

2019 Queens District Attorney Questionnaire

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1. Do you now, or have you ever supported an openly LGBTQ candidate for public office? If so, please identify any and all of the candidates.

As a participant in the 2017 DNC LGBT Strategy Session and DNC LGBT Leadership Council Gala, I worked to support LGBT candidates and create a better path for LGBT and marginalized individuals to run for office. We need more diverse voices in our government, and I am glad to support LGBTQ candidates that fight for the same values of equality and justice.

2. If applicable, what legislation directly affecting the LGBT community have you introduced or co-sponsored? (indicate accordingly)

I have not held elected office or legislative office before, but I support progressive legislation that grants full civil rights to all members of the LGBTQ community and protects them from discrimination.

3. What LGBT organizations have you been involved with, either on a volunteer basis or professionally?

I have participated in the DNC LGBTQ Leadership Council.

As Executive Director of the New York City Civilian Complaint Review Board (CCRB), I convened the first-ever symposium in November, 2015, to discuss the LGBTQ community and police encounters. *"Let's Talk It Out: Working Together to Improve LGBTQ-Police Encounters"* was a one-day symposium with various panels to discuss how to improve interactions between

the police and LGBT community. I also instituted implicit bias and cultural competency trainings agency-wide that included trainings on creating a welcoming work environment for LGBT colleagues.

4. If applicable, what LGBT organizations have you allocated funds to?

DNC LGBTQ Leadership Council.

5. Do you consider yourself a member of the LGBT community?

I do not identify as LGBT, but as an ally of the LGBT community. I'm proud of my LGBT friends and family members who are living their lives as their full selves, and I work to support them however I can.

6. Have you marched in Pride? Which marches and for approximately how many years?

I have not marched in Pride personally.

7. Have you employed openly LGBT individuals previously? Do you employ any currently?

Yes, I previously have employed openly LGBTQ individuals as both Executive Director of the New York City Civilian Complaint Review Board and in my role as Deputy Attorney General of the Public Safety Division to Attorney General Karl Racine in the District of Columbia.

I have also hired a diverse staff for my District Attorney campaign. The majority of my staffers are people of color and women, and several are LGBTQ as well.

Effective criminal justice requires employing staff who can understand and help address the unique challenges and safety concerns each community faces, including the LGBTQ community.

8. If you receive the endorsement, do you agree to identify the club using its FULL name on all literature and electronic materials where you list endorsements?

Yes.

9. What press conferences, demonstrations, rallies and protests in support of LGBT issues, pro choice legislation, criminal justice issues and the Resist Trump Movement have you attended?

I have not attended any press conferences, demonstrations, rallies or protests; however, as Deputy Attorney General, I supported our office's move to hold a D.C. restaurant accountable

after an employee tried to unlawfully block a transgender resident from using a restroom that matched her gender identity. As part of the settlement, the restaurant was required to: (1) institute policies on civil rights compliance and train staff; (2) post clear signage that under the law everyone is allowed to use the restroom that matches their identification or expression; and (3) pay a penalty of \$7,000.

10. Have you ever been arrested? If so please explain why and outcome of arrest.

No.

11. What is your position on abortion?

I am pro-choice.

12. It is common for the District Attorney's office to write letters of parole release opposition to the State Parole Board for incarcerated people the office previously prosecuted. This often happens in boilerplate form, without the DA's office knowing who the incarcerated person is today and how they've changed over time. Would you pledge to not write boilerplate letters of opposition for people the office prosecuted years and decades ago as they appear before the Parole Board?

Yes.

13. As DA, would you pledge to not push for Life Without Parole (death-by-incarceration) sentences for those you are prosecuting?

I would not pursue life-without-parole sentences except in the most extreme and rarest of circumstances; for example: mass murder.

14. Will you advocate in Albany for legislation to mandate the review of sentences of incarcerated individuals over the age of 55 who have served in excess of 15 years to determine if they warrant release?

Yes.

15. Do you commit to visit constituents who are incarcerated in state prisons such as Bedford Correctional Facility?

Yes.

16. Do you believe sincere remorse, risk of reoffending and actions taken while incarcerated should be considered over the original crime in determinations of parole?

Yes. My vision for a truly fair criminal justice system is one which sees the full humanity of each person, including those who are incarcerated. People who are serving sentences can grow, learn and evolve — as we all do. These determinations must always be made with relevant public safety concerns in mind, but I believe justice requires accountability that keeps our communities both safe *and* whole.

17. Do you consent to having your name added to a letter of elected officials to the New York State Parole Board advocating for the release of Judith Clark?

Yes, I do. As I stated in my answer to Question #16, a truly fair criminal justice system is one that takes into account the ways people change and grow. I join with other progressive leaders in saying that who Judith Clark is today is not who she was when she was sentenced over three decades ago. She has shown sincere remorse, and her work developing programs to help incarcerated victims of the AIDS epidemic is genuinely admirable.

18. Have you participated in any demonstrations or protests in relation to the issues of clemency and parole?

No. However, during my time as Deputy of Attorney General in the Office of the Attorney General in the District of Columbia, our Office supported the Clemency Board Establishment Act, a bill that would allow for a local board to shorten clemency review and help advance strong clemency applications. Currently, individuals in the District of Columbia must apply directly to the President. Because of the lack of local support for clemency applications before the bill's introduction, only one person in the District of Columbia had received clemency since 1989. I believe in and welcome legislation that makes our clemency process fairer, more accessible and more accountable.

19. Will you affirmatively seek to hire formerly incarcerated individuals?

Yes. As Deputy Attorney General in the District of Columbia, I had several formerly incarcerated and justice-involved individuals on my staff. As an example, my former executive assistant was convicted of manslaughter and one of our restorative justice facilitators spent 18½ years in federal prison.

I will also advocate for more job training programs for the formerly incarcerated and justice-involved. The criminal justice system fails the community it serves when we only care about a person from arrest to release, and then forget about them. We need to aggressively support re-entry for the formerly incarcerated and justice-involved in order to reduce recidivism and increase public safety.

20. Do you believe in the legalization of sex work?

I believe in decriminalizing sex work and using the justice system to provide support to people caught up in horrific systems of sex trafficking. Instead of prosecuting people who engage in sex work, often out of economic desperation, we should vigorously prosecute the sex traffickers profiting off of these systems.

21. What proposals will you advocate for the protect immigrants and to further New York as a Sanctuary City?

- 1) Call on ICE to stop conducting raids in our courthouses and to revise their priorities so crime victims and witnesses are not targeted for removal proceedings.
- 2) Propose notifying all sides when ICE agents are seen so their client's appearance in court can be moved to a different time.
- 3) Institute an immigrant hardship plea policy that would take convictions for certain crimes into consideration to avoid unnecessary collateral consequences, such as deportation.

When victims of or witnesses to crimes don't feel safe coming forward because they fear retaliation, we are all less safe. We must ensure that all people, regardless of immigration status, are able to report crimes without fear of retaliation or retribution so as not to impact public safety in a negative way.

22. Do you support removing the loitering statute from the state criminal code?

Yes. By way of example, loitering under most circumstances is not a crime in D.C.

As Queens District Attorney, I will also decline to prosecute many cases that unfairly target the poor and people of color, including loitering, turnstile jumping and trespassing for those seeking shelter.

23. Do you support the legalization of recreational marijuana?

I worked as Special Counsel to former Brooklyn District Attorney Ken Thompson when we enacted our first-in-the-nation marijuana decriminalization. It was a controversial policy then, but times have quickly changed as people realize that the war on low-level marijuana possession has caused much more harm, especially for communities of color and the poor, and very little, if anything at all, in the way of benefits to public safety.

As Queens District Attorney, I would decline to prosecute low-level marijuana possession.

I have also worked in the District of Columbia, which, in 2015 under Initiative 71, successfully legalized marijuana possession of two ounces or less by those 21 years of age and older. I would be supportive of similar legislation in New York City.

24. Do you support the establishment of supervised drug consumption spaces?

Yes, I would consider doing so if a comprehensive study of the qualitative analyses of drug consumption sites in Denmark, Canada and other countries demonstrate public health benefits, harm reduction, and no adverse effects on public safety. We need to treat substance use disorder as a disease, not a crime. When we provide as much as support as we can to people suffering with addiction, including supervised drug consumption spaces, we can prevent people suffering a serious addiction from causing harm to themselves or others.

25. Have you ever endorsed any member of the IDC or any candidates who challenged IDC members? Please identify all candidates

No.

26. Do you support reform of the CCRB? If yes, please explain.

As the former Executive Director of the CCRB, I saw the need for and implemented large-scale reform in the agency, including: agency-wide culture trainings; slashing the time it took for investigators to investigate their cases from nearly a year before my tenure to just three months, ensuring more proactive prosecutions; exponentially expanding outreach to communities; and implementing a Data Transparency Initiative, the first-ever for a police oversight agency. Assuming its current construct, I support reform of the CCRB to make it a stronger independent agency by:

- 1) Codifying the prosecutorial authority of the Administrative Prosecution Unit into the City Charter (this would solidify the current 2012 Memorandum of Understanding with the NYPD);
- 2) Enabling the Board to give subpoena signatory authority to the agency's highest ranking staff;
- 3) Clarifying and expanding the NYPD's duty to cooperate with CCRB requests for documents and data;
- 4) Amending the agency's budget to equal 1% of the NYPD budget;
- 5) Providing better starting salaries for investigators;
- 6) Enabling the CCRB to investigate sex offenses as "abuse of authority";
- 7) Abolishing Civil Rights Law Section 50-a and making public the disciplinary records of officers in the interests of government transparency;
- 8) Granting the agency the independent ability to impose penalties up to and including termination;
- 9) Alternatively, making transparent those instances when the Police Commissioner disagrees with CCRB recommendations in the interests of government transparency and so the public is aware

27. What reforms to the powers and duties of the office would you advocate for?

Please see #26 above.

28. Will you commit to hiring a member of the LGBT community to serve as a liaison to the community?

Absolutely.

29. Will you commit to ensuring diverse LGBT representation among your staff?

I always have and will continue to do so.

30. Who did you support for office in the following primary races A) Mayor and Public Advocate in 2013 B) President in 2016 C) Governor and Attorney General in 2018?

- A) Bill de Blasio / Tish James
- B) Hillary Clinton
- C) Andrew Cuomo / Tish James