

# **ACLU CANDIDATE QUESTIONNAIRE June 8, 2010 Ballot**

## **QUESTIONS:**

1. **FIRST AMENDMENT.** As an elected official, (A) would you support any attempt to prohibit the exercise of free speech by an individual or organization on any issue, including one you or your constituents disagreed with? (B) Do you support restrictive ordinances, including “user fees” and unreasonable time restrictions, for ‘parades’ and otherwise protected demonstrations and protests?
2. **SURVEILLANCE CAMERAS.** Do you support efforts to increase the use of surveillance cameras in public areas by local, state or federal agencies, despite reports that such cameras violate privacy rights and are ineffective?
3. **TASERS.** Do you support the continued use of tasers without more regulation and independent officer training?
4. **POLICE OVERSIGHT COMMISSIONS.** Do you support of the use of independent law enforcement commissions to investigate alleged wrongdoings by law enforcement?
5. **RACIAL PROFILING.** (A) Do you believe city/county law enforcement practice racial profiling? (B) Do you support the use of independent community commissions investigating racial profiling?
6. **GANG INJUNCTIONS.** Do you favor the use of so-called “gang injunctions,” despite constitutional violations of due process of individuals, and entire communities?
7. **CHURCH/STATE SEPARATION.** Do you support sectarian prayers to open public meetings?
8. **MEDICAL CANNABIS.** Do you support the existing right of patients and care providers to access medical cannabis, including the operation of storefront medical cannabis dispensaries within city or county geographic boundaries?
9. **FEDERAL IMMIGRATION POLICIES.** Do you support the use of local law enforcement resources for enforcement of federal immigration policies?
10. **LIBRARY FREEDOM.** (A) Should patrons of our public libraries be able to access the internet free from government censorship? (B) Should internet filters be required at public libraries for access by children, by adults, or by neither?

## CANDIDATE RESPONSES:

\* View a more complete answer by candidates (below chart), in cases where yes/no answer is not clear.

Candidate/Race	Q1-a/Q1-b	Q2	Q3	Q4	Q5-a/Q5-b	Q6	Q7	Q8	Q9	Q10-a/Q10-b			
Ray Tretheway/City Council, Dist 1	No	No	No*	No	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes*
Efren Guttierrez/City Council, Dist 1	No	No	No	No	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes*
Angelique Ashby/City Council, Dist 1					*** chose not to respond ***								
Jeff Rainforth/City Council, Dist 3	No	No	No	No	Yes	Yes	No*	Yes*	Yes*	Yes	Yes*	Yes	Yes*
Chris Little/City Council, Dist 3					*** chose not to respond ***								
Shawn Eldredge/City Council, Dist 3	No	No	No	No	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes*
Steve Cohn/City Council, Dist 3	No*	No	Yes*	-*	Yes	Yes	Yes	No	No*	Yes	No	Yes	No*
Jay Schenirer/City Council, Dist 5					*** chose not to respond ***								
Patrick Kennedy/City Council, Dist 5					*** chose not to respond ***								
Leticia Hilbert/City Council, Dist 5	No	No	No	No	Yes	Yes	Yes	No	-*	Yes	No	Yes	Yes*
Henry Harry/City Council, Dist 5	Yes*	-*	Yes*	Yes*	Yes	Yes	Yes	No	No	Yes	Yes	No*	Yes*
Terrence Johnson/City Council, Dist 5					*** chose not to respond ***								
Darrell Fong/City Council, Dist 7					*** chose not to respond ***								
Diedre Hobart/City Council, Dist 7	No*	No*	No*	No*	Yes	Yes	Yes	No*	No	Yes	No	Yes	No*
Robbie Waters/City Council, Dist 7					*** chose not to respond ***								
Ryan Chinn/City Council, Dist 7	No	No	No	No	Yes	Yes	Yes	No	No	Yes*	No	Yes	Yes*
Phil Serna/Supervisor, Dist 1					*** chose not to respond ***								
Keith Weber/Supervisor, Dist 1					*** responded, but did not answer questions ***								
Raymond Kemp/Supervisor, Dist 2					*** chose not to respond ***								
Jimmie R. Yee/Supervisor, Dist 2					*** chose not to respond ***								
Lovie Kirkland/Supervisor, Dist 5	No*	No*	No*	-*	Yes*	-*	Yes*	-*	Yes*	-*	Yes*	No*	Yes*
Don Nottoli/Supervisor, Dist 5					*** chose not to respond ***								
Bret Daniels/Sheriff					*** chose not to respond ***								
Jim Cooper/Sheriff					*** chose not to respond ***								
Scott Jones/Sheriff					*** chose not to respond ***								
Julius M. Engel/District Attorney					*** chose not to respond ***								
Jan Scully/District Attorney					*** chose not to respond ***								

- Ray Tretheway re: Q2 “Except for in high traffic public places (i.e., light rail stations) with high incidences of misbehavior.” re: Q-10 b. “Filters for children, not adults.”
- Efren Guttierrez re: Q-10 b. “Should have children’s section that’s filtered.”

- Jeff Rainforth re: Q5-b. “No (re: supporting independent police commissions investigating racial profiling). If I were a cop, and I knew that 90% of doughnut thefts were committed by fat people, I would watch fat people in doughnut stores more closely than skinny people. It’s criminal science. It makes sense. I hope by using the word 'fat' I haven’t offended anyone. I’m fat...and I like doughnuts...but I don’t steal them.” Re: Q6. “Yes (re: supporting gang injunctions). I got out of a gang when I was 19. Many gang members are drug dealers, murderers, and thieves. Young people do not need their influence in their lies, not does society as a whole. Nothing positive comes from being in gang except getting out. I believe many cities have overcome criticism of the injunctions by listing each known gang member by name so as not to include innocent residents. The less gangs, the better for everyone.”
- Shawn Eldredge re: Q-10b. “Obviously children should not be able to access adult only sites at a public library.”
- Steve Cohn re: Q1 “I do not support attempts to prohibit the exercise of free speech by individuals or organizations. However, I disagree with the Supreme Court about campaign donations being speech.” Re: Q2. “I only support surveillance cameras if properly used and restricted.” Re: Q3. I would like to visit this issue with the Police Chief and the ACLU.” Re: Q7. “I do not support sectarian prayers to open public meetings. As a Jewish elected, I find it offensive that some people act like the whole country is Christian and there is no First Amendment separation of Church and State.” Q10b. “...filters generally should not be required at public libraries.”
- Leticia Hilbert re: Q7 “Our founding fathers founded our nation with trust in God. I trust the nation in His hands as well.” Q10-b. “...it (library) should have filters to protect the user.”
- Henry Harry re Q1a “I hold free speech as one of the core values of American society. Yet, it has to be regulated at times. I would only attempt to regulate free speech in the rarest of instances...” Q1b “I do not support user fees for free speech events...there may be times that, when balancing public safety, certain acts must be prohibited through ordinance.” Q2 “I support limited and targeted use of surveillance cameras. I am concerned about policies surrounding the use, accountability and oversight of this technology.” Q3. My sense is that most officers do not need more training. The responsibility for deaths involving tasers should fall on manufacturers. If the device is dangerous it should not be sold.” Q9 “In a world of heightened terrorism concerns, Americans cannot afford to have inconsistent policies...” Q10b “We elect leaders to establish our policies, within the bounds of the constitution, for the good of our communities. This includes...blocking some internet content at public libraries. Q10b “We have a right to filter some content at libraries.”
- Diedre Hobart re: Q1 “..we need to protect our rights, especially our rights to free speech, perhaps our most important...when we limit rights and set times and ordinances we are no longer the America we have claimed to be.” Q2 “I believe surveillance should be done by private businesses at their own will. No government run cameras should be place. Choosing where to put them could be an extremely slippery slope.” Q3 “There needs to be more training or stricter punishments for mis-use. No one should die EVER from being (tasered).” Q6 “Lumping people together is never proof positive and violates rights of others.” Q10 “...how would one know if the user was an adult or a child? I think it should not be restricted.”
- Ryan Chinn re: Q8 “Yes, with reasonable restrictions on placement of dispensaries.” Q10b “Yes, by children and on any computers that are in a public space that would be accessible or visible to children.”
- Lovie Kirkland re: Q1 “It is often those who are able to see the same situation from a different angle who are able to give insight...demonstrations and protests are a valuable part of free speech....I believe people should be given the proper venue which includes time to express themselves...” Q2 “There are more important factors for the government to be considering (then) funding for cameras and surveillance infrastructure.” Q3 “I am grateful law enforcement has an effective means of being able to subdue criminals in a non-lethal method. I have, however, seen cases where these items have come under abuse. I believe that with better training, more accountability for use, and harsh penalties for abuse that non-lethal methods (like this) can remain

in use.” Q4 I do not see how an elected official should impede the people’s ability to investigate their actions except in circumstances of security or the invasion of privacy where it is not affected by government. A government should not be able to hide from the people, but rather stand under the scrutiny of those people...” Q5a “In marketing, profiling would be called demographics...I believe it is the primary right of our law enforcement to investigate when something does not match the demographic ‘norm’ of the area they are searching. However, do I believe someone should base their decisions on race? No. Q5b “I would support (independent reviews) as long as there were safeguards in place to minimize the impeding of law enforcement to perform their duties of protecting the public.” Q6 “The right to gather is a right not a privilege. Innocent until proven guilty...I also believe in creating the needed safety for public officials who serve those people. Stricter laws that would minimize the ability of convicted criminals to interact with other convicted criminals, and a better prevention and education system in place, should be explored.” Q7 “The question becomes which to violated. Do I eliminate someone's right to freedom of speech and religion by removing their ability to pray, or do I ignore the separation of church and state for the sake of religion. If I am forced to choose between freedom of speech or the separation of church and state, I will support freedom of speech.” Q8 “I support the rights of medical cannabis smokers as much as I respect the rights of the people in the city as to whether they want a medical cannabis dispensary within their boundaries...If our people want a cannabis dispensary within the city, then we need to allow that...if those we serve do not want a dispensary within our limits, then we would be wrong to ignore them.” Q9 “...we need to explore ways in which to run more efficient including the ability for city, county and state officials to enforce federal laws so long as the proper training and ability is demonstrated can be properly applied.” Q10 “...it is the responsibility of those within (library) to provide a level of protection...this may restrict certain types of information, images, or websites but it is important that we not only protect the rights of people, but the rights of children not to be exposed to those images, data and websites.”