

**Potrero Hill Democratic Club
District Attorney Candidate Forum
Tuesday, September 6, 2011**

Questionnaire for candidates for the office of
District Attorney of the City of San Francisco

Candidate/Campaign Information

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Thank you for taking the time to complete the Questionnaire for the Potrero Hill Democratic Club's District Attorney Candidates Forum. Candidate responses to this Questionnaire will be available to club members beginning August 12.

Please write a brief response (fewer than 200 words) to each question.

1. Why are you running and why should we vote for you?

I am running for San Francisco District Attorney to give the voters the choice of an independent, seasoned prosecutor for DA this November, a reformer with a proven track record of getting results.

I've lived in San Francisco for over 40 years. After graduating from Georgetown Law School, I returned home 23 years ago and have been living in the Richmond District since 1993 with my husband and two children, who are 9 and 13 years old.

One of my highest priorities as an Assistant D.A. has been crimes against women and children. I'm a national leader in the fight against the sex trafficking of girls, which is the least recognized form of child abuse in our country, and a rapidly growing epidemic in Bay Area. Protecting our kids and making our city safe for them will be one of my highest priorities as DA.

As Congresswoman Jackie Speier said when she gave me her endorsement, I am the only candidate in this race with both an extensive record of prosecuting criminal cases and a record of implementing policy reforms within a DA's office. My 22 years as a prosecutor have demonstrated that I am a reformer with a record of success. Electing a professional prosecutor, not a political appointee, as DA this November is the only way we can continue the kind of progress Kamala Harris made in improving the DA's office during her tenure in San Francisco.

2. What sets you apart from your opponents?

Independence and Experience. Being District Attorney is not just a management job, it's not just a police job, and it is not a job for someone with just a law degree. This is a job for a seasoned prosecutor, not a political appointee. With 22 years of courtroom experience, I will be ready on Day One to lead the talented and dedicated lawyers in the San Francisco DA's office.

As an Alameda County Assistant District Attorney, I've represented the people of California on cases in the courtroom more than 1,000 times. Of the felony cases I've taken to jury trial, my conviction rate is 95%. I have been a professional prosecutor for 22 years and have the deepest respect for the team of assistant district attorneys who are in the trenches every day doing the hard work of winning tough cases. I know this is a team of high-caliber professionals, and I am prepared to lead them.

3. What do you view as the top three issues facing the San Francisco District Attorney's office? Please describe your solutions for those issues.

Achieving justice for victims of violent crime. What San Franciscans need most in a DA is someone who doesn't just talk about stopping violent crime but has actually done the work. I started my office's DNA Cold Hit Unit, where prosecutors work collaboratively with police, crime lab scientists, and the coroner's office to solve forgotten cases. I will ensure that San Francisco's troubled crime lab is made functional once again.

Protecting our kids. One of the reasons I'm running is to make sure the streets are safe enough for my daughter Fiona to be able to walk to school by herself. As a prosecutor, the cases I've seen where children get hurt are the toughest to ever forget. That's why I have been so committed to focusing public attention on child sex exploitation and combating the sale of children into slavery.

Ensuring San Francisco has an independent DA's office. Independence is crucial, because as a district attorney you are sometimes called on to enforce the law against powerful people. I am beholden to nobody and my job will not be to please anybody. If the voters see fit to elect me, I will ensure that the laws of this state apply equally to everyone, no matter who they are.

4. What are some specific public safety strategies currently being implemented in San Francisco that you agree or disagree with? With these strategies in mind, what do you intend to do about public safety if elected District Attorney?

There is a real problem with the current sit/lie law. While all San Franciscans have a right to walk their streets, go into their stores, be in front of their homes without being threatened and intimidated, the streets and sidewalks belong to everyone.

The current law is the wrong solution. Both sides, including the police, have said that it's simply not working. That shouldn't be a surprise because political hot buttons don't work. This is

exactly what happens when you have politicians, not prosecutors, dealing with tough quality of life issues.

There are two real answers to this problem: Community policing and the Community Justice center.

Community policing means more foot patrols, more consistent police presence. I would support the expansion of the Community Justice Center in the Tenderloin to the Haight. It helps ensure that chronic quality of life offenders don't slip through the cracks and get services and treatment.

5. Considering the current budget crisis, do you support reducing spending on corrections and if so, how? If not, how do you propose to fund the current corrections system?

We are going to have to do everything possible to maximize our limited resources. As an Assistant District Attorney, I have been successful in obtaining major grants for innovative programs, such as for a program to combat human trafficking called H.E.A.T. Watch.

As D.A., I will continue to vigorously pursue state and federal government grant funding to support necessary criminal justice reform. In addition, I will forge public/private partnerships that identify mutually beneficial interests and generate outside sources of funding for much needed governmental programs. I will also personally make the case for full funding for public safety and effective justice to the Mayor and Board of Supervisors every budget year.

6. Do you believe that San Francisco should be a Sanctuary City, and how will you work with state and federal agencies to enforce the City's Sanctuary City policy?

Absolutely. I am an immigrant and I strongly support San Francisco's Sanctuary City policy.

For community policing to work we can't criminalize immigrants just based on their status. If people can't speak freely, that can't help law enforcement solve crimes and we can't protect them. I testified in support of Assemblyman Tom Ammiano's AB 1081 that would allow California counties to opt out of Secure Communities and I will continue to fight for that as DA.

7. Is there any instance in which your office might seek the death penalty?

I oppose the death penalty because it costs too much, doesn't deter crime, and has been applied unjustly. I support Life Without the Possibility of Parole as the option that can keep dangerous killers off the street and out of our community.

There are some candidates who declare categorically, "I will never charge the death penalty." Based on my experience, that is a statement that could actually cause special circumstances (death penalty eligible) cases to be removed from the San Francisco District Attorney's office. That became a big issue during the *Espinosa* case -- an attempt was made to remove the case from then-DA Kamala Harris because of an allegation that her charging decision was not made

based on the facts and the evidence, but on her personal bias in opposition to the death penalty. Luckily, that did not happen, and it is not likely to happen as long as she remains our Attorney General. However, those who paid close attention to her statements after the *Espinosa* case will remember that she very carefully stated she would make the charging decision on each case based on the facts and the evidence, not based on categorical statements made beforehand. And that was for a good reason -- because it is still possible that a pro-death penalty Republican could one day be elected Attorney General in California, and attempt to remove death penalty cases from a San Francisco D.A. making such categorical statements prior to reviewing the facts and evidence of a particular case.

That is why my commitment, along with my personal opposition to the death penalty, is to make informed charging decisions based on the facts and evidence of each case. That may not be what some politicians will say, but it's what a prosecutor opposed to the death penalty must do.

8. What is your position on Loni Hancock's SB490?

I strongly support SB 490. Recently, I also joined with 60 law enforcement professionals across California who are banding together to support abolishing the death penalty in our state.

9. How would your office address the truancy problem in San Francisco, particularly of children in elementary and middle schools?

Safe schools are a critical part of a safe San Francisco. Safe schools start with keeping our children in school and engaged. Truant youth are more likely to feel disconnected from their community and engage in behavior that increases the likelihood that they will become a victim or victimizer. They are also more likely to drop out of school - which will have dramatic consequences for their futures. Studies show that one in every ten young males who drops out of school ends up in jail or juvenile detention; for young black males, the rate is one in every four.

I will continue to build upon established partnerships between the DA's office and schools to identify chronically truant children, and work with parents to mediate solutions which keep children in the classroom and help parents understand their legal obligations to assist in this endeavor. I do not believe that prosecuting parents facilitates attendance. I believe that a more proactive approach, one that seeks to address truancy as early as first and second grade, yields better results. As the next DA, I will work closely with parents, community, and school district representatives, to ensure that all of our children get to school safely and feel safe while they are there so they can focus on learning.

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*Please return your responses to this Questionnaire by **Thursday, August 11, 2011**, to contact_us@phdemclub.org. Thank you again for your participation.*