

ACLU of Maryland 2014 Candidate Questionnaire*

"[A] bill of rights is what the people are entitled to against every government on earth, general or particular, and what no government should refuse, or rest on inference."

~Thomas Jefferson - December 20, 1787

Please complete this candidate survey by May 23, 2014 to be included in the ACLU of Maryland's 2014 Voter's Guide. The ACLU of Maryland will publish the Voters' Guide as a public education service in June to provide Maryland voters with information on the pressing civil rights and civil liberties issues facing Marylanders and where the candidates and elected officials stand on those issues. Neither the ACLU of Maryland nor the ACLU of Maryland Foundation endorses candidates or supports political campaigns in any way.

The ACLU of Maryland is strictly non-partisan. It advocates for the freedom of all Marylanders guided by the U.S. and Maryland Constitutions and the Maryland Declaration of Rights. A link to this survey has been sent to all candidates for Governor, Lieutenant Governor, Attorney General, the State House of Delegates and the State Senate. Responses received by May 23 will be included in the ACLU of Maryland's 2014 Voter's Guide published in June. "No response" will be indicated for any candidates who do not complete the survey by May 23.

If you have any trouble completing the survey, contact Meredith Curtis at the ACLU of Maryland, 410-889-8555. If you choose to complete the survey on a hard copy, it can be faxed or mailed to the ACLU of Maryland at ATTN: Meredith Curtis/Candidate Survey, 410-366-7838 (fax), 3600 Clipper Mill Road, Suite 350, Baltimore MD 21211.

Thank you for sharing your position on civil liberties issues with Maryland voters.

--- *The ACLU of Maryland, Inc. is an organization that is exempt from tax pursuant to Section 501(c)(4) of the Internal Revenue Code.

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Candidate Information

Please provide your name

Name: [text field, required]

Email: [text field]

Phone: [text field]

What office are you seeking? [required]

Governor

Lieutenant Governor

Attorney General

State House

State Senate

Candidate Identification Continued

Please specify the number of the district in which you are running for office.

[text field]

[This page only visible to those who have selected state house or state senate in previous question]

Survey

1. Technology & Privacy in the 21st Century

Modern technology provides unparalleled convenience and access to information. Whether it be through computers, smart phones, tablets or other mobile devices, we are able to access information and communicate wherever we are. But we also leave a trail of digital fingerprints wherever we go and whatever we do online. Because of this, both private service providers and the government are able to compile vast troves of highly personal information about us. The legal standard regulating government access to that personal information is seriously out of date.

Do you support updating our privacy laws to restrict government access to third party databases containing information about our activities?

Yes

No

2. Marijuana Policy Reform

The ACLU of Maryland released a study in October 2013 showing that despite comparable rates of use among Blacks and Whites, Blacks are overwhelmingly arrested for marijuana possession. Marijuana is a substance used safely by millions of Americans, and it is objectively safer than alcohol. Yet, over 20,000 Marylanders are arrested every year for possession of marijuana, with disastrous consequences for their lives, including the loss of jobs, education and housing. In addition, with law enforcement spending time arresting people for marijuana possession, serious and violent crimes go unsolved. In 2014, the General Assembly passed a law making possession of 10g or less a civil offense, similar to a traffic ticket, joining the 17 other states and the District of Columbia that have decriminalized possession of marijuana (though all of those other laws allow for possession of a larger amount than the Maryland law). The General Assembly considered, but did not pass, a bill that would tax and regulate marijuana like alcohol for adults over 21, as Colorado and Washington have done, and as many other states are considering. The ACLU of Maryland believes that Maryland should tax and regulate marijuana: an approach based on health, not criminality, can help those who need help. Moreover, something must be done to curb the racial disparities in our criminal justice system, and this is also a better way to limit minors' access to marijuana (criminals don't card). In sum, the state, not criminals, will control the market, and the state will reap substantial revenues.

Do you support taxing and regulating marijuana like alcohol?

Yes

No

3. Immigration & New Americans

Since 2008, over 43% of persons deported from Maryland under the Secure Communities program had no criminal convictions of any kind. An additional 33% had convictions only for minor offenses. These deportations have a negative impact on Maryland's families and children, targeting individuals who are

living and working peacefully in our communities, sometimes for years or even decades. More and more jurisdictions across the country are refusing to act as surrogates for the federal government in these overzealous immigration enforcement efforts. In particular, they are refusing to detain individuals, who should otherwise be released, for the sole purpose of helping route them into deportation proceedings. Detaining people suspected of federal, civil immigration violations undermines public safety by creating distrust of the police, wasting local resources, and imposing costs on Marylanders that are not reimbursed. It also violates individuals' Fourth and Fifth Amendment rights not to be detained arbitrarily, without probable cause or juridical review.

Do you oppose using local law enforcement as immigration officials and using our detention centers as holding facilities for U.S. Immigration and Customs Enforcement?

Yes

No

4. Public Dollars for Public Schools

Many public school systems in Maryland are struggling to maintain current teachers and programs, putting off much-needed investments in new technology, curriculum, and staff. They are struggling to find the billions necessary to renovate decrepit school buildings and to upgrade technology to meet state testing standards. For years, the state has been spending millions each year on subsidies for books and technology to private and religious schools as well as for improvements to privately-owned buildings that house private and religious schools. Yet, the private and religious schools receiving public funds are not required to meet state education standards. They are not required to adhere to state anti-discrimination laws. They are not required to adhere to state accountability standards. And there is little accountability for how they spend the money. It's just a giveaway.

Do you oppose public funding (such as tax credits for scholarship donations or vouchers) for students attending K-12 private or religious schools?

Yes

No

5. Source of Income Discrimination

In Maryland's high priced housing market, source of income discrimination is a persistent problem, especially but not exclusively discrimination against seniors, disabled people, veterans and families who use housing vouchers. Source of Income refers to any lawful source of funds to be used in the rental or purchase of housing. It includes money from: any lawful profession or occupation; any government or private assistance, grant, loan or rental assistance program; any gift, inheritance, pension, annuity, alimony, child support; and any sale of property. In Maryland, where nearly 20% of all renter households live below the poverty level, many families use social security, housing choice vouchers, SSI, or pensions for their housing. Currently, Howard, Frederick and Montgomery Counties, as well as the cities of Frederick and Annapolis, have laws prohibiting source of income discrimination. The ACLU of Maryland supports policies that prevent individuals and families from being discriminated against in the purchase or rental of housing due to the source of their income.

Do you support policies that prevent source of income discrimination?

Yes

No

6. Government Transparency and Accountability

Maryland’s Public Information Act “grants the public a broad right of access to records that are in the possession of state and local government agencies.” While there may be a right, however, there is not always the corresponding access to information. The Center for Public Integrity’s State Integrity Investigation gave Maryland a D- in their “Corruption Risk Report Card,” with an F for “Public Access to Information,” saying “vague exemption language allows government agencies to deny information requests for almost any reason. With no overall oversight mechanism, each state agency handles its own public information requests, with its own response and billing practices. If a request is denied, the only redress is appealing to the same denying agency official or initiating a costly court challenge. In practice, this means that many public information compliance issues go unresolved.” The ACLU of Maryland believes that a government of the people and by the people must be visible to the people. We have used MPIA requests to help understand the breadth of an issue, to educate the public, and to ensure that our governmental officials are abiding by our Constitution and laws. We have had numerous situations in which obtaining documents has been difficult, as well as situations where the fees charged have been unreasonable. And we are not alone. Fox45 News reported that they were charged \$2,500 for “a list of public information requests received in the past two years and how much [the Attorney General’s office] charged to fulfill them.”

Do you support reform to our Public Information Laws to make government transparent and accountable to the public?

Yes

No

7. Please provide two examples of your advocacy to protect and promote civil rights and civil liberties in Maryland. (500 Character limit; you should not type more than can fit in this box without a scroll-bar.)

[text box]

8. Please provide two examples of what you will do if elected to protect and promote civil rights and civil liberties in Maryland. (500 Character limit; you should not type more than can fit in this box without a scroll-bar.)

[text box]

Affirmation: I represent the candidate and am authorized to answer on her or his behalf.

Yes

I would like a copy of the ACLU of Maryland's Voters Guide. Please email it to me

Yes

No

I would like to be added to the ACLU of Maryland's email list to receive regular updates about the ACLU of Maryland's events & activities.

Yes

No