

# THE BATES LAW FIRM

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1. Yes. Justice is not about keeping score. The goal is to balance the interests of victims, the community, and defendants. My office will maintain the integrity of the process from investigation through negotiation and trial to yield a just result. There is a balancing act involved in the criminal justice system and the prosecution's part in that is unique. Not only does the prosecutor have to build a case and present it vigorously to the court, the prosecutor has to ensure that the other side is given access to everything they have built.
  2. Yes.
  3. Yes.
  4. Yes. I will continue the policy of charging cases from the outset based on the answer to the question, "Can I prove this case beyond a reasonable doubt?" If the answer to that question is no, that ends the analysis and the case does not get charged. Prosecutors will, as always, have discretion but I would implement a checks and balances approach by having more than one ADA review the serious cases to the extent that is possible.
  5. Yes. I would like to help implement a specialized court for the most severe mental health cases that arise. If not a specialized court, than at least a specific course of action once mental health is recognized as the cause of the criminal behavior, a course that has started in Cumberland County. I would also work to improve the probation system so that they have more resource to assist defendants in their post-conviction life choices and does not just jail them.
  5. No. I would argue for reasonable bail reform that seeks to avoid setting cash bail in most non-violent misdemeanors. Too many people are incarcerated because of their inability to pay victim's fees, fines and restitution. I would encourage our Legislature to make victim's fees waivable again and eliminate mandatory fines for some misdemeanors. I would establish a policy seeking reasonable restitution in cases where alternative resources are available.
- 6a. Yes.
- 6b. Yes. Prosecutors should have yearly training on this issue and be kept up to date on legal analysis and literature and I would want to see that for all prosecutors at their yearly Prosecutor's meeting.

7. While I would be in favor of having a reasonable bail set for all cases, I could not agree to a policy of no cash bail but rather would review bail on a case by case basis. I would agree that the issue should continue to be discussed. I would be in favor of bail reform that would bring in more resources for risk assessment and pretrial supervision. A defendant's resources should be part of the analysis when setting cash bail.

8. No. The office will continue to collect mandated data and would make it available for anyone who wants to conduct further study. The office's main goals are the prosecution of cases and protecting the safety of residents. I commit to having an open, transparent office, but at this point I would not commit to using the Office's limited resources to analyze and post this information.

9. No. Again, my office will be transparent and data would be available for anyone who wishes to view it.

10. Yes. The primary role of the District Attorney is to enforce the law by prosecuting criminal cases and protecting the safety of its residents. That takes precedence over all. To fulfill this responsibility, it is important to have open communication with all the constituencies in the county and I would be eager and enthusiastic about community outreach in an effort to both listen to and educate the general public and keep them informed of how the office is working to keep them safe. However, priorities would be my responsibility, informed by input from all the constituencies listed (and in fact anyone from Cumberland County), as well as law enforcement personnel.

11. Yes. The court should be alerted whenever a prosecutor notes an issue with a defendant's comprehension of the process. Prosecutors cannot give legal advice to defendants but they can present options in a straightforward manner. Prosecutors are required to keep victims aware of what is happening with their cases and I would have prosecutors and victim witness advocates use all the tools at their disposal to make sure that victims understand what is going on.

12. Yes. I would always take appropriate actions when the credibility of law enforcement is in question. A dishonest police officer could obviously undermine more than one specific case.

13. Yes. I would encourage my prosecutors to use all the information at their disposal in attempting to achieve just sentences. Immigration status is one of those factors that should be considered when evaluating cases. However, it is not the only factor when viewing cases as a whole and it should not be the final determination in making offers. Prosecutors have discretion to balance immigration-safe dispositions against the safety of the public. It is important to exercise this discretion judiciously when determining how much emphasis to give to keeping a non-citizen in the country who is guilty of a serious crime in the United States.

14. No. A prosecutor should have as much information as possible in making charging decisions ,and negotiating cases, even if the production of that information itself causes issues.

15. Yes. All options need to be on the table when it comes to the juvenile justice system. Because the juvenile system concentrates on the best interests of the child, we need to consider information from all quarters, including family, school, case workers, probation officers and law enforcement. ADAs who specialize in juvenile prosecution should continue to use their discretion and take these factors into consideration.

16. Yes. The DA's office is Constitutionally bound to provide that evidence. I would have periodic meeting and/or trainings to make sure that the office is meeting its constitutional obligations.

17. Yes. Actions which undermine the general credibility of all law enforcement need to be investigated and discovery sanctions need to be curtailed, if not eliminated. There needs to be safeguards in effect to make sure that all discovery is provided in a timely manner. ADA should be in constant communication with investigators to ensure compliance.

18. I was hired by Stephanie Anderson after I graduated from law school, and worked as a Cumberland County Assistant District Attorney for six years. I switched to defense in 2002. This is what I do. I know that victims need to be heard, and that defendants often come from circumstances that are less than ideal. I believe that justice is achieved through balance, and I have the grounding and experience to lead the Cumberland County District Attorney's Office in pursuit of justice for all who are impacted by the criminal system in Cumberland County.

Through my service not the Yarmouth Town Council I have experience in overseeing a large budget (\$32 million) and dealing with the human resources, public safety, infrastructure, and legal issues that come with running a small town. I worked to build consensus and foster respect and civility in the face of contention.

Service to the community is important to me and I cannot think of a better way to use my particular skill set than in protecting the safety of the community.

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