



Attorney General Candidate Questionnaire

Thank you for agreeing to participate in the 2022 Ward 7 Democrats Candidate Forum for candidates in the Democratic Primary for the **Attorney General**. Below is a pre-Forum questionnaire that will give you the opportunity to expand on your position and goals in depth and afford our membership the opportunity to truly understand your positions.

Candidate Information

Your responses will be posted on the Ward 7 Dems webpage. Please provide a headshot of the candidate.

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General Questions

1. What makes you the right choice for the Democratic nomination for Attorney General.

People who live in Washington D.C. deserve an Attorney General who will advocate for them - to fight for them - to make sure the law works for them. My nearly 30 years experience as a trial attorney fighting for people and clients makes me uniquely qualified to put the law to work to make people's lives better, safer, fairer, and more prosperous.

First, qualifications and experience matter. By statute, D.C. 's attorney general, at a minimum, must have been engaged in the active practice of law for at least 5 of the past 10 years. For nearly 30 years, I have been actively practicing law, fighting for and advocating for people and organizations, inside and outside of courtrooms. The OAG requires a leader who is an experienced, seasoned lawyer, one who has been in the trenches, one who has stood before judges and juries, one who has developed judgment by making critical decisions in high stakes matters, one who has earned a reputation for integrity and reliability with the judges and courts and bar. I alone bring those qualifications and experience to this race.

Second, leadership matters. The critically important work that the OAG does for D.C. residents is done by a team of incredibly talented professionals, many of whom could work at any private law firm or company in the country. I know what it takes to motivate and energize talented legal professionals and lawyers. I have extensive experience recruiting, training, retaining, mentoring and promoting legal professionals. And, talented legal professionals respect and want to work for a leader who has walked in their shoes, who knows the hours of hard work it takes to build and try a case, to stand before a jury, to argue to a court of appeals. I have a track record of law firm leadership, first as our firmwide Vice Chairman (from 2012 through 2016 – 9 offices and more than 1000 employees), and then as the partner in charge of our D.C. office (2016 to present – more than 600 professionals, including more than 315 lawyers). I am the only candidate who brings that leadership experience.

Finally, independence matters. I'm not a professional politician. I'm a first-time candidate. I am also a Fair Election Candidate. I bring a different perspective and I am beholden to no one. Because I'm not a politician, I'm going to make decisions based on the facts and the law, not because I am running for office. That's not always going to be what's most popular. That's not always going to be what people in power or who prefer the status quo want. But at the end of the day, being an effective Attorney General is not about being popular – it's about the fair, impartial, aggressive enforcement of the laws and fighting for what's right – and I am uniquely able to do that for our City.

2. An elected Attorney General is still relatively new to the District of Columbia. What steps would you take to continue the work of Mr. Racine in publicizing the office? What would you do differently?

Karl Racine has done an excellent job advocating for the people of Washington D.C. as our first independently elected Attorney General, as well as expanding the profile of the OAG on a regional and national stage. As AG, I will expand the role the office plays, particularly in advocating for vulnerable and underserved residents who are being taken advantage of. In addition to protecting residents against slumlords, predatory lenders and scam artists, I would continue and expand the work of the OAG combating wage theft, advocating for affordable and safe housing, and reforming our juvenile justice system. I will also expand the OAG's presence and outreach to ensure that D.C. residents know what the OAG does, how they can effectively communicate with OAG and how OAG can assist them. Finally, I will continue to collaborate with State AGs across the country on important issues of civil rights, reproductive rights, voting rights, gun control, anti-competitive practices and the need to stand up against racism and hate, ensuring that D.C. remains a national thought leader on issues critical to our national democracy.

3. What steps would you take to ensure that the Office of the Attorney General is adequately equipped to provide legal advice to the Executive branch and to meet the needs of the residents of Ward 7?

The critically important work that the OAG does for D.C. residents is done through a team of talented, hard working, experienced and smart professionals. As a law firm leader, I know what it takes to recruit, train, retain, promote and motivate legal professionals, and as AG, I will ensure that D.C.'s OAG remains the premier public interest law firm in the country. I also know how to efficiently allocate resources, and if necessary, will make the case to the City Council for additional funding to support OAG initiatives that expand the ways the OAG advocates for people who live everywhere in D.C., including Ward 7. I believe that in providing sound, constructive, practical legal advice to the Executive branch, and by being an independent AG that holds the Executive branch accountable, the OAG under my leadership will enhance the effectiveness of the City's agencies in serving the needs of all D.C. citizens.

4. How would you as the Attorney General restore confidence in government with communities that have lost faith in the ability of the government to solve problems?

The people of the District of Columbia deserve a government that works, that solves problems and that achieves concrete results. I am not a career politician. Rather, I have spent my professional career working to ensure that the people and organizations that I represent achieve their objectives. Results matter. Effective use of the law is measured by achieving practical results. One of the reasons it is so important to have an independently elected Attorney General is to create a structural mechanism within our government to ensure that our City's elected officials and agencies do their jobs. Through collaboration, counsel, hard work and, when necessary, holding our government accountable for delivering results, the OAG can rebuild faith and trust that the government can work to make people's lives better, safer and more prosperous.

Economic Development and Housing

1. Ward 7 hosts a disproportionately high percentage of vacant and dilapidated buildings and vacant lots. Do you believe the Office of the Attorney General can use its powers to address this issue? Is it possible to do so without inadvertently depriving middle income families of a rare asset?

The Department of Consumer and Regulatory Affairs (DCRA) enforces the City's Housing Code, which covers abandoned, vacant and blighted properties. However, where there are concerns of criminal activity occurring at or around such properties (e.g. selling drugs, illegal guns, prostitution), I will ensure that the OAG's Public Advocacy Division (PAD) aggressively pursues legal actions, including common law claims for public nuisance, against the property owners so as to ameliorate the adverse impact such criminal activity has on the quality of life for neighbors living near such properties. Even where criminal activity is not occurring, I will ensure clear lines of communication and collaboration with DCRA and its investigators to ensure such abandoned, vacant or blighted properties are appropriately addressed.

Public Safety

1. The District of Columbia is experiencing a general decline in crime, but a spike in murder. What would you identify as the core causes of this spike and what can the Attorney General do to stop the increase and address the root causes?

There is a difference between being “smart on crime” and being “tough on crime.” As Attorney General, I intend to have a comprehensive strategy that is evidence-based and that focuses on addressing root causes of criminal behavior. Developing effective strategies to address crime requires an evidence-based understanding of “why” particular behavior is occurring. Another part of that comprehensive strategy is to collaborate with MPD to identify high-risk youth who are repeat offenders, and to partner with MPD during investigations to ensure successful prosecutions based on admissible and constitutionally obtained evidence. I also plan to work with the U.S. Attorney’s Office and neighboring jurisdictions in Maryland and Virginia to share information and to collaborate on effective prosecution strategies for offenders who cross jurisdictional lines.

I do not believe we make our City safer by arresting and locking away youthful criminal offenders, nor do I believe we can arrest and prosecute our way out of crime problems. To be sure, when young people commit violent crimes, particularly with guns and particularly repeat offenders, they need to be held swiftly and strictly accountable, including when appropriate through commitment to the Department of Youth Rehabilitation Services (DYRS). Some violent youthful offenders need to be kept from harming others while also being provided with the resources and training they need to get back on track. As AG, I will work to enhance communications with DYRS, which has exclusive control over detention status and services provided to detained youth so as to more effectively address recidivism, keep kids from coming back into the criminal justice system, and keep our communities safe.

I also would continue the OAG’s commitment to ensuring that victims’ voices are heard by expanding the Restorative Justice Program into a broader set of criminal cases. Given the confidential nature of the juvenile criminal justice system, restorative justice is one of the ways victims of crimes can have an opportunity to have their voices heard and to be a part of the process.

Finally, we need to be careful about understanding what data and statistics actually show. Current MPD data does not actually support the conclusion that there has been an uptick in juvenile violent crime, although it does appear that carjacking by young offenders has increased. Even that data, however, does not support a conclusion that the majority of carjackings are being committed by juvenile repeat offenders. I am committed to reducing the number of carjackings in D.C., whether committed by young people or adults, including through close collaboration with law enforcement in adjacent jurisdictions, as well as with the U.S. Attorney’s Office.

2. How do you plan to work cooperatively with the Chief of Police and the Executive?

The OAG represents the MPD and its many officers who work tirelessly and selflessly, often short-staffed, to keep our City safe. As counsel to MPD, OAG has an opportunity to collaborate, share data and focus on best practices so that MPD, like all of the City's agencies, consistently improves its ability to serve the residents of D.C. I intend to focus on maintaining a healthy, constructive attorney-client relationship with all D.C. agencies, including MPD.

Too often police officers are called as first responders to crises which they are not adequately trained to address and which could be better addressed with mental health or substance abuse professionals or with other social services resources. As Attorney General, I will advocate for co-response teams that can support MPD with appropriate intervention strategies that protect both District residents and police officers. While recognizing the important role police should play in enhancing public safety, I am a proponent of transparent, evidence-based policing, i.e. requiring MPD to gather and share data that bears on both the lawfulness and the effectiveness of its policies and practices.

Currently, MPD is required to collect and publish data on pedestrian and traffic stops, the most routine types of law enforcement interactions that District residents experience, particularly in Black and Brown communities. While MPD is providing data, it can be provided in a more consistent, easy to understand way. MPD also should expand its data collection and publication practices to include data on arrests, protective pat-downs, searches, and uses of force. Such data will not only allow the community to have a better understanding of whether MPD officers are carrying out their duties lawfully, but also whether certain strategies are effective in addressing serious crime. MPD's legitimacy in the eyes of all residents will be enhanced by doing so.

It is also critical that law enforcement agencies continue to prioritize de-escalation, non-lethal and less-lethal tactics, and undergo regular implicit bias training. I support educating officers about the communities they work in and serve. Such training is not at odds with officer safety. To the contrary, it fosters officer safety by giving officers the knowledge they need to police effectively. Police officers should be guardians, not warriors, and see themselves as public servants who understand and collaborate with the communities they are asked to protect. To that end, I also favor a national police misconduct database to strengthen MPD's ability to hire officers who haven't been disciplined or decertified in other jurisdictions.

3. Do you believe that the Attorney General should have a proactive role in expungement and sealing of records for residents of the District of Columbia? If so, describe that role. If not, explain why not.

In my nearly 30 years as a lawyer and leader in the D.C. community, I have seen the devastating and ongoing effects a criminal record can have on individuals after they have finished their sentences, including negative impacts on a person's ability to secure employment, housing, insurance and credit. I believe that once a person serves their time, he or she deserves a fair opportunity to participate fully in our society. The OAG can and should play a proactive role in helping seal or expunge the criminal records of returning citizens. I also believe the OAG should advocate for amending our current law to expand the nature of offenses eligible for sealing (additional felonies and all misdemeanors), including passage of the Second Chance Amendment Act of 2021 (which is currently stalled in committee at the City Council).

4. What programs would you create or modify to reduce recidivism and reintegrate Returning Citizens into our communities?

As noted above, I believe that after a person has completed his or her sentence, they deserve a fair chance to reintegrate into the community and a fair shot at leading an independent, productive, healthy life. Returning citizens, however, need support and resources to ensure that they transition successfully to independent living. Assistance with housing, obtaining a drivers license, workforce training is critical. Reentry programs should be understood as a critical piece of any criminal justice agenda because we must ensure that returning citizens have ample lawful and productive opportunities to support themselves. Among other things, I would look for expanded ways for returning citizens to find gainful employment within the D.C. government, including at OAG through the MORCA paralegal program at Georgetown.

Jobs and Employment

1. What is your strategy to combat wage theft?

Combatting wage theft will be one of my top priorities as Attorney General. Employers who fail to pay their employees all of the wages, overtime and benefits they have earned, or who misclassify their employees as independent contractors, are enriching themselves on the backs of their workers. Early in my career, I was a trial attorney at the U.S. Department of Justice, and I cut my teeth trying tax cases where employers misclassified their employees to try to avoid paying employment taxes. I know how to build and try wage theft cases, and in my office, they will be handled aggressively. I will expand the work to address other practices that negatively impact workers, like labor trafficking and retaliation against often vulnerable workers who raise wage theft claims. I also know how important it is to work collaboratively with organized labor unions and community organizations to ensure that instances and evidence of wage theft are brought to the attention of the OAG so that impact cases can be filed and won.

The current Attorney General has established the precedent for pursuing wage theft suits. I will continue and expand on the work, ensuring that frontline workers most affected by the COVID-19 pandemic, and most essential to helping our economy recover from the pandemic, are not cheated out of what they have earned.

2. What is your strategy to proactively attack employment discrimination?

The Office of the Attorney General must continue to protect D.C.'s residents and workers by dismantling discriminatory practices (both intentional and de facto), particularly practices of employers who fail to pay their workers all that they've earned. Among other things, if elected, I plan to root out the disparate impact of discriminatory algorithms and artificial intelligence that can unfairly and unlawfully disadvantage people based on race and zipcode. I also will advocate for enhanced legislation that protects workers who come forward with claims of wage theft or discrimination from retaliation.