

Harvey Milk

Judicial Candidate Questionnaire

Carolyn Gold

San Francisco Superior Court Judge, Seat 21

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1. Are you presently serving on the bench? If so, how did you obtain your seat?

Not presently serving on the bench.

2. Please provide three main reasons why you should serve as judge.

Traditionally, appointments to the bench have been from the criminal side of the law, and, in fact, District Attorneys comprise the large majority of those appointed. An open seat on the bench provides an opportunity for the people of San Francisco to bring diversity to the bench, someone who understands the issues facing the average person who cannot afford an attorney, but who must nevertheless interact with the legal system, often on a *pro se* basis in civil cases. Equal access to justice and sensitivity to pro per litigants are critical challenges for the Court today. Finally, the Court needs lawyers like myself who have worked in the public interest as a tenants' rights attorney for my entire career. I hope to bring Housing Justice to the Courts to temper the property rights laws that govern in this country.

3. What are your thoughts on the cash bail system, and how should it be changed?

I approach the issue of cash bail as one aspect of my larger concern about equal access to justice. I am sensitive to the inequity of a system in which two people may be accused of the same crime, and may pose the same amount of risk to the community or of flight, but the one gets

out of jail because s/he has the resources to post bail, and the other one sits in a cell waiting for a trial or further legal proceedings. While I will enforce the law as it stands, I believe the system needs to evolve towards equal treatment of these two people. The primary issue for me in such circumstances would be whether the individual poses such a danger to the community, or (in serious cases) such a flight risk, as to justify keeping him or her incarcerated until trial.

4. Please share your perspective on racial bias and its effects on the criminal justice system. How would you reduce this sort of bias? (For example, San Francisco has approximately 5% African American residents but over 50% of its inmates are African American.)

Racial bias unconsciously effects judges' decisions and this occurs most often in criminal courts where stereotypes impact how one looks at and sentences a defendant. I believe that judges should be required to take implicit bias trainings so that they can better check when racial bias is impacting their decision-making.

5. If you are serving on civil court, what measures would you take to try to make civil court more affordable and accessible to people of low income and modest means?

I would support increased spending of the Court budget on the ACCESS center where pro se litigants go to get help in civil matters. Low income litigants can file fee waivers with the Court and sometimes these Requests for fee waivers require a hearing. If called to hear fee waivers, I would take into account the high cost of living in San Francisco when deciding if someone will receive a waiver.

6. If you are serving on criminal court, what mitigating factors would you consider in sentencing defendants which you feel are not given enough consideration now?

My experience currently is not in criminal court so I do not know which factors are or are not given consideration currently by the bench in sentencing. However, I certainly would look at the reasons the crime was committed, the background, family and educational, of the

defendant, and whether there are any mental health issues that contributed to the commission of the crime.

7. Have you ever been held in contempt, been the subject of an adverse finding by the Commission of Judicial Performance, or been reprimanded by the California State Bar? If the answer is *yes* to any of these, please explain the circumstances.

No.