses.

Soros's final error was in betting that his prosecutors would bring about permanent changes in the role of district attorneys. Instead, it now appears that the reality of crime in American cities has limited the shelf life of Soros-backed prosecutors generally to about two elected terms in office. Kim Foxx in Chicago has announced that she will not stand for reelection. Kimberly Gardner in St. Louis resigned. San Francisco voters recalled Chesa Boudin after less than one term. In Los Angeles, George Gascón would have been recalled if the organizers of that effort had paid attention to the technical requirements. Marilyn Mosby lost a primary election in Baltimore. Boston's Rachel Rollins "fell upward" into an appointment as a United States Attorney for the Biden administration but then quickly resigned amid an ethics investigation. Aramis Ayala in Orlando declined to seek reelection. Tori Salazar in Stockton got knocked off in a primary. Tampa's Andrew Warren was removed by Florida governor Ron DeSantis. More than a dozen Soros-backed prosecutors have been defeated, resigned, or otherwise removed from office in the past [few years](#).

Lest Soros critics become too giddy, however, other cities have just elected their first [Soros-backed](#) progressive prosecutors (though the new Alameda County District Attorney Pam Price is already facing [recall](#) efforts). It may be that having a Soros prosecutor in your city is like getting chickenpox in the old days: everybody gets it once, but then you develop immunity.

Thus, George Soros's legacy for American criminal justice will probably waver somewhere between that of a recession and a depression, to put it into the economic terms that have defined his career. If all his calculations had turned out to be true, he would have been hailed as a genius of [criminal justice reform](#). He believed that the role of the district attorney as an absorbing barrier for crime control was vastly overvalued.

Like his bet on the English pound, Soros took a short position on the value of American prosecutors. He was right about their discretionary powers and right about the impact his donations would have on elections — but dead wrong that those reforms would improve safety. Now, American cities are paying the price for his bets.

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