



Instructions:

Please answer the following yes/no questions. The absence of a yes/no response on an individual question will be interpreted in the negative (“no”). Each question provides an opportunity for further explanation of your answers if you so desire, which you may include in a separate document. Your responses will be posted publicly on an ACLU website, and may be used for voter education with ACLU members and supporters, as well as the broader electorate. Your return of a completed questionnaire, which we request on or before Friday, July 12, 2019, will be interpreted as an indication that your campaign views civil liberties and civil rights as key matters of concern in the 2020 election.

Thank you very much for your time and consideration.

ACLU Rights for All Candidate Questionnaire 2019

In the U.S., about 2.2 million people are locked behind bars on any given day and nearly 11 million people are incarcerated in an average year. The U.S. locks up more people, both in absolute numbers and per capita, than any other country. Since the 1970s, sentences have become ever longer, and our prisons and jails have become costly and outdated behemoths that cause more problems than they solve. Mass incarceration has deepened racial injustice, shattered neighborhoods, and separated families, all without evidence that it has improved public safety.

1. Will you commit to:

- a) Reducing incarceration by 50% in the federal prison system within your Presidency**

Yes No

- b) Putting forward a nationwide strategy to cut the prison and jail population in half, including at the state and local levels (the ACLU encourages you to release such a strategy as soon as possible during the course of your campaign.)**

Yes No

Explanation (500 words): _____

The next president has broad authority to grant clemency to people in federal prisons who have suffered disproportionately from past tough-on-crime policies and whose release would pose little risk. 81,000 people are incarcerated in the federal system for drug-related charges. Approximately 164,400 people in state prisons are aged 55 or older, many suffering from serious

illness. A bold federal clemency program, matched by federal incentives for similar efforts in the states, could result in the release of up to three hundred thousand people, returning them to their families and communities.

2. Will you pledge a swift use of the president’s clemency power to release 25,000 people from the federal prison system during your first term, and to direct federal incentives to the states aimed at releasing 250,000 more?

Yes No

Explanation (no more than 500 words): _____

Many aspects of our criminal justice system were designed during the Jim Crow-era to protect white supremacy, and that legacy drives vast racial injustice. One of every three Black boys is incarcerated in his lifetime, as is one in every six Latino boys — compared with one of every 17 white boys. People of color make up 67% of the prison population, but only 37% of the U.S. population. These disparities grew especially pronounced during the War on Drugs. About 465,000 people are incarcerated for a drug-related charge. While whites outnumber blacks five-to-one and both groups use drugs at similar rates, blacks comprise 35% of those arrested for drug possession, 55% of those convicted for drug possession; and 74% of those imprisoned for drug possession. More recently, the opioid crisis has reaffirmed the failure of criminalization. Full decriminalization with appropriate treatment responses could address this stark racial injustice and reduce incarceration.

3. Since drug use is better addressed as a public health issue (through treatment and other programming), will you support the decriminalization at the federal level of all drug possession for personal use?

Yes No

No, I do not support the decriminalization at the federal level of all drug possession for personal use. However, I do support the decriminalization and legalization of Marijuana.

Explanation (no more than 500 words): _____

Every year, hundreds of people, many of them unarmed, and many of them of color, are killed by police, warranting drastic changes to our approach to public safety.

4. Will you issue federal guidance advising police to use deadly force only after exhausting all alternatives and only when necessary to protect the life of another person or the officer’s life? If yes, how will you incentivize state and local law enforcement to abide by this guidance (for example, federal funding or technical assistance)?

Yes No

Explanation (no more than 500 words): _____

Approximately 11 million people who live in the United States are undocumented. Two-thirds of undocumented adults have been here for at least 10 years. They are our neighbors, our colleagues, our friends, our family members: About 5 million U.S.-citizen children live with at least one parent who is undocumented, and undocumented adults make up about 4.8% of the workforce. As long as we prevent these individuals from becoming citizens, we are institutionalizing a permanent underclass, primarily Latino, Asian, and Black, living and working in the U.S. but often unable or afraid to assert their civil and constitutional rights.

5. Will you commit to champion legislation to provide fair and achievable paths to citizenship for 11 million undocumented immigrants?

Yes No

Explanation (no more than 500 words): _____

Currently, millions of immigrants live with the constant fear that they or their family members could be detained and deported at any time. The federal government has taken aggressive steps to coerce state and local police into identifying immigrants for deportation and turning them over to Immigration and Customs Enforcement (ICE). An ICE detainer is a request from ICE to a state or local law enforcement agency to jail someone until the person can be taken into federal immigration custody — for up to 48 hours beyond the time that the person would otherwise be released. Detainers are the linchpin in ICE’s reliance on local police as “force multipliers” to carry out its mass deportation agenda; they also incentivize racial profiling by police.

6. Will you commit to ending the use of ICE detainers?

Yes No

Explanation (no more than 500 words): _____

ICE is responsible for the largest immigration detention system in the world — a sprawling network of ICE-run facilities, private prisons, and local jails operating with little to no meaningful oversight, costing more than \$8 million per day in federal taxpayer dollars. Non-citizens in detention include asylum seekers, long-time U.S. residents, and green card holders; in many cases, they are jailed because of categorical rules that deny them release even if their detention is demonstrably pointless. In 1997, the average daily detention population was about 12,000. Today it’s 50,000 — which is 60% higher than it was just two years ago.

7. Will you commit to reduce the size of the immigration detention system by at least 75%, including by: 1) cutting ICE’s detention budget; 2) ending the detention of families, asylum seekers, and other vulnerable populations; 3) ending prolonged detention without bond hearings; and 4) ending requirements that immigrants post bonds they cannot afford?

Yes No

Explanation (no more than 500 words): _____

At the founding of our nation, women, African-Americans, those who were unable to read or write, poor people, and individuals with felony convictions were excluded from the ballot box. Over time, the right to vote has been extended to many of those citizens. Additionally, poll taxes and literacy tests have been banned. But restrictions remain. Over 5 million people are unable to vote because they are incarcerated, completing probation or parole, or are precluded from voting for having a felony conviction in their past.

8. Will you pledge to advocate for the right to vote for all citizens over the age of 18, including people who are currently incarcerated? (There are a number of ways to do this, *e.g.*, by providing federal incentives for states who push forward reforms in this area, or by pushing Congress to restore the vote to people in federal prisons.)

Yes No

I believe that currently incarcerated individuals should have their right to vote suspended until after their time is served. Once people who have been incarcerated have served their time, all rights should be restored and protected, including the right to vote. The right to vote is the essential power in a democratic republic and must be completely restored immediately, upon release. These citizens have served their time and in doing so have earned re-entry to society with full participation.

Explanation (no more than 500 words):

Over 700,000 residents of Washington, D.C. are denied the full rights to citizenship, without voting representation in Congress or local autonomy over the laws, budgets, and policy choices that govern their communities. This has real consequences for the residents of D.C., who voted for Statehood by a margin of 85% in 2016. District citizens bear the burdens of American citizenship without possessing the same rights as residents of other states.

9. Will you commit to supporting D.C. statehood? If so, please describe your plan to achieve D.C. statehood.

Yes No

Explanation (500 words): _____

10. Will you work to stop states from shutting down abortion providers by urging Congress to pass and signing into law the Women's Health Protection Act? If yes, how will you take a leadership role in advancing this legislation at the national level?

Yes No

Explanation (no more than 500 words): _____

11. Will you commit to introducing a clean budget with no abortion coverage restrictions, and guarantee that you will work to keep such restrictions out of final appropriations bills? How will you take a leadership role in advancing this issue in Congress?

Yes No

Explanation (no more than 500 words): _____

- 12.** Will you urge Congress to pass and commit to signing the EACH Woman Act, which would lift abortion coverage restrictions including the Hyde amendment and stop political interference in private insurance coverage of abortion? How will you ensure that this is a top legislative priority in Congress?

Yes No

Explanation (no more than 500 words): _____

We have witnessed an unprecedented demand for accountability for workplace harassment, particularly sexual harassment and assault, but also harassment based on sex, race, color, religion, national origin, age, and disability. However, Congress has not yet passed legislation to help solve this problem in workplaces across the country, and employers should be doing more. The BE HEARD in the Workplace Act, introduced in April 2019, would strengthen and expand the reach of our nation’s antidiscrimination laws, remove barriers that prevent individuals from accessing justice, and help employers create harassment-free workplaces—while also holding them accountable when they fall short.

- 13.** Will you actively push Congress to pass the BE HEARD Act?

Yes No

Explanation (no more than 500 words): _____

- 14.** As President will you use your executive authority to ensure that transgender and non-binary people who rely on the state for medical care — including those in prison and immigration detention — will have access to comprehensive treatment associated with gender transition, including all necessary surgical care? If yes, how will you do so?

Yes No

Explanation (no more than 500 words): _____

Recent presidents have used the CIA to conduct lethal strikes far from any battlefield abroad. Given that the CIA’s actions are shrouded in secrecy, accountability has suffered. The U.S. armed forces should be used to fight wars, and the CIA should be focused upon intelligence gathering and analysis.

- 15.** Will you prohibit the CIA through Executive Order from ordering or carrying out drone strikes and other uses of force, and instead ensure that such actions reside with the Secretary of Defense and the military, which are more accountable to Congress and the public?

Yes No

Explanation (no more than 500 words): _____

There have been repeated attempts at the federal and state level to introduce legislation that would restrict the right to boycott, and punish those who participate in political boycotts against Israel, such as the Boycott, Divestment and Sanctions movement. Regardless of where you stand on the issue of BDS, political boycotts are a constitutional right and a fundamental part of free speech and expression under the First Amendment, which includes the right to protest.

16. Do you oppose legislation that impedes or prohibits political boycotts, including with regard to BDS?

Yes No

Explanation (no more than 500 words): _____

One of the primary goals of the disability rights movement is to ensure that every person with a disability can live in the community rather than be segregated into an institution, where their basic liberties would be restricted. Mass institutionalization is a legacy of the early twentieth century eugenics movement, rooted in a prejudiced assumption that people with disabilities represented a threat to society and could not safely live in the broader community. Unfortunately, hundreds of thousands of people with disabilities still languish in institutions and nursing homes, while hundreds of thousands more sit on waiting lists to access community-based supports.

17. Will you commit to significantly expand the total number of persons with a disability who can access home and community-based services, including by making such a commitment a part of whatever health care proposal you put forward? How will you prioritize this issue?

Yes No

Explanation (no more than 500 words): _____

18. The Supreme Court ruled in *Carpenter* that police must get a warrant when demanding location information about individuals from a third party, like a phone company. Will you commit to directing the Justice Department to apply the *Carpenter* ruling requiring a warrant whenever domestic law enforcement officials request sensitive information about individuals from third parties, like Facebook and Google?

Yes No

Explanation (no more than 500 words): _____

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