



To: All Minnesota Candidates for County Attorney

Congratulations on your candidacy!

Because County Attorneys in Minnesota are such an important part of the criminal justice system, the ACLU of Minnesota is submitting this questionnaire to all candidates for this office, both incumbents and challengers. Our purpose is to increase the public's awareness of this elected office and to emphasize issues that are important to us. The ACLU of Minnesota is non-partisan. We will not endorse or oppose any candidate, nor will we use your response for any purpose other than what we describe in this memo.

We respectfully ask you to complete and return this questionnaire by July 13, 2018 to jkooren@aclu-mn.org.

We will include all the information you give us on a website we are building to share with voters information for them to use to vote in November. The website will also identify candidates who do not respond to the questionnaire.

We have more than 30,000 members and supporters throughout Minnesota who care about criminal justice reform, eliminating racial disparities, immigrant rights, and other issues that relate to County Attorneys' work. We are confident that they and many other Minnesotans will use the website to learn about candidates' positions.

This questionnaire consists of 16 Yes/No questions, each with the opportunity to add a 250-word comment. Where neither "Yes" nor "No" is selected, the response will be recorded as "Did Not Respond." The questionnaire is a fillable PDF. You will be able to fill out the entire form and review the whole document before submitting your response.

By submitting your response, you give us permission to make it available to the public on our website. We will send you a link to that site when it launches, which we expect to be in August. That site will include all the information you give us (except the contact information you give us for our use only), which we will not edit.

Thank you for participating in this project. If you have any questions, please contact Jana Kooren, our Public Education and Communications Director, at jkooren@aclu-mn.org or 651-529-1693.

Respectfully,

A handwritten signature in black ink that reads "John B. Gordon". The signature is written in a cursive style with a large initial "J".

John B. Gordon
Executive Director

[Please answer all questions]

Contact Information (For survey administrator use only)

- a. Contact Name:
- b. Contact Email:
- c. Contact Phone Number:

For Public Use (To be posted online along with survey responses)

- a. Candidate Name:
- b. County:
- c. Campaign website:
- d. Campaign email address:
- e. Campaign phone number:
- f. Please provide a link to a headshot of the candidate. [Or email a jpeg or other image to Aliya Khan, akhan@aclu-mn.org.]

g. (Optional) Please provide a link to a video clip (no longer than 60 seconds) of the candidate answering this question from Rock the Vote: “How would you be a champion for young people, particularly those of color?” [Questions? Contact Jana Kooren at jkooren@aclu-mn.org.]

Ending Mass Incarceration

1. Do you agree that prosecutors’ practices have contributed significantly to mass incarceration?

Please select:

- Yes
- No

Please elaborate:

2. Will you commit to implementing practices aimed at reducing the jail and prison populations by a specific percentage by the end of your upcoming four-year term?

Please select:

Yes

No

Please elaborate:

If "Yes," please identify your goal and what specific combination of reforms you anticipate will help realize this goal.

3. Will you commit to decreasing prosecutions of drug offenders and instead promote the use of diversion and/or treatment programs?

Please select:

Yes

No

Please elaborate:

Standing Up to Police Misconduct

4. Will you swiftly, thoroughly, and transparently investigate officer-involved shootings and claims of police brutality, and make your findings publicly available?

Please select:

Yes

No

Please elaborate:

5. Because prosecutors need to work closely with law enforcement personnel, officer-involved shootings and claims of police brutality necessarily create conflicts of interest for prosecutors. Will your office recuse itself and call for an independent investigation by the Attorney General of Minnesota in such cases?

Please select:

Yes

No

Please elaborate:

Combatting Racial Disparities

6. Will you commit to implementing internal ongoing anti-bias training and examining bias in charging, hiring decisions, bail recommendations, diversionary-program placements, and plea bargains.

Please select:

Yes

No

Please elaborate:

7. Will you decline to file charges against an individual where evidence indicates racial profiling or other racial bias in stopping, searching, or arresting the individual, or investigating the crime?

Please select:

Yes

No

Please elaborate:

Ending Poverty Penalties and Money Bail

8. Minnesota's Constitution prohibits excessive bail but does not require individuals to post money bail at all. Thus, prosecutors have the discretion to refrain from asking courts to require money bail. Would you commit to starting a system that ends in release without cash bail in most circumstances?

Please select:

Yes

No

Please elaborate:

Ensuring Accessibility, Transparency, and Accountability

9. Will you commit to developing and implementing a plan to personally, regularly, and meaningfully engage and communicate with all constituencies in your county in the first 100 days of your term (especially communities of color, immigrant communities, community-based organizations, and criminal-justice-reform advocates) and to involve them in determining the priorities of your office?

Please select:

Yes

No

Please elaborate:

10. Will you commit to post on your office's website all policies, protocols, and MOUs dealing with prosecution guidelines, police-involved incidents, bail recommendations, fines and fees, diversion programs, plea bargains, civil asset forfeiture, immigration considerations, and indigent determinations?

Please select:

Yes

No

Please elaborate:

11. Will you commit to collect and post on your office's website quarterly statistical information disaggregated by race and gender on felony-charging decisions, convictions, declinations to charge, and diversion-program placements?

Please select:

Yes

No

Please elaborate:

Protecting Immigrant Communities

12. Will you commit to adopt a written policy and a training program that encourages prosecutors to (1) consider the unintended immigration-related consequences of prosecutorial decisions at all stages of a case and to (2) use their discretion to reach immigration-safe dispositions for noncitizens whenever it is possible and appropriate?

Please select:

Yes

No

Please elaborate:

13. To protect immigrant victims of crime, will you commit to adopt and promote a written U-Visa policy that includes a rebuttable presumption of helpfulness and requires that U-Visa certifications be completed regardless of whether charges were brought, a conviction was achieved, or the case has concluded?

Please select:

Yes

No

Please elaborate:

14. Will you commit to refrain from using any of the resources of your office to enforce federal immigration laws, leaving such enforcement to federal officials?

Please select:

Yes

No

Please elaborate:

Advancing Youth Justice

15. Will you reduce the number of children in adult court by (1) committing to reduce the number of minors prosecuted as adults and (2) expanding the use of informal diversion and pre-filing diversion in juvenile cases?

Please select:

Yes

No

Please elaborate:

16. Recognizing that children and youth are categorically less culpable than adults, that they have less impulse control, and that they have a profound capacity for transformation, will you decline to seek life in prison without the possibility of parole for any person who was under 25 at the time of an offense your office is prosecuting?

Please select:

Yes

No

Please elaborate:

Thank you for participating in this survey.