

Oklahoma District Attorney Candidate Questionnaire

For more than 50 years, the American Civil Liberties Union of Oklahoma has worked in the courts, the legislature, and through public education to protect individuals' civil rights and liberties. As part of our organization's nationwide effort to cut the nation's prison population in half while combating racial disparities in the criminal justice system, the ACLU of Oklahoma is launching a public education campaign around prosecutorial discretion. Our goal is to educate voters, including members of the ACLU of Oklahoma and those directly impacted by incarceration, about the role the district attorneys play in mass incarceration. Our campaign will also work to provide voters with information about where candidates for District Attorney stand on critical criminal justice reform issues, such as prosecutorial transparency, policies that reduce incarceration, eliminating racial disparities in the criminal justice system, and ending unjust policies such as the death penalty, money bail, and civil asset forfeiture. All candidates for District Attorney in Oklahoma are receiving this questionnaire, and answers will be posted online. Through this campaign, the ACLU of Oklahoma is working to make Oklahoma voters more aware of the awesome powers that District Attorneys have and hold candidates for this powerful position accountable to their communities' fundamental need for justice, safety, and respect.

Please write your answers in this document and **email your responses** to Nicole McAfee at **NMcafee@acluok.org** on or before **May 23, 2018**.

Contact Information

Please provide constituents with your campaign contact information.

Name, as listed on the ballot: **Cory T. Williams**

Phone number: **(405) 533-1767**

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Website: **www.williamsforoklahoma.com**

Facebook URL: **Cory Williams for District Attorney**

Twitter handle: **@WilliamsforOK**

Instagram:

Other:

Mission and Vision

1. Will you pledge to articulate a mission and vision for the Office that places the focus on justice, rather than winning cases, and align the work of the Office—including internal and external communications, training, policies, and hiring and promotion practices—to reflect that mission and vision?

Please give a clear “Yes” or “No” and any explanation. **Yes**

Mass Incarceration

2. Do you agree that prosecutors’ practices have contributed significantly to mass incarceration? Please give a clear “Yes” or “No” and any explanation **Yes**

3. Many experts say that overcharging by prosecutors unfairly pressures defendants into pleas, even with weak or insufficient evidence. Would you pledge not to use charging decision as a tool to gain leverage over defendants? Please give a clear “Yes” or “No” and any explanation. **Yes**

4. Criminal justice contacts – however brief – can have negative psychological and employment effect, and often fail to address the underlying cause of crime. Will you work to expand diversionary programs so that, whenever possible, contact with the criminal justice system is avoided or limited?

Please give a clear “Yes” or “No” and any explanation. **Yes**

Racial Disparities

5. Will you commit to tracking and working to eliminate any racial disparities caused by decisions made by the Office, including disparities in charging decisions, bail recommendations, diversionary program placements, and plea bargains? Further, will you commit to making the results of your tracking easily accessible to the public? Please give a clear "Yes" or "No" and any explanation. **Yes**

6. Will you commit to requiring that prosecutors participate in implicit bias training to reduce the possibility that subconscious and unintentional attitudes about other people based on characteristics such as race influence the prosecution of cases in your district? **Without knowing a cost or being aware of the requirements of any training, I can not honestly obligate my office or my staff. Certainly, we will make a conscious effort to realize implicit bias and guard against the same so that justice is truly color blind within our jurisdiction.**

Poverty Penalties and Bail Reform

7. Do you favor changes at the state level to greatly reduce or eliminate the use of monetary payment as a condition of pretrial release? Please give a clear "Yes" or "No" and any explanation. **Yes**

8. Will you limit requests for money bail and pledge to recommend, for all legally permissible cases, presumptive release of defendants without financial conditions unless there is an individualized showing of substantial and identifiable flight risk or danger to the community and that money bail is necessary to address this danger or flight risk? Please give a clear "Yes" or "No" and any explanation. **Yes**

9. Will you commit to avoiding, imposing costs of diversionary program participation on individuals and basing charges, if absolutely necessary, on a "sliding scale" fee structure that considers an individual's ability to pay? Please give a clear "Yes" or "No" and any explanation. **I do not believe fines, fees and costs are adequate deterrents but instead lead to recidivism and**

mass incarceration. I will focus efforts to minimally impose fines, fees, costs in appropriate situations.

Transparency and Accountability

10. Will you pledge to collect and post online quarterly statistical information disaggregated by race and gender on felony and misdemeanor charging decisions, convictions, declinations, and diversion program placements? Please give a clear "Yes" or "No" and any explanation. **If this data is easily ascertained, organized and publishable, yes. I can not commit to expend additional resources while simultaneously pledging to reduce revenue to the office by limiting fines, fees, and costs.**

11. Will you pledge to publish on the Office website all policies, protocols, and MOUs regarding prosecution guidelines, police-involved incidents, bail recommendations, fines and fees, diversion programs, plea bargains, civil asset forfeiture, immigration considerations, and indigency determinations? Please give a clear "Yes" or "No" and any explanation.

12. Will you pledge to develop and implement a plan to personally, regularly and meaningfully engage and communicate with the community in the county or counties you represent, including communities of color, the immigrant community, community-based organizations, and criminal justice reform advocates, and involve them in the project of determining the priorities of your office within the first 100 days of your term? Please give a clear "Yes" or "No" and any explanation. **Yes**

13. Will you pledge to create a Conviction Integrity Unit and, as part of that process, compare current operations against the guidelines published by the Innocence Project in October 2015? Please give a clear "Yes" or "No" and any explanation **Not if additional financial resources will be required.**

14. Will you ensure, that every stage of the criminal process your office oversees is communicated to victims in terms they understand and take time to explain the process without legal jargon? Please give a clear "Yes" or "No" and any explanation. **Yes**

15. Will you pledge to assign special prosecutors authorized to investigate and prosecute police killings of civilians, use-of-force cases, sexual assault by law enforcement officers and other cases of police misconduct as appropriate? Please give a clear "Yes" or "No" and any explanation. **Yes, as appropriate**

16. Will you pledge to recruit and hire people with criminal records to work in your District Attorney's Office? Please give a clear "Yes" or "No" and any explanation. **In the appropriate circumstance, yes**

Immigration

17. Will you pledge to adopt a written policy and training which encourages prosecutors to consider the unintended immigration-related consequences of prosecutorial decisions at all stages of a case and to use their discretion to reach immigration-safe dispositions for noncitizens whenever it is possible and appropriate? Please give a clear "Yes" or "No" and any explanation. **When possible and appropriate and in compliance with state and federal law.**

18. To protect immigrant crime victims, will you pledge to adopt and promote a written U Visa policy that includes a rebuttable presumption of helpfulness and the direction that U Visa certifications be completed regardless of whether charges were brought, a conviction was achieved, or the case has concluded? Please give a clear "Yes" or "No" and any explanation.

19. Will you pledge to adopt a written policy which prohibits questions about the immigration status of crime victim or witness?

Youth Justice

20. Will you pledge to not seek the certification of juveniles as adults? Please give a clear "Yes" or "No" and any explanation.

21. Will you pledge to require, when possible, that juvenile trauma histories be considered at all points in the process when evaluating whether a youth should be incarcerated, diverted, or subject to other dispositions? Please give a clear "Yes" or "No" and any explanation. **Yes**

22. Will you pledge to never seek a life without parole sentence for a juvenile? Please give a clear "Yes" or "No" and any explanation. **Decision regarding heinous acts are to be made on a case by case basis.**

Discovery

23. Will you pledge to require that prosecutors turn over full discovery to the defense pre-indictment? Please give a clear "Yes" or "No" and any explanation. **Yes**

24. Will you implement and require Brady training for your prosecutors which specifically addresses evidence considered exculpatory or that otherwise qualifies as Brady materials? Please give a clear "Yes" or "No" and any explanation. **Yes**

Other Issues

25. Will you adopt a policy requiring a criminal conviction before forfeiting property? Please give a clear "Yes" or "No" and any explanation. **Forfeiture upon conviction**

26. Will you vehemently oppose any attempt to criminalize either a doctor performing or a patient seeking an abortion? Please give a clear "Yes" or "No" and any explanation. **My job will not be to make law, but to enforce constitutionally viable laws within my jurisdiction.**

27. Will you commit to not seeking the death penalty? Please give a clear "Yes" or "No" and any explanation.

28. Do you support alternatives to incarceration. Please give a clear "Yes" or "No" answer. If yes, please explain what kind of alternatives you would provide from your position as district attorney (examples include restorative justice, community service, drug court, mental health court, work release, personal recognizance bonds, etc.). **Yes**

Oklahoma Criminal Justice Reform

29. Will you pledge to work toward the reforms recommended by Governor Fallin's Oklahoma Justice Reform Task Force in 2016. Please give a clear "Yes" or "No," and, if no, explain why. **Yes**

30. Will you commit to reviewing the cases of currently incarcerated people whose sentence would be a misdemeanor under SQ 780, and expediting release. Please give a clear "Yes" or "No" and explain why. **Yes**

31. Will you be a champion for reforms like state question 780 that work to reduce the number of Oklahomans behind bars, and also work to fund treatment and alternatives to incarceration? Please give a clear "Yes" or "No" and explain why. **Yes**

32. Will you commit to meet with organizations championing criminal justice reform around in-office and legislative changes that could be made to reduce the number of Oklahomans in prisons and jails? Please give a clear "Yes" or "No." **Yes**

33. Will you pledge to use your position on the District Attorneys Council to ensure that communications, decisions, and deliberations about policies, protocols, etc., be made public in an easily accessible and searchable format? **Yes**

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