Thank you for your interest in DC for Democracy's questionnaire for candidates running for Attorney General in DC's June 2022 primaries. Candidates are invited to complete the following questions to help voters understand why you are the best choice to be DC's next Attorney General.

Responses should be submitted to dcfordemocracy@gmail.com in docx form (please no PDFs) and are due by Friday, April 8, 2022 at 5:00pm. We will publish the full answers to all responses.

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1. How has your experience in the legal profession prepared you to serve as Attorney General?

I am running to be the next independently-elected Attorney General of Washington, DC because Washingtonians deserve an experienced lawyer, tested leader and independent advocate who will ensure that the law and their government works for them, and who will work to make their City safer and more just. The DC OAG is widely recognized as one of the premier State AG offices in the country. Much of that is attributable to the exceptional leadership of our current Attorney General, Karl Racine, as well as his predecessor, Irv Nathan. Both AG Racine and former AG Nathan are uniquely positioned to know what it takes to build, sustain and lead the OAG. That both AG Racine and Nathan have endorsed me and my campaign is a meaningful vote of confidence.

First, qualifications and experience matter. By statute, DC'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. Of course, Washingtonians deserve an AG that is more than minimally qualified; we deserve a maximally qualified, effective, proven AG. For nearly 30 years, I have been actively practicing law – first at the Department of Justice and then in private practice – fighting 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,
and one who has earned a reputation for integrity and reliability with the judges and courts and bar. I have a long track record of applying the law to achieve results. I alone bring those qualifications and depth of experience to this race.

**Second, leadership matters.** The critically important work that the OAG does for DC residents is carried out by a team of talented legal professionals, many of whom could work at any private law firm or company in the country. As a law firm leader, 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. They know the difference between a leader who “walks the walk” and those who, instead, “talk the talk.” 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 DC office (2016 to present – more than 600 professionals, including over 315 lawyers). I have years of experience managing the resources of a multi-million dollar budget. I am the only candidate who brings that proven leadership experience to this race.

**Finally, independence matters.** I’m not a professional politician. I’m a first-time candidate. I am also a Fair Elections candidate. I am not beholden to wealthy donors, organizations or special interest groups. I bring different, new, outside perspectives. I am going to make decisions based on the facts and the law and what is in the best interests of DC residents. 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 or who are repeat campaign donors 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. I am uniquely able to do that for our City.

2. There is a lot of flexibility in how the Attorney General approaches their role, including what issues they prioritize and what legal strategies they focus on. How would you approach the position of AG, and what do you hope to accomplish in this role?

In addition to skillfully and efficiently conducting the law business of the City, including representing the District and its agencies in court and providing practical and sound legal advice to the Mayor, City Council and agencies, the **OAG must employ proactive legal, communication and collaboration strategies that protect the public interest.** To effectively do this critical work, the OAG must be visible, accessible and responsive in all of the District’s communities across all eight Wards, and must reflect the diversity of Washington. Under my leadership, the Immediate Office and each Division’s
leadership team will represent the entire DC community, reflecting not only its racial
diversity, but also differences of gender, sexual orientation, ethnicity, socio-economic
status, ability, age and religion.

I also believe that the OAG must affirmatively and regularly engage with residents,
community leaders (e.g., ANC commissioners) and other stakeholders in order to
effectively reduce crime and make our City and neighborhoods safer, stand up for kids,
protect vulnerable people from being taken advantage of, and use the law to narrow
the equity, income and opportunity gaps that are the greatest threats to our collective
future. It is essential that all DC residents know what the OAG does, how it can assist
them, and how to reach the OAG when they need help. Building regular, trusted
communication with the community will also assist the OAG in gathering evidence,
meeting with witnesses and keeping abreast of issues and practices that will enhance
the OAG’s law enforcement effectiveness. To that end, under my leadership, the OAG
will establish community advisory committees that will meet regularly. Under my
leadership, the OAG will create and staff satellite offices (in existing public buildings
throughout the City) to improve residents’ real time communication with OAG. Through
collaboration with the DC Superior Court, the satellite OAG offices can also be used to
enhance access to justice through the use of technology.

As Attorney General, I will also form: (i) a traffic violence task force with relevant
stakeholders to address pedestrian/bicyclist accidents, environmental sustainability
and ticket enforcement, and (ii) a local business task force to identify and address
discriminatory and unfair business and contracting practices that restrict business
ownership and access to opportunity.

2. The Decrim Poverty DC campaign aims to “replace carceral systems with harm
reduction-oriented systems of care that promote the dignity, autonomy, and health of
people who use drugs, sex workers, and other criminalized populations.” What are your
positions on the following components of that work? Please explain your answers.

- Decriminalizing sex work for both the buyer and seller

While respecting the positions of those who advocate on behalf of adults engaging in
sex work, as Attorney General I would ensure that any legislation put forth to
decriminalize sex work does not hinder the District’s ability to protect children from
commercial sexual exploitation, which is a significant issue that impacts court-involved
youth and young people in the neglect system (over which the OAG has jurisdiction).
● Decriminalizing possession of a small amount of controlled substances

Low level offenses are often an indicator of something else that may be negatively impacting a young person’s life. Consistent with our juvenile justice system’s commitment to rehabilitation, focus should always be on why a particular offense was committed, and then addressing root causes to try to prevent the offender from re-offending. Oftentimes, use of diversion, coupled with rehabilitative services, can be particularly effective in getting young people who are at risk back on track.

While recognizing the effects that controlled substances can have on youth whose brains are still developing, there is considerable research on the ineffectiveness of “zero tolerance” policing—policing that relies on the aggressive use of stops, searches and arrests for minor offenses. In the District and elsewhere, zero tolerance policing has been proven to damage police-community relations without driving down the rate of serious crime. Smart, problem-oriented policing for minor, non-violent offenses means that, when appropriate, counseling, verbal warnings, pre-arrest diversion, and citations are preferable to arrests. That is especially true for youth alleged to have committed low-level offenses. To keep them from entering the school-to-prison pipeline based on such offenses, developing and utilizing meaningful alternatives to arrest, particularly community-based diversion programming, is essential. As Attorney General, I will advocate for funding to support job training and access programs, educational programs (including vocational education), sports and arts programs, out of school time (OST) opportunities and summer programs.

● Decriminalizing vending

Currently before the City Council are the Street Vending Decriminalization Amendment Act of 2021 and the Sidewalk Vending Amendment Act of 2021, both of which I am supportive of because both would establish designated areas of vending and remove criminal penalties for unlicensed vending, leaving civil infraction enforcement with Department of Consumer Regulatory Affairs.

● Vacating convictions for offenses that are decriminalized

In my nearly 30 years as a lawyer and leader in the DC community, I have seen the devastating and ongoing effects a criminal record can have on individuals, including negative impacts on a person’s ability to secure employment, housing, insurance and credit. I believe that once a person completes their sentence or if their respective offense has been decriminalized, 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 and residents who have been convicted of an offense that is subsequently decriminalized. 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.

3. At all levels, DC’s criminal legal system disproportionately impacts Black residents and compounds past injustices. What will be your approach to correcting for racial injustice in DC’s criminal legal system?

One of the primary functions of the OAG is to prosecute criminal law violations that children commit in the District. As Attorney General, it is essential to use the law to make the lives of people who live in the District safer and better, but also to address the racial disparities that have plagued the criminal justice system as a whole.

Accordingly, I would use my platform as the top elected law enforcement official in the District to advocate for other legislation, including the following:

- Repealing the provision of the “Clean Hands Law” that applies to driver’s licenses. The Clean Hands Law automatically disqualifies District residents who owe the District more than $100 in parking, traffic or other fines or fees from obtaining or renewing their driver’s licenses. The law has a devastating impact on thousands of District residents who are too poor to pay these debts, with no evidence to suggest that the policy improves traffic safety. Without a driver’s license, it is harder not only to get to the grocery store, attend medical appointments, transport children to childcare and school, and visit and care for elderly relatives, but also to find and keep employment – employment that would facilitate repayment of the outstanding fines and fees. It puts too many people who are poor at risk of being arrested for driving without a valid driver’s license which, given historical over-policing of Black and brown drivers, disproportionately results in criminalizing poor communities of color.

- Amending the DC Code to expand the types of low-level offenses that are eligible for “field arrests.” A field arrest is when an officer issues a citation on the street to a person alleged to have committed a minor crime, rather than taking the person to the district for booking and/or taking them to the jail. Currently, for even most minor offenses, MPD officers have no discretion under DC law to use field arrests. Rather, there is a statutory presumption of custodial arrest. Yet
custodial arrests are often not the most effective way to address low-level crime and disorder. They disrupt the lives of those arrested and their families; consume MPD, Department of Corrections, and judicial resources; and undermine community trust in policing— all without a proven impact on reducing the rate of serious, violent crime. We need to follow the data on the best way to address low-level offenses. Custodial arrests are sometimes necessary. But they are not always the right solution. DC law should give officers the discretion to use less intrusive means when consistent with public safety, including using field arrests.

Also, as Attorney General, I will employ a data-driven approach to law enforcement and prioritize ensuring fairer treatment for justice-involved individuals. In addition to enhancing the success of OAG programs and initiatives, robust data collection and analysis can help unearth unwarranted racial disparity in the criminal justice system by illuminating when certain policies, practices, and procedures have a cumulative, disproportionate impact on case outcomes.

I will further ensure a prosecutorial culture of integrity, committed to respecting Constitutional rights and the dignity of all human beings—offenders and victims. Under my leadership, the OAG will seek both fairness and accountability in the juvenile and criminal justice systems. I will ensure that prosecutors properly and judiciously use their discretion in making charging decisions; take advantage of diversion programming for young people with minimal rehabilitative needs who commit offenses that do not pose a significant threat to public safety; and, with a simultaneous focus on the interests of victims, offer the option of restorative justice in plea bargains for young people accused of more serious offenses. For substantial cases that are not well-suited for alternative dispositions, we will continue to prosecute and close them swiftly with constitutionally obtained, admissible evidence. We also will ensure that the consequences of any successful prosecution are carefully tailored to the individual respondent and to holding those who commit crimes accountable. These consequences should account for the reasons the crime was committed, the circumstances under which they were committed, the harm caused and the history and characteristics of the respondent, including whether they have prior offenses, especially violent offenses. And, even with severe consequences, young people convicted of committing crimes must receive meaningful rehabilitation services that minimize the likelihood of recidivism, maximize the prospects for redemption and, in the long run, make our City and neighborhoods safer.

3. Outgoing Attorney General Karl Racine has described wage theft as a "massive problem," particularly for lower-income, immigrant employees in the region. In your view,
what needs to be done to better protect workers from wage theft?

As Attorney General, combatting wage theft in its many forms will be one of my top priorities. Broadly speaking, wage theft is when employers do not pay workers according to the law - an illegal practice that has a disproportionately negative impact on immigrant and low-income communities. Employers who pay less than minimum wage, fail to pay their workers overtime or benefits they have earned, do not allow workers to take meal and rest breaks, require off the clock work, take workers' tips, or 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 as AG, I will ensure they will be handled expeditiously and aggressively.

I will also 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 believe it is important to work collaboratively with organized labor and community organizations to ensure that instances and evidence of wage theft are brought to the attention of the OAG so that impact cases – cases that change pervasive illegal behavior – can be filed and won.

4. The new Attorney General will inherit two high-profile lawsuits: an antitrust suit against Amazon, and a civil suit against the Proud Boys and Oath Keepers. What are your views on these lawsuits? Would you continue to pursue them?

As Attorney General, I will aggressively defend the civil rights of DC’s residents and visitors, including the First Amendment rights of free speech, expression and assembly. However, the January 6, 2021 insurrection was not a constitutional exercise of free speech, and cannot be excused or rationalized as such. Rather, it was a violent insurrection aimed at overturning what is most fundamental to our democracy. For that reason, I support the civil lawsuits the OAG filed against the Proud Boys and Oath Keepers and their leaders and co-conspirators seeking damages for harm caused to the District, to the law enforcement officers who defended the Capitol that day, and to our democracy. I applaud the recent expansion of the suits to include additional members of these extremist groups who were involved in planning and carrying out of the insurrection, and if elected Attorney General, would continue pursuing the claims filed and persistently tracking down any other responsible parties.
Moreover, as Attorney General, I will work collaboratively and closely with all law enforcement agencies prior to events that are likely to draw crowds and protest to ensure advance preparation and communication. For large gatherings, the OAG’s Public Safety Division should be part of command centers to help develop evidence against those who violate the law, particularly laws that are within the OAG’s jurisdiction to enforce (e.g., violation of a curfew order), while also counseling law enforcement on what constitutes lawful, constitutionally protected expressions and assembly. I will ensure that MPD, the Capitol Police and other law enforcement agencies have someone from the OAG’s Public Safety Division available to confer with in real time during events or protests to ensure that actions like the insurrection never occur again, and that anyone who incites or participates in violence in our city is held accountable with admissible, constitutionally secured evidence.

The OAG’s antitrust suit against Amazon sought to address practices alleged to have increased prices across the online retail sales market, and involved issues not frequently litigated under DC’s Antitrust Act. Although the suit was recently dismissed by the DC Superior Court, the practices in question remain a concern as long as they result in consumer harm, a constraint on competition and unnecessarily high prices for DC residents and businesses. As Attorney General, I will remain vigilant and proactive in taking on Big Tech whenever DC residents and businesses are harmed and the facts and law warrant a challenge to such harmful behavior.

5. Attorney General Racine has been a strong proponent of violence interruption, particularly the Cure the Streets program. Would you continue this program? What would you change about it?

I view the Cure the Streets (CTS) Program as a key component to an overall comprehensive strategy needed to reduce gun violence in the District. I have developed a six-point crime reduction and neighborhood safety plan, and improving and building upon the violence interruption and credible messenger programs are a key element of that plan. To ensure that CTS violence interruption efforts are both efficient and meaningful, I will ensure a rigorous analysis of the CTS data. We need to fully understand where the program is working, consider areas of improvement, and determine if the program can be expanded to other neighborhoods experiencing high rates of gun violence. Additionally, I want to focus more attention on the frontline staff who are subjected to dangerous situations and vicarious trauma daily. Creating more career pathways, professional development opportunities, and providing mental health support will not only help retain the best employees for this work, but also attract other
individuals who would be an excellent addition to this vital effort. Finally, I will focus on making sure there is greater collaboration, communication and insight sharing with other violence interruption programs in the City, including the ONSE program, and that managerial and operational best practices are in place to ensure violence interruption programs operate in an efficient, transparent and maximally effective manner.

6. What is your position on the way the OAG’s office has handled cases involving children and youth? In particular:

- Do you support measures to provide additional protections to justice-impacted youth? Specifically, do you support the Redefinition of Child Amendment Act and the Youth Rights Amendment Act?

To minimize recidivism, achieve better outcomes for young offenders and their families, and enhance public safety, I will advocate for the passage of the Redefinition of a Child Act of 2021. Rather than entangling children further in the criminal justice system and widening the systematic inequalities within it, I am committed to advancing legislation and policies that treat children as children so that the OAG (as opposed to the federally appointed U.S. Attorney) has the opportunity to intervene with much-needed resources. Among other things, I believe the independently elected Attorney General, as opposed to a federally-appointed U.S. Attorney, should be charged with making the initial determination of whether any child in the District should be charged as an adult. That life-altering decision should be made by a leader that is directly accountable to the community most impacted by the decision.

As the DC Council considers additional legislation that focuses on justice-impacted youth, such as the Youth Rights Amendment Act, I will encourage Councilmembers and various stakeholders to consider the latest research and evidence of adolescent brain development and racial disparities within the criminal justice system when weighing additional protections.

- Do you support decriminalizing status offenses (PINS) for youth? These are things like truancy and habitually running away: crimes which are only crimes because of a child’s age.

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 addressing the underlying causes as to why children become truant or habitually run away from home. The OAG has developed programs that support the most marginalized youth and increase public safety, and I plan on intensifying this vital work by increasing OAG's
use of the Truancy Reduction Initiative and Gateway to Empowerment (TRIAGE) diversion program and advocating for the expansion of the Abating Truancy Through Engagement and Negotiated Dialogue (ATTEND) mediation program.

- What other changes do you think DC needs to make in this area?

We need to address the root causes of youth crime. In order to make the District safer, we need to interrupt the school-to-prison pipeline, and focus resources on ensuring healthy, productive outcomes for children. This includes promoting social and emotional learning at early, pre-K ages; providing financial and educational resources to new parents; providing trauma-informed mental health services; furnishing out-of-school-time (sports, art, music, debate, etc.) and vocational education opportunities for young people, as well as meaningful support and resources for parents, grandparents and caregivers; and for those who offend, utilizing evidence-based, pre- and post-arrest diversion and restorative justice programs to get young people back on track.

7. How will you address abuse of tenants as Attorney General? Specifically, what are your views on the Tenant Receivership Act, and what else do you think the Attorney General could do to address DC's affordable housing needs?

DC’s Tenant Receivership Act (“TRA”) is a powerful tool that enables the Attorney General to request that a judge appoint a third party "Receiver" to correct housing conditions that endanger the health and safety of DC residents. As Attorney General, I will hold accountable building owners and managers who fail to remedy housing code violations within the prescribed time and those who engage in a pattern and practice of neglect that creates dangerous conditions for DC residents. Too often, DC residents who are the victims of the pernicious practice of constructive eviction and other housing code violations do not have the resources to fight for their rights. This is precisely why the TRA provides the Attorney General with a cause of action to seek court-appointed receiverships and to simultaneously file a consumer protection claim as part of the same case. As a practical matter, this means using the investigative powers of the OAG under the TRA to determine whether the facts in a given situation justify filing an enforcement case. It is critical that the OAG be readily accessible to tenants (in order to hear their complaints directly) and coordinate closely with DCRA to keep abreast of notices of code violations. With these measures, I will ensure that the OAG fulfills its role in protecting DC residents against slumlords who fail to deliver safe and habitable housing.

Additionally, under my leadership as Attorney General, the OAG will negotiate and enforce binding agreements with developers to ensure that construction of new
housing is environmentally sustainable, affordable and does not displace existing, long time DC residents.

8. How do you think victims of crime are being served by the AG's youth restorative justice program? In what ways would you continue or change that program?

Given the confidential nature of the juvenile criminal justice system, restorative justice is one of the few ways victims of crimes can have an opportunity to have their voices heard and to be a part of the process. By sharing the impacts of harm and helping outline what is needed to remediate that harm directly to the offender, restorative justice serves to bring emotional healing, acknowledgment, and empowerment to victims in ways that the traditional criminal justice system often does not allow.

I would continue the OAG’s commitment to evidenced-based alternative paths to address crime by assessing the results of the current study underway at OAG to determine whether prosecution with restorative justice paired with cognitive behavioral therapy (CBT) will produce better outcomes than traditional prosecution. Based on what is learned from OAG’s study on its impact on recidivism rates, I plan on expanding the program into more violent crime cases to ensure that the OAG is using every tool it has to provide meaningful rehabilitative opportunities to court-involved youth, reduce recidivism and make the City safer in the long run.

9. The 2021 Report of the DC Police Reform Commission made several recommendations to improve accountability of MPD officers. How do you think the Attorney General can or should be involved in the effort to hold MPD and its officers more accountable?

The OAG represents the MPD and its many police officers who work tirelessly and selflessly, often short-staffed, to keep our City safe. I will work with MPD as a client to ensure that its accountability mechanisms operate the way they should—that officers are commended for good performance, subject to corrective action when they make mistakes, and referred to internal affairs and disciplined when they violate policy, especially policy that requires respectful, lawful interactions with community members.

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 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 beyond pedestrian and
traffic stops 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 fully support educating officers about the communities they work in and serve, and such training is hardly 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, who 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.

10. What other priorities not included here would you champion as Attorney General?

Upon taking office, my first priority will be to retain and recruit the talented, diverse, experienced and expert team of lawyers and legal professionals necessary to ensure that the OAG executes, advocates and delivers for Washington and all Washingtonians, and remains one of the premier State AG offices in the country. In addition to being a best-in-class law office that effectively conducts the law business of the City – including representing the District and its agencies in court and providing practical and sound legal advice to the Mayor, City Council and agencies – the OAG must maintain a motivated, talented team of professionals who are committed to protecting the public interest, not any special political or financial interest.

Beyond that, the professionals at the OAG – from the Immediate Office to each Division’s leadership team – must represent the entire DC community, reflecting our City’s vibrant diversity and incorporating important voices, experiences, and opinions into our shared work. Experienced leadership and proven judgment is essential to recruit and keep talented, hard-working legal professionals to do the hard and necessary work for our City. I am a leader who knows how to effectively allocate resources in a large budget and build and motivate a talented team to deliver results.
Thank you for your responses and participation in this process.