



Maricopa County Attorney Candidate Questionnaire

For 60 years, the American Civil Liberties Union of Arizona has worked in the courts, the legislature, and in the community to protect the civil rights and liberties of all Arizonans, including those incarcerated. The ACLU's Campaign for Smart Justice is a nationwide effort to cut the nation's prison population in half while challenging racism in the criminal legal system. As part of this mission, the ACLU of Arizona is educating voters about the role county attorneys play in mass incarceration. Our campaign will also work to provide voters with information about where candidates for county attorney stand on critical criminal legal 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 and money bail. All candidates for Maricopa County Attorney will receive this questionnaire, and answers will be posted online. Through this campaign, the ACLU of Arizona hopes to make voters more aware of the power of this elected position and hold candidates accountable to their communities' fundamental need for justice, safety, and respect.

Please write your answers in this document and email your responses to Analise Ortiz at aortiz@acluaz.org on or before March 6, 2020.

Contact Information

Please provide constituents with your campaign contact information.

Name, as listed on the ballot: [Tamika Wooten](#)

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Other:



Mission and Vision

- Why do you want to be the next Maricopa County Attorney?

I want to be the next Maricopa County Attorney because I have spent every day for the last 30 years representing court cases here in Arizona where I've seen injustices go unchecked, power being abused, and Maricopa County residents being failed instead of supported. I believe that in 2020 **we** have an opportunity to create real change within our criminal justice system and I have a proven track record of enacting justice that is focused on community safety and solutions.

As the only candidate in this race with 30 year of legal experience here in Arizona, and the only candidate who has worked as a Chief prosecutor, defense attorney and a judge I have the relationship capital, and a clear understanding of Arizona's legal policy intricacies to get the job done.

I have built relationships with hundreds of attorneys in Arizona who stand for justice, equity and integrity and I am honored to run this race to represent the side of the legal system that will fight to ensure that all people regardless of race, socio-economic status, sexual orientation and gender have equal rights and opportunities for justice in Maricopa County.

1. If elected, what would you immediately change about Arizona's current criminal legal system through the power of your position as county attorney?

If elected as Maricopa County Attorney my day one priorities are:

I will address mental health and addictions as public health issues.

I will partner with organizations to offer additional diversion programs for juveniles, to end the school to prison pipeline, so they can avoid felony convictions.

I will create a County Attorney office culture free from sexual harassment.

I will partner with organizations to offer additional diversion programs for veterans.

I will not prosecute marijuana as a criminal offense.

I will not seek the death penalty for any cases.

I will create diversion programs that will be more accessible economically and geographically so everyone can participate and successfully complete diversion.



Mass Incarceration

2. Contact with the criminal legal system – however brief – can have negative and long-lasting psychological and employment consequences, while often failing to address the underlying causes of crime. Will you work to expand diversionary programs? If so, please explain in what circumstances you would offer diversion or deferred prosecution. Explain how you would fund such programs for indigent defendants.

I will offer diversion for all non-victim and non-violent crimes to address mental health and addiction issues. I will partner with organizations to expand programs and services for veterans and juveniles. The diversion programs will be more accessible economically and geographically so everyone can participate and successfully complete diversion. I will work with the board of supervisors and state legislators to offset the diversion costs for individuals who cannot afford the programs.

- Do you have a specific decarceration goal? Please give a definitive “Yes” or “No” and a clear explanation of the goal and what specific policies you will enact to help you achieve it.

Yes. I will reduce the Maricopa County prison population by 50%.

I will offer treatment programs to those suffering from mental illness and addiction.

I will offer diversion for all non-violent and non-victim crimes. The statistics for the Arizona Department of Corrections, reveal that 91% of the people in prison are suffering from some form of mental illness.

Racism in the criminal legal system

3. Do you believe the current criminal legal system targets Black and brown people more than white people? If so, how do you plan to combat racism within the criminal legal system? Please give a definitive “Yes” or “No” and a clear explanation.



Yes.

Black and Brown people are targeted in our legal system through longer sentencing, racial profiling and higher policing in lower economic communities. As County Attorney I will ensure that our office has a diverse reflection of attorneys who will not prosecute people based on the color of their skin, nor allow plea offers to be extended based on the color of a persons' skin or country of origin. As the previous Chief Prosecutor in Glendale, Arizona, I dismissed cases where the police officers racially profiled. As County Attorney I will continue to hold law enforcement accountable for illegal contact with members of the community by dismissing cases where the reason for the contact was racially motivated.

Legislation

4. If you are elected, what role do you see yourself playing at the state Legislature as it relates to criminal legal reform?

If elected as County Attorney I will play an active role in criminal legal reform. My decision to run for this office was predicated on my recognition that as the County Attorney I can institute policy that provides for more equitable justice.

5. Do you support legislative efforts to increase the amount of time people can earn off their prison sentence? Please give a definitive "Yes" or "No" and a clear explanation.

Yes, especially for non-violent crimes or offenses where the offender was suffering from mental illness or addiction. Additionally a person should have an opportunity to earn additional time off of his/her sentence based on successfully completed programs.

Prosecutorial Practices



6. Will you limit requests for money bail and pledge to recommend, for all legally permissible cases, presumptive release of defendants without financial conditions? Please give a definitive “Yes” or “No” and a clear explanation.

Yes. I believe that cash bail is the criminalization of poverty and undermined the tenet of 'innocent before proven guilty'.

If a person has a history of failing to appear or has demonstrated that he/she is a danger to society or to him/herself, that person would be released with an ankle monitor. If a person can't afford the ankle monitor, they will be given an opportunity to perform community service to offset the fees.

7. Will you commit to not prosecuting either a doctor performing or a patient seeking an abortion should either or both ever become illegal in Arizona? Please give a definitive “Yes” or “No” and a clear explanation.

Yes, I will commit to not prosecuting either a doctor performing an abortion or the patient seeking an abortion. A woman should not have to fear prosecution for making healthcare and reproductive decisions. I stand in solidarity for a woman's right to reproductive freedom.

8. Please clearly articulate your stance on the death penalty. Do you believe it is ever appropriate to seek the death penalty? If so, when?

I will not seek the death penalty.

Immigration

9. Will you pledge to adopt a written policy and institute adequate training for your Office that encourages prosecutors to consider the immigration-related consequences of prosecutorial decisions at all stages of a case and to use their discretion to achieve dispositions that do not negatively affect noncitizens? Please give a definitive “Yes” or “No” and a clear explanation.

Yes, as County Attorney, I will adopt a policy and training that encourages prosecutors to avoid immigration consequences in prosecutorial decisions. If an



accused has been law abiding and supporting his/her family for years in the United States, one mistake should not cause a person to be torn from their family and the life that they have established in the United States.

Transparency and Accountability

10. Will you pledge to gather 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 definitive “Yes” or “No” and a clear explanation.

Yes, I will track racial, gender and age information at all steps of the prosecution process and publicly report any significant racial disparities that arise.

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 proceedings, immigration considerations, and indigency determinations? Please give a definitive “Yes” or “No” and a clear explanation.

Yes.

I will publish office policies, practices and outcomes as well as quarterly reports on our website that detail charging vs turndown decisions, types of crimes prosecuted, diversion numbers, recidivism rates, racial backgrounds, average bond amount for each class of crime (if imposed), and post-conviction review rates.

12. Will you pledge to develop and implement a plan to personally, regularly and meaningfully engage and communicate with the community in the county 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 definitive “Yes” or “No” and a clear explanation.



Yes.

I will commit to quarterly community forums as well as regular meetings with leaders in communities of color, immigrant and LGBTQ+ communities.

13. Will you pledge to create an independent Conviction Integrity Unit? Please give a definitive “Yes” or “No” and a clear explanation of how you would establish such a unit.

Yes, as County Attorney I will create a Conviction Integrity Unit made up of seasoned prosecutors and possibly current or previous defense attorneys to review questionable convictions.

14. Will you pledge to assign special prosecutors to investigate and prosecute police killings of civilians, use-of-force cases, sexual assault by law enforcement officers and other cases of police misconduct? Please give a definitive “Yes” or “No” and a clear explanation.

Yes, as County Attorney I will create a specialized unit with seasoned attorneys and investigators who have demonstrated a commitment to diversity, inclusion and justice to investigate officer-involved shootings, use of force and officer misconduct. These investigators will be required to routinely receive inclusion and sensitivity training as a condition of their employment. The investigators and attorneys will then report their findings and charging decisions to me for ultimate authority of the prosecutorial decision

Discovery

15. Will you commit to implementing a policy of open file discovery through which defendants or their attorneys have access to the prosecutor’s entire file? Please give a definitive “Yes” or “No” and a clear explanation.

Yes, pro per defendants or their attorneys will have access to all police reports, discovery and exculpatory evidence that exists in their case.

16. Regardless of your answer above, 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, all exculpatory/Brady evidence will be disclosed. The role of the prosecutor/County Attorney is to do justice, not seek convictions.

17. Will you commit to implementing a policy that mandates the disclosure of any and all evidence in your Office’s possession that could potentially be used for impeachment purposes by a defendant? Please give a clear “Yes” or “No” and any explanation.

Yes, as County Attorney I will ensure that all evidence in the possession of the MCAO be disclosed.
