



**Leave No One Behind
2022 GLAA Questionnaire**

Please give more than a simple "yes" or "no" response to our questions — though you should begin with a "yes" or "no." The depth and completeness of your answers play a major role in determining your final rating.

Thank you for the opportunity to respond to questions and share my viewpoints on issues important to the mission and members of GLAA. The DC Attorney General is the chief law enforcement officer for the District and, as such, does not have the authority to make laws or set city-wide policies - roles that are reserved for Councilmembers and the Mayor's Office. With that in mind, I offer my candid thoughts on the topics raised below and how I, as the next Attorney General, will use the power of the law to address challenges facing LGBTQ+ individuals.

Your record is part of your rating. Please list any actions that you have taken that may help illustrate your record on behalf of LGBTQ people. Feel free to link relevant documents such as letters to the editor, legislative testimony, campaign literature, etc.

I believe that the District must be a safe and welcoming place for all residents and visitors, regardless of their sexual orientation, gender identity or expression. My legal work on behalf of LGBTQ+ people includes providing law-related and other advisory services for [Us Helping Us, People Into Living](#) - an important community-based, non-profit organization that works to provide care and services to improve the health and well-being of Black, gay men; Black transgender women; and other sexual minorities. Most recently, I served as pro bono counsel representing Us Helping Us in a lengthy dispute involving a company seeking to unfairly extract a substantial sum of money from the organization. I worked with a team of attorneys, all of whom donated their time and legal expertise, to bring this matter to a successful conclusion on behalf of Us Helping Us.

In mid-2019, current Attorney General Karl Racine launched the Civil Rights Section of the Office of the Attorney General in response to ongoing bias, hate and discrimination in the District. AG Racine cited the District's Human Rights Act (HRA) as a powerful tool that gives the OAG jurisdiction to bring lawsuits that challenge discrimination. Under his leadership, the OAG has also advocated for legislation to strengthen antidiscrimination laws and has engaged in educational community outreach so that

residents know their rights. As Attorney General, I will continue and expand these initiatives by seeking creative and impactful ways to use the law to address bias-motivated violence, harassment and discrimination against LGBTQ+ individuals. Both current AG Racine and former AG Nathan are uniquely positioned to know what it takes to be an effective lawyer and leader, as well as the experience and skill sets necessary to be Attorney General. And, both have endorsed my candidacy to be DC's next independently-elected Attorney General, a clear and meaningful vote of confidence in my ability to ensure continuing enforcement of the HRA on behalf of LGBTQ+ individuals. AG Racine explains his endorsement here: [\[Brenna to add link\]](#) and AG Nathan's endorsement letter is here: [\[Brenna to add link\]](#)

Housing

- Do you support providing sufficient affordable housing units for all households earning less than 30% of the Area Median Income (AMI), such as, allocating vacant apartments to very low-income households, ensuring sufficient funds for the Housing Production Trust Fund are dedicated to these renters, and strengthening inclusionary zoning laws?

Yes, I believe that there should be sufficient affordable housing available for all who need it. The lack of affordable housing in DC is one of the great inequities that plague our city. If elected Attorney General, I will deploy the full authority of the OAG in support of affordable housing initiatives.

The Land Use Section of the OAG recently shifted its focus from counseling the Zoning Commission and Board of Zoning Adjustment to advocating for affordable housing, racial equity, sustainability and environmental justice in the zoning and land use processes. Prior to this new initiative, the OAG was limited to advising the zoning authorities and defending their decisions in court. The Land Use Section can now act more broadly to promote affordable housing, environmental justice, and racial equity on behalf of all District residents. I support this new role and will work to ensure that it efficiently and fairly contributes to the development of needed additional affordable housing units in our city.

This expanded function in the OAG provides key opportunities to address systemic inequities by, for example, advocating that the Zoning Commission require developers to provide a greater number of affordable (including deeply affordable) housing units and avoid displacement of long standing residents during construction and/or large renovation projects. I would continue this pursuit of fairness and inclusivity in housing and development as the District continues to grow and expand (which it must continue to do to in order to meet our shortage of available housing units), ensuring that city residents have a voice and are fairly represented in the zoning process, and that the process plays out on a level playing field. This will include fighting to prevent the

unfair displacement of Black and brown families, many who have lived in Washington for generations, as well as some neighborhoods' resistance to affordable housing and to welcoming low income residents.

Under my leadership, the OAG will continue to aggressively enforce the District's anti-discrimination and consumer protection laws to address and dismantle barriers to home ownership and affordable rentals that are rooted in systemic racism. This will include thorough investigation and, where necessary, litigation of fair housing and fair lending cases, and predatory home valuation and inspection scams that too often have a disproportionate adverse impact on Black and brown communities. This will also involve aggressive litigation against "flippers" who, in violation of DC's consumer protection statute, often take advantage of new home buyers by delivering shoddily constructed homes sold through shell LLC entities.

Additionally, the OAG has a demonstrated track record of aggressively going after slumlords – property owners that intentionally fail to maintain safe, warm, habitable, code-compliant homes for the residents who rent from them, and as Attorney General, I intend to continue and expand that aggressive focus, particularly where property owners are engaged in the illegal practice of constructive eviction. Negligent landlords must similarly be held accountable for the harm and damages their negligence causes. Too many DC residents are forced to live in substandard conditions, and the pandemic has compounded that unacceptable reality. Among other things, I will ensure that the OAG has more of a presence in communities so that residents who are living in substandard conditions and who need help know that the OAG is a resource ready, willing and able to help.

- Do you support improving access to housing voucher programs by increasing the number available, as advocated for by The Way Home Campaign and LGBTQ+ Budget Coalition, and reforming program eligibility rules?

Yes, I support improving access to housing voucher programs, and while I do not know how many additional vouchers are being proposed, I believe that Washingtonians should not have to wait for years to qualify for a voucher. LGBTQ+ individuals face an array of stigma and discrimination that undermines their ability to live in stable, safe and affordable housing. Discrimination in employment settings, family rejection (particularly of LGBTQ+ youth), bias by housing providers, and harassment/violence in homeless shelters are just a few of the reasons why LGBTQ+ individuals experience housing insecurity and overall loss of community at higher rates than the general population and are especially vulnerable to chronic homelessness.

And, while I believe that improving access to housing voucher programs is an important component toward ensuring a safe and affordable place to call home, it is only one piece of a comprehensive strategy. Experience demonstrates that successful housing voucher programs must also include resources and services to address health, mental health, substance abuse and other challenges to the extent needed by voucher recipients. To this end, the OAG under my leadership will work in collaboration with other DC agencies to ensure seamless support and act as a convener among agencies providing support services.

Another component of a successful housing voucher program - and one that is squarely within the purview of the Attorney General - is enforcement of the District's Human Rights Act (HRA) which, among other things, prohibits discrimination in housing. LGBTQ+ individuals often face discrimination on multiple fronts - income, sexual orientation and/or gender identity - and must be protected against landlords who engage in illegal bias against voucher holders. As Attorney General, I will challenge housing discrimination and engage in outreach to ensure that LGBTQ+ individuals know their rights, not just in matters involving housing vouchers, but across areas such as employment, education and public accommodation (e.g., access to gender-appropriate restrooms).

Workers' Rights

- Do you support enacting legislation decriminalizing sex work for adults, including the selling and purchasing of sex and third party involvement not involving fraud, violence or coercion?

While respecting the positions of those who advocate on behalf of adults engaging in sex work, as Attorney General I would fight to 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).

- Do you support repealing the subminimum wage for tipped workers?

I support every worker in DC earning a living wage. Under our current law, it is expected that restaurant workers who earn tips will, at a minimum, receive the

minimum wage (if the tips are less than equivalent minimum wage, employers are required to “true up”), and many restaurant workers do indeed earn significantly more than minimum wage by virtue of receiving tips. There are also workers in the city who see a shortfall between the minimum wage and what they earn in wages and tips. I will aggressively enforce the city’s wage and hour laws to ensure that workers are paid what they are owed, which at the very least is a minimum wage. If Initiative 82 passes - and the will of the voters is honored - I will hold accountable employers who fail to pay the mandated minimum wage or who wrongfully appropriate tips from workers.

- Do you support funding the Office of Human Rights (OHR) at a level that ensures the agency ends its case backlog, completes discrimination cases in a timely manner, and effectively engages in community education and outreach?

Yes. The OHR falls under the jurisdiction of the Mayor, who determines the agency’s budget in conjunction with the City Council. As Attorney General and counsel to the agency, I would recommend the agency request funding sufficient to support the efficient and timely resolution of all cases on the OHR’s docket. With respect to the Office of the Attorney General, I am 100% committed to using the law and the resources at the OAG’s disposal to address the widespread inequity in opportunity and income in our city that too often implicates systemic discrimination and bias, and to scrutinizing all of the decisions that the OAG makes through a fairness and equity lens. I will ensure ongoing robust community engagement initiatives so that the OAG is consistently working closely with community leaders and stakeholders to address areas of concern and identify priorities for directing the OAG’s resources in service of District residents facing bias and discrimination.

Under my leadership, the OAG will continue to aggressively enforce the District’s anti-discrimination and consumer protection laws to address and dismantle barriers to equity and justice that are rooted in systemic racism. This will include thorough investigation and, where necessary, litigation of fair housing and fair lending cases, wage theft cases, and predatory home valuation and inspection scams, that too often have a disproportionate adverse impact on Black and brown communities. Earlier this year, the OAG introduced a bill banning algorithmic discrimination which, among other things, would expand DC’s Human Rights Act by prohibiting the practice of using computer algorithms that may incorporate predictive bias to discriminate against individuals at critical junctures in their lives, such as seeking jobs, health care, credit, insurance, and housing. As DC’s next Attorney General, I will continue to advocate for passage of this legislation, as well as marshal the resources of the office to identify business practices that perpetuate discrimination against historically marginalized groups. I will work to level the playing field of business opportunity by initiating a business community task force geared toward eliminating discriminatory barriers to

entry (i.e. in the costs of credit, insurance, permitting and underwriting), with a particularly sharp focus on the government contracting, licensing and permitting processes that do not always serve DC residents.

Health

- Do you support establishing overdose prevention facilities in the District to reduce deaths from drug overdoses?

Drug overdoses have risen dramatically in the era of opioid addiction and constitute a pressing public health concern. Infectious disease transmission associated with drug use also poses a significant threat to public health. I support the decriminalization of personal-use drug paraphernalia and expansion of access to harm reduction supplies (such as safer smoking kits) established by the District's Opioid Overdose Prevention Act of 2019, and in general, support a harm-reduction approach to addressing overdosing. Broadening the focus on sterile harm reduction supplies beyond injection use to different modalities of ingestion appears promising; and overdose prevention tools such as fentanyl test strips may prove to be a powerful tool in the fight to reduce overdose deaths.

As AG, I would advocate for a data-centered approach to evaluating the effectiveness of proposed methods of harm reduction, and will do everything in my power as counsel to the relevant agencies to ensure they are working efficiently, and where there is a need for additional funding, to advocate for that where appropriate.

- Do you support removing the criminal penalties for drug possession for personal use and increasing investments in health services?

The OAG has jurisdiction primarily over crimes committed by juveniles. 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, as well as expanded health and mental health services.

Policing and incarceration

- Do you support reducing D.C.'s total pre-COVID-19 incarcerated population by one-third to one-half by FY30?

Yes, I support the goal of reducing the jail population by half. Historically, overcrowding at the jail has resulted, at least in part, from a presumptive policy of arrest and jail confinement prior to initial court appearances, even for minor offenses. The Covid-19 pandemic required certain changes to this historical presumption. Specifically, for the last two years, for a number of minor offenses, MPD policy has permitted "citation release"—i.e., release with a court date following booking at a district station—instead of custodial arrests. This has eased overcrowding at the jail with no apparent effect on public safety. To reduce racial disparities in pretrial detention practices and to keep the jail from becoming overcrowded without adversely affecting public safety, I will support a continued practice of utilizing citation release for certain low-level, non-violent offenses. Additionally, I would advocate for legislation to expand the types of offenses eligible for "field arrests," which, like citation release, do not entail jail confinement but also do not require booking at a district station. Finally, I will work closely with the D.C. Superior Court to address the serious backlog in cases and court-clog (some the result of having too many judicial vacancies) that interferes with the efficient and fair administration of justice, and frequently results in people being incarcerated for too long pending trial.

- Do you support better oversight, transparency, and accountability in the process of investigating and improving D.C. jails, including establishing an independent oversight body, addressing issues impacting transgender individuals, repairing jails, and changing staff culture?

The deplorable conditions at the D.C. jail are decades in the making, and it will require a sustained effort and substantial financial investment to completely overhaul and ensure a proper future. People held in jail are human beings who deserve to be treated with dignity, and as a community, we must prioritize making changes immediately. The Mayor's proposed FY2023 budget proposes more than \$250 million to construct a new, modernized facility which, once built, will allow for the closing of the Central Detention Facility (CDF), as well as \$25 million for capital improvements of the CDF until the new facility can be completed. These substantial financial commitments have been far too long in the making, and should not be deferred into subsequent fiscal years. As Attorney General, I will support and advocate for implementation of the many concrete, well-documented recommendations of the Jails and Justice Task Force Report. However, OAG does not run the jail and thus does not have the authority to unilaterally implement or impose a remedy for its deplorable conditions. Rather, the remedy must be fashioned and implemented by the District agency responsible for the jail—the Department of Corrections (DOC). As a District agency, DOC is OAG's client. As Attorney General, I will work with DOC, as I will with all of OAG's agency clients, to ensure it fully and transparently implements reform plans that comply with the laws and court orders that already require clean, safe, sanitary and humane conditions at the jail, and if necessary, hold the agency accountable if it fails to do what the law requires.

- Do you support divesting from the Metropolitan Police Department (MPD) to further invest in vital programs, including anti-poverty, violence prevention, crisis intervention, and reentry?

I do not support divesting from MPD. I do support investment in anti-poverty, violence prevention, returning citizens, and crisis intervention services. Too often police officers are called as first responders to crises which they are not adequately trained to address and which could be better addressed with mental health or substance abuse professionals or with other social services resources. As Attorney General, I will advocate for co-response teams that can support MPD with appropriate intervention strategies that protect both District residents and police officers. While recognizing the important role police should play in enhancing public safety, 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 its policies and practices. 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 support educating officers about the communities they work in and serve. Such training is not 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, and see themselves as public servants who understand and collaborate with the communities they are asked to protect.

*Please return your questionnaire responses in PDF format **by 11:59pm ET on Friday, April 22** [here](#). If you have trouble submitting your response through the form, you can email it to equal@glaa.org. GLAA will rate each response at our meeting on April 26 at 7pm ET.*