

Assembly District 51 Candidate Survey for October 3, 2017 Special Primary Election

1. Californians face looming cuts and in some cases the current elimination of federal funds to California social safety nets, such as after-school programs, teen pregnancy prevention programs, and HIV/AIDS education. How will you ensure that adequate state funding for sexual and reproductive health is secured and maintained for this district?

I strongly believe in women's right to choose, in the prevention and treatment of HIV/AIDS and other STDs, and programs that support sexual and reproductive health. As Deputy Counsel to former Los Angeles Mayor Antonio Villaraigosa, I worked with Stephen Simon on these issues when he led the Los Angeles AIDs Coordinator's Office. As an Assemblymember, I will work with my colleagues and community stakeholders to ensure Californians do not lose these critically important services, programs, and/or protections and that state and other funding are available to cover any federal cuts. I will also work in partnership to bring to light in a focused way the serious concerns related to reproductive, such as those documented in ACLU's report, "Reproductive Health Behind Bars."

2. In a multicultural state, the conversations about race, white supremacy and bias are real. There have been recent attacks on communities that make up the fabric and strength of Los Angeles-Muslims, immigrants, refugees, communities of color, and transgender people.

a) What is a concrete policy or campaign that you will commit to championing that affirms the humanity of transgender people? (e.g. SB 396 and Transform CA)

I am a champion of civil rights and equal protection for all. I have been committed to ensuring that California is a place where all transgender people can feel safe and live free from discrimination. Having served as Senior Counsel in the Office for Civil Rights of the U.S. Department of Education during the Obama Administration, I know that we need to strengthen enforcement of our anti-discrimination laws and provide resources to train individuals in our places of business and educational institutions about the rights of our transgender community members. As an education attorney, I have also provided training on the rights of transgender employees and students in California. Discrimination of any kind cannot be tolerated. I support SB 396.

b) What is a concrete policy or campaign that you would support that dismantles white supremacy, empowers communities of color, and addresses safety in our communities?

We need to strengthen our laws and provide resources to the local authorities to prosecute hate crimes to the fullest extent. We should also reinstate the Civil Rights Commission of Hate Crimes to explore what more can be done to combat the rise in hate crimes in our state. Empowerment of communities of color is inextricably linked to fully funding education and ensuring that systemic

discrimination does not create a school to prison pipeline in our communities, e.g., overrepresentation of persons of color in school disciplinary matters.

3. California is among the most secretive states in the nation when it comes to information about police shootings and officer misconduct. California law gives police officers secrecy around their records far beyond that given to any other public employee: all information about discipline and investigations into misconduct is confidential, even that related to shootings and instances where the officer's own department has found they engaged in misconduct.

Should California allow public access to records of investigations, findings, and discipline in police shootings, and other serious uses of force, so long as releasing the information does not interfere with an ongoing investigation? Should California allow public access to records of findings and discipline imposed in any case where a department has, after an appeal, found an officer engaged in misconduct involving a civilian, such as racial profiling, excessive force, unlawful search, or falsifying evidence?

Our laws and law enforcement can only be effective if we have the public's trust that those laws are fair and are fairly and lawfully enforced.

I believe that California should allow public access to records of investigations, findings, and discipline in police shootings, and other serious uses of force, so long as releasing the information does not interfere with an ongoing investigation, individuals involved are afforded due process under the law, or does not run afoul of any other constitutional and related protections. I also believe that California should allow public access to records of findings and discipline imposed in any case where a department has, after an appeal, found an officer engaged in misconduct involving a civilian, such as racial profiling, excessive force, unlawful search, or falsifying evidence. We cannot continue to allow the bad acts of a few continue to tear apart the relationship between law enforcement and our communities. Allowing these "bad apples" to hide among the many admirable men and women of law enforcement is not only a disservice to our community, but it is also a disservice to our men and women who dedicate their lives to public safety.

4. Over the past several years, public concern has grown over the high number of police shootings of civilians, especially in light of disproportionate number of African Americans and individuals who suffer from mental illness. Last year, California saw more police killings than any other state, and the Los Angeles Police Department fatally shot more people than any other police department — including the Chicago PD and NYPD, which are significantly larger. Nothing in state law requires police to engage in best practices to reduce fatal shootings and other excessive force, such as employing de-escalation techniques, requiring officers to intervene when other officers are using excessive force, and requiring prompt provision of medical aid to civilians they injure. Only one officer in Southern California has been criminally charged in a shooting since 2000, and no officer has been convicted.

Should California require de-escalation training for police officers at all departments? In deciding whether an officer's use of force was legal, should California require that departments and courts consider whether the officer used de-escalation techniques and exhausted alternatives to force? Should California change state law regarding officers' use of deadly force — from authorizing officers to use any "reasonable" force, to authorizing police to use deadly force only when reasonably necessary?

I believe that California should require de-escalation training for police officers at all departments. I would recommend a task-force to explore and identify whether any changes to laws should be made to reduce police shootings.

5. We believe true freedom and equality includes the right to healthcare, housing and access to all basic human needs services so our communities can thrive. That's why we advocate in support of single-payer healthcare, ending the criminalization of poverty (i.e. laws that target people experiencing homelessness) and expanding access to affordable housing and supportive services.

- a) The Healthy California Act, SB 562 (Lara & Atkins), would guarantee healthcare for all California residents through a single-payer model. SB 562 would provide medical, dental, vision, mental health, chiropractic and many other services while eliminating premiums, co-pays and deductibles. Will you publicly support and if elected co-author SB 562?

I support a comprehensive universal health care coverage and a health care cost control system for the benefit of all residents of the state and support SB 562 or any similar bill focused on providing universal healthcare.

- b) Do you believe California – as a state and its municipalities – should change laws that target and criminalize people experiencing homelessness and will you support changing these laws and championing legislation that invests in a well-funded statewide housing trust fund and permanent supportive services?

We are facing a crisis in California in lack of affordable housing and lack of mental health services, both of which has led to homelessness. We can do better and we should invest in funding housing and supportive services to help people to get off of the street and back into a safe home.

6. It has been widely acknowledged that California's court system is underfunded. In recent years, defendants in criminal court and traffic court have been charged higher fines and fees in order to fund the courts. This has led to a cycle of debt and incarceration for some of the poorest and most vulnerable Californians. The ACLU of Southern California believes that administering a court system is a core function of government and that the costs of administering courts should not be shifted to defendants, the vast majority of whom are low-income.

Who should bear the costs of administering California's justice system? If you believe that criminal and traffic court defendants are partly responsible for funding this system, what measures would you take to address California's high fees and fines and their disproportionate impact on low-income communities and communities of color?

Our court system, like other common infrastructure and services, benefits all of the people of California and the costs should be borne equally through our state budget system. Fees and fines should serve as a deterrent and not as a source of funding. If someone cannot afford to pay the fees and fines, adding more fees and fines and requiring incarceration does not serve justice and does not serve society well. I support reforms aimed at eliminating the cycle of debt and incarceration that plagues our low income communities.

7. Proposition 13 was passed by voters to provide important protections for homeowners and renters, but it also included a property tax loophole for many corporations and wealthy commercial property owners. This loophole allows some big corporations and wealthy investors to avoid paying their fair share in property taxes. We can no longer afford to keep giving billions of dollars in tax breaks to millionaires, billionaires and big corporations. Closing California's commercial property tax loopholes restores \$9 Billion for schools, community colleges and other vital community services, including health clinics, emergency rooms, affordable housing, parks, libraries and public safety. Do you support closing the commercial property tax loophole in Proposition 13 by taxing commercial and industrial property at its fair market value while preserving the important protections for homeowners and renters so we can invest in strengthening our schools and important local priorities?

I support closing the commercial property tax loophole in Proposition 13 by taxing commercial and industrial property at its fair market value while preserving the important protections for homeowners and renters so we can invest in strengthening our schools and important local priorities. We should also consider some protections for local small businesses.

8. California's bail system needs to change. On any given day roughly [60% of people in California jails](#) are being detained before trial or sentencing simply because they cannot afford to post bail. California keeps far more people in jail awaiting trial compared to the rest of the country, but has lower court appearance rates than other states. Further, bail amounts are assigned with staggering racial bias. [Research](#) shows that Black people are assigned higher bail amounts than white people accused of similar offenses. Bail bond amounts for Black men are 35% higher than for white men; for Latino men, they're 19% higher than for white men. As a result of not having the money to pay bail amounts, people often pay nonrefundable fees to bail bond agents and never see that money again even if their case is dismissed, they make every court date, or they are found innocent. People who can't raise money for a bail bond (1) more readily decide to accept plea bargains as a means of getting out of jail quicker because even just a few days in jail can cost people their cars, jobs, housing, or child custody, and (2) are much more likely to be sentenced & to receive longer sentences. SB 10 (The California Money Bail Reform Act) aims to restructure the current bail system and significantly reduce and constrain the use of money bail and prioritize services to help people make their court appearances while their cases move

forward. Last Friday the Governor and the Chief Justice publicly announced their support for bail reform and their commitment to work together with the legislature through the fall to pass SB 10. Would you support SB 10?

I believe we should enact legislation that would safely reduce the number of people detained pretrial, while addressing racial and economic disparities in the pretrial system, and to ensure that people are not held in pretrial detention simply because of their inability to afford money bail. I support SB10.

9. Current sentences are racially disproportionate and ineffective from a public safety standpoint. The incarceration rate for Black and Latinx people is now more than 6 times higher than for whites; 60% of those incarcerated are Black or Latinx. Eight percent of Black men of working age are now behind bars, and 21% of those between the ages of 25 and 44 have served a sentence at some point in their lives. To serve overly long sentences, people serve time in jails and prisons with horrifying conditions and rampant inmate abuse, where they're separated from their communities and support systems, and where people with mental health and substance use conditions leave with worse prognoses. People are then released on probation or parole to face years-long waiting lists for reentry services. They're overly surveilled, face numerous of obstacles to reentry, and receive little to no support to ease their transitions. Nearly two thirds of the reentry population technically violate probation or parole in some way and become incarcerated again. Experts say (1) that we are not going to have a sustainable reduction in our prison population if we continue to limit the discussion to those who are sentenced for non-serious or non-violent crimes and (2) that jurisdictions that divert resources away from incarceration and towards investments in communities are safer and healthier. Would you support reducing sentences, including for people convicted of serious/violent crimes?

I do not support reducing sentences for people convicted of serious/violent crimes, but do believe in and support other criminal justice reform measures. I do believe that we should be vigilant to ensure our sentencing practices are administered fairly and in a non-discriminatory manner.

10. The California Department of Education (CDE) reported that 243,603 students were suspended once or more in the 2014-15 academic year. The vague and all-encompassing terms "willful defiance" and "disruption of school activities" were by far the primary reason school administrators suspended students, accounting for 129,835 suspensions statewide. In California, African American students make up 6% of total statewide enrollment, but made up 18-20% of the total number of suspensions for willful defiance-related offenses in both 2013-14 and 2014-15. With respect to the age of students suspended or expelled for willful defiance offenses in 2014-15, the majority were high school students in grades nine through twelve (52%), followed by middle school students in grades six through eight (35%), and elementary school students in Kindergarten through fifth grade (13%). Would you support a bill that prohibits California schools from suspending students on the basis of "willful defiance" and "disruption of school activities" in grades kindergarten to 12? If so, what alternatives to such suspensions would you recommend?

As referenced above, I served as Senior Counsel in the Office of Civil Rights of the U.S. Department of Education in the Obama Administration and I am committed to working with community stakeholders in Assembly District 51 and across this state to address the overrepresentation of persons of color and other students in disciplinary matters in our schools. I will support legislative measures that ensure objective, non-discriminatory enforcement of discipline in our schools and will also support alternatives, such as Positive Behavioral Interventions and Supports (PBIS), to discipline.

11. In 2013-14, 24% of elementary schools and 42% of all high schools in the U.S. had a full-time assigned police officer. In 2015-16, 19 school districts throughout California operated their own police departments. The U.S. Department of Education Office for Civil Rights' 2013-14 statistics show that, in California, the average arrest rate in schools where more than 80% of students are low-income is seven times higher than the average arrest rate in schools where fewer than 20% of students are low-income. Department of Education statistics also show that although students with disabilities made up only 12% of student enrollment nationwide, they comprised 23% of police referrals, 23% of arrests, and 67% of students placed in physical restraint, seclusion, and confinement. Further, school officials are more likely to refer incidents involving students of color to the police than those involving white students: Native American students are 3.4 times more likely, Black students are 2.7 times more likely, and Hawaiians/Pacific Islander students are 1.4 times more likely to be referred to police. Do you support prohibiting law enforcement officers from being permanently stationed on school campuses? If not, what limits would you place on law enforcement officers being present at school sites? What practices would you recommend as alternatives to arresting or citing students for misbehavior?

All things being equal, I do not support law enforcement officers from being permanently stationed on school campuses. Policing a school is distinct from policing the community at large and school-based law enforcement officers should receive specialized training to ensure they understand the parameters of their role and not involve themselves in school disciplinary matters that exacerbates the school to prison pipeline we are facing. All school personnel should also be trained on how their actions regarding discipline, whether intentional or not, could lead to civil rights violations under governing law. To be sure, schools should not rely on law enforcement to handle day-to-day disciplinary matters and other alternatives should be used, such as PBIS.

12. Under U.S. and California law, all students, regardless of their nationality or immigration status have a right to public education. Across California parents and guardians have reported being afraid of sending their children to school for fear that students or their family members would be arrested by immigration enforcement. Indeed, in one prominent case, a parent was detained by immigration enforcement while dropping his student off at school. Would you support litigation that (1) bars immigration authorities from school campuses and (2) prohibits school districts from sharing immigration-related information with immigration authorities? How would you protect California immigrant students and families and ensure that they feel safe to attend school?

I support DACA and strongly believe that immigration authorities do not belong on or near our schools. I support litigation that bars immigration authorities from school campuses and prohibits school districts from sharing immigration-related information with immigration authorities, with the limited exception of the Student Exchange and Visitor Program. I believe every school should be a “sanctuary” school where students feel safe, and I have worked my school and community college clients and other stakeholders, such as the ACLU, CHIRLA, and NILC to promote and protect the constitutional and civil rights of students on this very important issue.

13. Since 1980, California has built 22 prisons and only three (3) new universities. Decades of disinvestment have resulted in making college less affordable and less attainable for all California students, especially low income students of color. In 2016, SB 1050 (de Leon) was enacted through the state budget, allocating \$240 million to level the playing field and “expand the pie” of educational opportunity for low income and underrepresented students. Would you support continuing SB 1050’s pipeline approach with future budget funding to increase college readiness and eligibility, expand University of California (UC) and California State University (CSU) enrollment slots, and support retention and college graduation for low income and underrepresented students of color? What would you do to increase college access and success for low income students and underrepresented students of color?

I support SB 1050. We need to end the school prison pipeline that plagues traditionally marginalized communities throughout California. Please review certain recommendations that I worked on with Commissioners while serving as Senior Advisor and Director of Policy at the White House Initiative on Educational Excellence for Hispanics by clicking--
https://sites.ed.gov/hispanic-initiative/files/2012/11/Postsecondary-Symposium_Recommendations-and-Report_2015.pdf

14. The Trump Administration has promoted anti-immigrant rhetoric and aggressive immigration enforcement tactics that threaten millions of immigrants, and their families, in California. As part of its stepped-up enforcement campaign, the Administration is seeking to broaden collaboration and cooperation with local law enforcement agencies. This collaboration undermines immigrant community members’ trust in the police and public safety for all Californians. Do you support policies that prohibit local law enforcement agencies from engaging in any cooperation with federal immigration authorities, including by detaining individuals for, or providing release notifications to, immigration agents?

Yes. As an education/civil rights attorney and someone who worked as an organizer in the “No on Proposition 187” Campaign and Community Coordinator for the Mexican American Legal Defense and Educational Fund (MALDEF), I am opposed to collaboration between the federal and state/local government for immigration enforcement purposes, such as 287(g) agreements.

15. Because there is no right to appointed counsel in removal proceedings, most noncitizens are forced to fight their deportation cases without the assistance of a lawyer. Do you support state funding for counsel for indigent California residents in removal proceedings? Do you

believe that funding for this critical due process protection should be available without any exceptions or carve-outs?

As an education/civil rights attorney, I know first-hand the difference that having the effective assistance of counsel makes in any legal matter. I strongly support state funding for counsel to indigent residents in removal proceedings without exceptions or carve-outs. However, priority should be made for children and those facing persecution in their country of origin.