

Adewale Oduye, Esq. Comment: Criminal Procedure - Evidence - Protecting the Admissibility of Creative Expression (PACE Act)

As a former Los Angeles prosecutor with 12 years of experience in the largest local prosecutorial agency in the nation—the Los Angeles County District Attorney's Office—I fully support the PACE Act's provision to protect the admissibility of a criminal defendant or juvenile respondent's creative expression. During my time as a prosecutor, I witnessed firsthand how systemic biases and racial disparities often influence criminal proceedings. Creative expression, when used by a defendant or respondent, should not be weaponized to support prosecutorial claims without proper context or understanding. The PACE Act ensures that creative works are not taken out of context or used to unjustly portray a defendant in a negative light, allowing the justice system to focus on the facts of a case rather than misguided interpretations of self-expression. This approach aligns with my ongoing advocacy for fairer, more equitable systems—where justice is not clouded by stereotypes or biases. The inclusion of such protections is necessary for true justice to be served, especially for marginalized communities who are disproportionately affected by these biases. Creative expression should never become a tool for unjust criminalization but rather a means of empowerment and a reflection of one's humanity, which is something we must all strive to protect in our legal systems.