

# “When Race Shapes the Story Before the Verdict”

by **Ellen Richard Bagley** | Contributor  
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Last month, after a five days-long preliminary hearing, a judge ruled that the case against Councilmember Curren Price, a Democrat, would move forward. The charges were brought by the Los Angeles County District Attorney’s Office, now led by D.A. Nathan Hochman, a former Republican, and prosecuted in court by Deputy D.A. Casey Higgins.

That ruling alone should not be mistaken for guilt. A preliminary hearing is a low bar. It is not a verdict. And yet, anyone paying attention knows that what unfolded in that courtroom went far beyond a legally ethical threshold. From the start, this case has been prosecuted as much through narrative as through law. Casey Higgins used imagery. He used ridicule. He framed Councilmember Price as a Chicago-style “mob boss,” and someone engaged in “long, secret corruption.”

Such a description of Price is absolutely ridiculous and blatantly racist. This is how public lynchings happen in modern form. Not with ropes, but with words.

Context matters. Higgins is not simply a career prosecutor. He previously ran as a “lock them up” Republican candidate for California State Assembly and lost to Democrat Chris Holden, a Black man. He is on record as a Ronald Reagan supporter and a vocal critic of Hillary Clinton. Those facts matter when assessing how discretion, tone, and narrative are deployed, and against whom.

What makes this especially troubling is that this prosecution has now dragged on for more than two years. During that time, many have openly questioned whether allegations rooted in disclosure issues and internal processes should have been handled by the LA City Ethics Commission rather than through criminal prosecution. That question has repeatedly been treated as irrelevant, while the most damaging possible framing has been allowed to dominate the public conversation.

Los Angeles County Superior Court Judge Shelly Torrealba openly discounted the testimony of Councilmember Price’s staff, labeling them biased simply because they were loyal to the man they worked for.

At one point, she used the word “guilty” in reference to Price and then quickly corrected herself. But in a courtroom, particularly at a preliminary hearing, words matter. And that one landed heavily. Hence, the historical damage was done and magnified, harking back to the days of the Jim Crow South.

That scrutiny becomes even more troubling given that Judge Torrealba spent decades as a prosecutor in the same District Attorney’s Office now bringing this case. If staff loyalty is treated as bias, then institutional loyalty raises serious questions as well. That history alone does not prove bias, but it demands caution.

Meanwhile, defense attorney Michael Schafler described the case for what many observers saw it to be: built on “cynical speculation,” with no emails, no clear communications, and no direct evidence establishing criminal intent.

Instead, what we are witnessing is a familiar pattern. A Black man in public life stripped of dignity and the presumption of innocence.

We say justice is blind. We say due process is a right. But time and again, Black men are forced to defend not just against charges, but against a story already written.

If this was a strong case, it would not need theatrics or racial stereotypes. The evidence would stand on its own merit. And if the case rests on inference and speculation, then at least the system owes the public, and the defendant, fairness before a verdict.

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