In anticipation for this debate, the Reentry Council’s subcommittees: Direct Services and Legislative, Policy, and Practices, hosted two public meetings with members from the Reentry Council, community members and criminal justice stakeholders to discuss the possible questions for the upcoming District Attorney Debate. Below are 31 possible questions that might be asked by the moderator during the August 22, 2019 Debate. Please note the moderator will ask you 5 to 7 questions listed on this sheet. In addition, the audience with be asking 3-5 questions depending on time.

1. How does the reentry fit into the District Attorney’s Office to you?

2. Do you support civilian oversight of law enforcement? How would you encourage community participation in law enforcement oversight? Many people are too intimidated to go into a police Department to file a complaint. How would you reduce this barrier to community feedback?

3. Will you pledge to exercise your discretion and never seek the death penalty?

4. What does public safety look like to you?

5. Recognizing that children and youth are categorically less culpable than adults, that they have less impulse control and that they possess profound capacity for transformation, will you decline to seek life without the possibility of parole for any person under 25 at the time of offense?

6. As District Attorney, how would you handle a fatal use of force in incident involving local police?  Are you willing to hold the police accountable?

7. Will you swiftly, thoroughly and transparently investigate officer-involved shootings and police brutality and make your findings publicly available? Yes or no, explain

8. If you believe there is a conflict of interest in an investigation (as described in previous question), will you recuse your office and call for an independent investigation by the Attorney General of California?  “Yes” or “No” and provide an explanation.

9. Criminal convictions create major barriers for people who are trying to get jobs, find housing, or go to school. However, the California District Attorneys Association (CDAA) routinely opposes criminal justice reform measures at the ballot and in the legislature. Discuss how you will break from the CDAA and take initiative to reduce barriers for people with criminal convictions. Please provide specific examples of both statewide and local solutions that you will advocate for and/or implement.

10. Studies show racial disparities in drug law enforcement, despite the fact that white people and people of color use and sell drugs at the same rate. What would you do to minimize these disparities?

11. What would your policy be regarding charging children in adult court? When would you use your authority to file charges in adult court and when would you pursue a case in juvenile court?

12. How would you increase access to drug treatment for people charged and convicted of low level offenses?

13. Do you support rehabilitation programs in prison, jail, and in the local community? If so, how would you advocate to continue expanding funding for these programs?

14. Many families whose loved ones were killed by the police suffer psychological trauma, How do you plan to support these families cope with such trauma? what are your plans for dealing with families of victims of Officer Involved Shooting (OIS) ?

15. Will you commit to implement policies and practices to combat bias in decision-making within your Office, including in charging decisions, bail recommendations, diversionary program placements, and plea bargains – as well as in internal Office practices (i.e. regularly bringing in experts to train staff and prosecutors on implicit and explicit bias, prioritizing inclusive hiring and promotion, and ensuring the office not only has racial and ethnic diversity, but also diversity in gender, ability, health)? Please select “Yes” or “No” and provide an explanation.

16. Will you refuse to cooperate and liaise with ICE? “Yes” or “No” and provide an explanation.

17.   Studies have shown that people of color are convicted at higher rates and once convicted, given more jail time than their white counterparts.   What would you do to minimize these disparities?

18.   As District Attorney, how would you handle a fatal use of force incident involving local police?

19.  Considering prior accusations regarding the mishandling of sexual assault cases, what will you do to ensure that this is not an issue moving forward?

20.  What areas of the criminal justice system and the arrest - prosecution - conviction process to you see the biggest possibility for reform?

21. The San Francisco Police Department routinely conducts buy-bust operations in neighborhoods like the Tenderloin. Drug law enforcement policies like this target people of color and result in significant racial disparities, despite the fact that studies show that white people and people of color both use and sell drugs at the same rate. Do you support prosecuting these cases? If not, what do you think would be a more effective use of resources?

22. What does a fair and just court system look like to you?

23. In San Francisco, gang enhancements have been charged exclusively against people of color, leading to harsher sentences for those individuals. Additionally, there’s no evidence that gang enhancements serve as a deterrent or increase public safety. Since the DA has full discretion whether or not to charge these enhancements, would you make a policy to stop charging gang enhancements? If not, please explain.

24. Studies routinely show that providing supportive community-driven approaches, especially for young people, are more effective at reducing violent crime than law enforcement intervention. As DA, what policies could you implement that would be in line with this evidence?

25. In 2013, the Hayward W. Burns Institute conducted an analysis that found gross racial disparities in San Francisco’s criminal justice system, even though African Americans make up less than 6% of San Francisco’s population. In particular, they found significant disparities in pretrial release decisions and sentencing outcomes – both of which the DA’s office plays a major role in. What are specific solutions that you, as DA, would take in order to reduce racial disparities?

26. The DA’s Office has received criticism for not charging law enforcement officers for fatal use of force incidents. This has eroded public trust, especially because of the close working relationship between law enforcement and the DA’s office. Please respond to the following two questions. One: As DA, what steps would you take to ensure transparent and accountable handling of use of force incidents? Two: Under what circumstances do you think an officer-involved shooting would present a conflict of interest for your office, and therefore you would refer the case to another agency for investigation/prosecution?

27. Mental health has been a significant topic throughout the debate about reducing the jail population. Incarceration has been widely shown make mental health conditions worse. What steps will you take as DA to divert people with mental health conditions from the criminal justice system?

28. Criminal convictions create major barriers for people who are trying to get jobs, find housing, or go to school. Assembly Bill 1076 would create a process for automatically clearing the records of millions of people who are eligible for expungement. Do you support this bill? If it doesn’t pass, what steps will you take as DA reduce barriers for people with convictions?

29. The SFDA’s office currently has 14 research partnerships and just published the first of it’s kind prosecutor dashboard.  How will you use research and collaborative partnerships to 1) ensure evidence based prosecutorial practice and 2) maintain transparency and accountability?

30. San Franciscans have been publicizing concerns for years about issues such as officer-involved shootings, gross racial disparities, high pre-trial detention rates, and insurmountable collateral consequences of criminal convictions. Yet these issues continue to persist. As you stand here today telling us how you will do better on these issues, how will you increase transparency in the DA’s office and make it possible for the community to hold you accountable? What is your plan for community involvement with your agency?

31. What’s your opinion on the Collaborative Court and Mental Health Diversion?