

# WASHINGTON COALITION OF MINORITY LEGAL PROFESSIONALS

## Questionnaire for Candidates for Seattle City Attorney

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### Substantive Questions

*Your response to this portion of the questionnaire is considered **publishable** information. Feel free to provide your answers on additional pages.*

1. Do you agree that the United States leads the world in incarceration rates? If so, is that a problem, and what would you do about it? If not, why not?

Yes, and I was not aware that anyone disagreed with that fact.

Mass incarceration is one of the biggest problems we have in this country. Our jail and prisons were meant to disappear the poor, BIPOC, and the disabled and that is what they do today, despite decades of reform.

I will stop prosecuting most petty crimes, crimes based in disability, and crimes of survival (which are often all three things at the same time.) This is not a novel idea. Both Boston and Baltimore stopped prosecuting many petty crimes and the result was a drop in crime overall. The County Juvenile system stopped prosecuting petty juvenile crime, and is diverting all but the most serious felonies. The result has been less recidivism/ arrests/referrals, overall. Ending the prosecution of petty crime will not only reduce the local jail population, but it will result in less 'need' for jails and prisons as we keep people out of the system. This has been shown to have a net positive effect on the whole community.

It's not just a subtractive process, but a creative one as well. Instead of prosecuting people for survival and disability, we can use a good portion of the \$70 million dollars we currently spend on Seattle misdemeanors to meet basic human needs, fund community based programs based in health, safety, violence interruption, and survivor support services.

A large percentage of the population that struggles with mental health is imprisoned. This is costly, ineffective, and unconscionable. We need to be funding care, and expanding and resourcing the current threadbare community mental health and

substance use disorder treatment.

2. Please describe how you have engaged with minority groups, including communities of color, immigrant communities, and the LGBTQ+ community in your civic involvement or professional practice.

I was a public defender. Black people are overrepresented 5x more than white people, and Indigenous people 6x more than white people. Black and Brown people were a huge part of my caseload and it was in those unfortunate circumstances that I got to know my clients and their families in the course of my advocacy.

I have been part of the NLG, which historically and in practice has served marginalized communities. I started the King County Defender collective during the uprising to support those fighting for racial justice in the street. We provided pro bono representation and legal advice to many protesters, and we made sure the Car Brigade (which drove with protesters for protection) were represented on every single ticket they received during the protests.

I have been part of No New Washington Prisons. It was a collective of mostly queer community members of color that recognized the intersectionality of race, class, gender/gender presentation, and immigrant status in both the prison system and the healthcare/involuntary treatment system, and we frequently staged actions outside the NW detention center.

3. Please explain how you, as City Attorney, will engage with communities of color and ensure you are addressing their concerns.

I have been reaching out to different people and organizations in Black and Brown community the moment I decided to run. My platform is about building self-sustaining power within community so that we have people and systems in place everyone (even those who don't have safe access to the current legal system) can look to instead of police, prisons, and prosecutors. This is an inherently community-based endeavor. I recognize that I don't know it all, I don't have the lived experience of BIPOC, and that community power is inherently horizontal, not top-down. My approach requires collaboration.

4. Describe your understanding of Native American tribal sovereignty and how, as City Attorney, you will work to engage with tribal governments and urban Native communities.

Much of the work between the CAO's office and the Tribes is around land use and environmental impacts. My office will be transparent and cooperative (including

fulfilling public records requests!) in order to facilitate a cooperative, respectful, and equity based relationship. The CAO needs to understand that the intersection of municipal and federal tribal law is never simple, or that decisions cannot be made without communicating with all stakeholders (including both recognized and unrecognized tribes.)

5. What efforts have you undertaken in your current and prior positions to improve diversity and inclusion in your workplace, and what efforts would you undertake at the Office of the City Attorney if elected? Please include discussion of your efforts at recruitment, retention, inclusion, bias avoidance, and leadership development of underrepresented minorities, including from Black, Indigenous, and Latinx communities, other communities of color, women, and LGBTQ+ persons.

Only one member of my campaign staff is not Black, more than half identify as LGBTQ+. My campaign has actively recruited and hired a diverse staff with the knowledge that diversity and different lived experiences make a better team, and that that all campaigns will end, but that running a successful campaign can open up career opportunities. The idea was to give those normally not included a point of entry and experience so they can move on to bigger and better.

6. When do you believe it is appropriate for police to use force, including deadly force, and what do you see as the City Attorney's role in tracking and affecting when and on whom police use force? And how do you plan to navigate any tension between that and the City Attorney's role in defending lawsuits against police?

The appropriate use of force overall is a very complicated question, but force should be the least amount necessary to effectuate arrest, and the last option, not a regular go to. Deadly force should never be used unless there is imminent threat to life, and the parameters and limitations for that type of force need to be clearly laid out and accounted for.

The CAO must track use of force independent of the police department. The CAO is often the only other body outside of the department that gets every police report and has (comparatively) easy access to body camera video. To not track use of force independently through the CAO is a lost opportunity.

Right now we don't have adequate accountability in the police contract, nor do we have standards that the community expects. That is why we need a CA who understands that it is not deference to the police that is needed, but accountability.

For section 1983 cases, as a former public defender, I am no stranger to defending cases that are not of my choice, and in cases against the police, because of qualified immunity, the client is the City. A criminal case and civil case diverge on several points, and the ability to affect outcomes is much different. The CAO has the discretion to authorize settlements, and I believe that victims

of police brutality deserve some compensation. The CAO can also choose to litigate in a fair and just manner - not filing every single motion that is likely to fail just to stretch out the process, for example.

7. Please describe a situation in which you changed your beliefs about something of consequence.

When I was a 17 year old highschool dropout I read all of Ayn Rand's books. The overly simplistic idea of objectivity and libertarianism made sense to me, as did the libertarian idea of being colorblind. I got my GED and went to Seattle Central College at age 26, where I slowly learned critical thinking skills. It was there where I saw a video of older men talking to each other about race. I recall a white man saying "but why do you have to talk that way, why do you have to act that way, why can't you just be normal" which to me, at the time, seemed like a reasonable question. A Black man got up and said angrily "I am so tired of 'talk like you, act like you' -why do I have to act like you, why should I talk like you, why is your way 'normal' - why don't you try to understand where I am coming from for a change." At that moment I realized I had been wrong. I had assumed the universal human experience to be a the white one. Once I realized I was wrong, the ideas around colorblindness and libertarianism withered, and I realized both how wrong I had been and how much of the world was so (deliberately) hidden for me, and that the system of white supremacy did not need me to be to do anything other than ignore it in order to keep doing its work of systemic oppression.

8. Do you believe that you or the organizations you have been a part of have contributed to white supremacy and/or the devaluation of the lives of Black and Indigenous persons or other persons of color? If so, please explain how. If not, please explain what, if any, forces have contributed to such issues.

Yes. I have worked in the criminal legal system and mental health care system; both have deep roots in and continue to reinvent white supremacy. I have benefited from white supremacy in innumerable ways, many that I know I don't even recognize. I have lived on land that is not mine my entire life, and have lived in Cities that were built on the backs of Black people, and where racial apartheid was something I never pushed back on, but accepted as unexplainable but normal.

9. Please describe your understanding of the role of the City Attorney with respect to crime and how you would approach misdemeanor trespass, property theft, and property destruction as City Attorney.

While every case needs an individual analysis, most trespass, theft, and property destruction is related to three things: poverty, addiction, and/or mental health issues. None of these issues is relieved by jail or prosecution, but continuing to take that

approach sucks up the resources we need to address those problems, and jail continues to destabilize those already living on the edge. This does not result in deterrence and does not make victims whole.

We can't prosecute our way to mental health, and we can't punish our way out of addiction. Mental health issues and addiction are public health crises that lawyers and jails are not qualified to deal with. It's not surprising things are not getting better. I will divest from the punitive model and fund mental health and substance use disorder treatment that is accessible to everyone..

Instead of taking the slow, expensive, and top down approach to these cases, I will expand current diversion programs (which are faster, have better outcomes in reducing recidivism, and cost about 20% of a regular prosecution) and preventative programs that meet people's basic human needs, as well as resource community based programs of restorative and transformative justice. The key to reducing these crimes is building healthy communities. Many of the communities affected by these crimes (often Black and brown communities) are left to bear the cost of property crime alone. A victim's compensation fund for people and small businesses will result in healthier communities for all.

10. What metrics do you believe should be used to determine whether the Office of the City Attorney is succeeding at improving the criminal justice system? How would you realign local, state, and federal budget appropriations to support your vision of how we could most effectively (1) prevent crime in the first place, (2) provide crime victims what they need, (3) hold people accountable for the harms they cause, and (4) bring recidivism rates down as close as possible to zero?

I think the metrics you mentioned are some of the best measures of success. along with an overall reduced need for police and prosecutors because the community has been empowered to take care of many of these things upstream, or has robust tools of conflict resolution, as well as community tools of accountability and healing based in restorative and transformative justice programs. The feedback regarding the health of community and community needs to come from community, not just lawyers and police departments.

The CAO only has control over their own budget, but it should be used for prevention and repair, and that should be guided by survivors themselves. The CAO also needs to work collaboratively with the Council and Mayor, and should be able to effectively advocate for upstream investments.

## **References**