



**California District Attorney Candidate Questionnaire
November 5, 2019 Election**

Congratulations on your candidacy for County District Attorney!

All candidates for DA in SF county have received a request to complete this questionnaire, created by the ACLU of Northern California San Francisco Rising, Immigrant Legal Resource Center and Faith in Action.

Please help educate voters in your county by providing your full response by **April 30, 2019**.

The questionnaire consists of 30 Yes/No questions, each with the opportunity to provide a 250-word comment. *Where neither "Yes" nor "No" is selected, the response will be recorded as "Did Not Respond."* All respondents will receive a copy of their submitted responses and have an opportunity to correct any mistakes or errors.

By submitting this questionnaire, you give permission for your responses to be made available to the public online on www.vote4da.org. That site will include all DA candidates' names, pictures, campaign contact information, and the text of all candidates' responses. The site may also include a video clip, provided by each candidate's campaign. Should a candidate not respond to the questionnaire, the site will note that as well.

Please direct any questions to 415-621-2493 Ext 350 or yhaile@aclunc.org.

Respectfully,

ACLU of Northern California, San Francisco Rising, Immigrant Legal Resource Center and Faith in Action

About the Campaign

- a. Campaign website
- b. Campaign email address
- c. Campaign phone number
- d. (Optional) Please provide a link to video clip (not longer than 30-60 seconds) of the candidate.
- e. Please provide a link to a candidate photo. Headshot preferred.

Ending Mass Incarceration

1. Do you agree that prosecutors' practices have contributed significantly to mass incarceration? Please select "Yes" or "No" and provide an explanation.
2. Will you commit to implementing practices that will reduce the jail population in San Francisco and reduce state prison commitments by 25% by the end of your first term? Please select "Yes" or "No" and provide explanation. If "Yes", please identify your goal and what specific changes you will make to DA policies and practices in order to achieve this goal.
3. Will you take action to close the seismically unfit jail at 850 Bryant? If so, what action will you take? Will you additionally commit to oppose efforts in San Francisco to construct new jails or reopen previously closed jails? Please select "Yes" or "No" and provide explanation.
4. Do you support the proposal from DA Gascon's office for a 'Behavioral Health Justice Center' or other similar proposals? Please select "Yes" or "No" and provide explanation.
5. There has been increased use of Electronic Monitoring in San Francisco as conditions of community surveillance that are more restrictive than legally necessary. Will you commit to only advocating for or using Electronic Monitoring when ordered to impose more severe conditions of release? Please select "Yes" or "No"? Will you reject the system-wide increased use of Electronic Monitoring as an alternative to jail? Please select "Yes" or "No"?
6. In the last ten years, the California District Attorneys Association has opposed all criminal justice reform measures at the ballot and most in the legislature. Will you commit to breaking with the CDAA and supporting reforms to reduce reliance on incarceration in the Legislature and the ballot box? Please select "Yes" or "No" and provide an explanation.

Standing Up to Police Misconduct

7. Will you swiftly, thoroughly and transparently investigate officer-involved shootings and police brutality and make your findings (**both your summary and investigative reports**) publicly available? Please select "Yes" or "No" and provide an explanation.

8. If you believe there is a conflict of interest in an investigation (as described above), will you recuse your office and call for an independent investigation by the Attorney General of California? Please select “Yes” or “No” and provide an explanation.
9. As a critical police accountability tool, will you commit to keeping a thorough Brady database that includes all incidents of officer misconduct fully available to defense? Please select “Yes” or “No” and provide an explanation. How will you work for accountability across the San Francisco Police Department as a whole and beyond your role in the investigation or prosecution of individual officer’s conduct?
10. Will you publicly support AB 392 (The California Act to Save Lives)? Please select “Yes” or “No” and provide an explanation.

Combatting Racial and Other Disparities

11. Will you commit to implement policies and practices to combat bias in decision-making within your Office, including in charging decisions, bail recommendations, diversionary program placements, and plea bargains – as well as in internal Office practices (i.e. regularly bringing in experts to train staff and prosecutors on implicit and explicit bias, prioritizing inclusive hiring and promotion, and ensuring the office not only has racial and ethnic diversity, but also diversity in gender, ability, health)? Please select “Yes” or “No” and provide an explanation.
12. Will you pledge to collect and post online quarterly statistical information disaggregated by race, age, zip code of residence (including if houseless), and gender on felony and misdemeanor charging decisions, convictions, declinations (to charge), and diversion program placements? Please select “Yes” or “No” and provide an explanation.
13. Will you decline to file charges where an arrest evidence that the officer engaged in racial profiling or other racial bias? Please answer “Yes” or “No” and provide an explanation.
14. Will you eliminate prosecution for “Quality of Life” charges? If so, which charges will you commit not to prosecute?

Reducing Gun Violence

15. Do you pledge to be a champion and supporter of gun violence reduction strategies proven to reduce shootings, rather than over-relying on prosecution that is both generally ineffective at preventing future violence and is likely to send disproportionately more black and brown young people to jail? Please select “Yes” or “No” and provide an explanation.

Ending Poverty Penalties and Money Bail

16. Will you work towards significantly reducing the use of pretrial imprisonment in this County? How will you work towards this goal as District Attorney? Please select “Yes” or “No” and provide an explanation.

17. Do you support significantly reducing pretrial imprisonment in California at the state level? Please select “Yes” or “No” and provide an explanation.

Ensuring Accessibility, Transparency and Accountability

18. Will you commit to develop and implement a plan to personally, regularly and meaningfully engage and communicate with all constituencies in your county, especially communities of color, the immigrant community, community-based organizations and criminal justice reform advocates, and to involve them in determining the priorities of your office within the first 100 days of your term? Please select “Yes” or “No” and provide an explanation.
19. Will you pledge to publish on the Office website all policies, protocols, and MOUs regarding prosecution guidelines, police-involved incidents, bail recommendations, fines and fees, diversion programs, plea bargains, civil asset forfeiture, immigration considerations, and indigency determinations? Please select “Yes” or “No” and provide an explanation.
20. Will you pledge to create/expand a Conviction Integrity Unit and, as part of that process, compare current operations against the guidelines published by the Innocence Project in October 2015? Please select “Yes” or “No” and provide an explanation.

Protecting Immigrant Communities

21. Will you pledge to adopt a written policy and training which encourages prosecutors to consider the unintended immigration-related consequences of prosecutorial decisions at all stages of a case and to use their discretion to reach immigration-safe dispositions for noncitizens whenever it is possible and appropriate? Please select “Yes” or “No” and provide an explanation.
22. To protect immigrant crime victims, will you pledge to adopt and promote a written U Visa policy within your Office that includes a rebuttable presumption of helpfulness and the direction that U Visa certifications be completed regardless of whether charges were brought, a conviction was achieved, or the case has concluded? Please select “Yes” or “No” and provide an explanation.
23. Will you support state and local policies that prohibit local law enforcement from notifying ICE about release dates of people in local law enforcement custody, from transferring people to ICE, and from holding people for ICE? Please select “Yes” or “No” and provide an explanation.
24. Will you actively use new powers given to District Attorneys through the passage of AB 2942 in 2018 to recommend resentencing of individuals who are seeking to reduce the length of their sentence and have shown that they have rehabilitated? Resentencing in some cases can allow individuals to challenge deportation orders. Please select “Yes” or “No” and provide an explanation.

Advancing Youth Justice

25. Will you commit to keeping **all** children out of adult court by pledging not to prosecute any minors as adults and by expanding the use of informal diversion and pre-filing diversion in juvenile cases? Please select "Yes" or "No" and provide an explanation.
26. Recognizing that children and youth are categorically less culpable than adults, that they have less impulse control and that they possess profound capacity for transformation, will you decline to seek life without the possibility of parole for any person under 26 at the time of offense? Please select "Yes" or "No" and provide an explanation.
27. When juveniles are being prosecuted, do you support advocating for "restorative justice" practices instead of time spent in juvenile hall? If so, what practices would you support?
28. Will you publicly support the effort to close juvenile hall in San Francisco and exercise your discretion to that end?

Protecting Workers and Consumers

29. Will you create or expand a Consumer Protection Unit in the Office to address labor violations – whether related to occupational safety and health or violations of basic laws, regulations or policies related to wages, hours or conditions of employment?

Death Penalty

30. Will you pledge to exercising your discretion never seek the death penalty in light of Gov. Newsome's moratorium on executions? Will you publicly support efforts to abolish the death penalty? Please select "Yes" or "No" and provide an explanation.



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You're Done!

Thank you for completing this questionnaire. Questionnaire responses will be made available online. We will provide a link to that site when it launches in April. That site will include all DA candidates' names, pictures, campaign contact information, and the text of all candidates' responses.

You will receive a copy of your responses. Please let us know immediately if you have any corrections.

Please direct any questions to Yoel Haile at 415-621-2493 Ext 350 or yhaile@aclunc.org.

Respectfully,