**The Harvey Milk LGBTQ Democratic Club**

**Candidate Questionnaire for March 2020**

*Dear Candidate,*

*Congratulations on declaring your candidacy. The Harvey Milk LGBTQ Democratic Club invites you to get to know us a little better as we plan our endorsements for the March 2020 primary election. Your participation in our Club’s questionnaire will allow our Membership to better understand who you are, what you stand for, and what you plan to accomplish if you are elected to office.*

*There are two parts to our questionnaire plus additional questions for individual offices. Part 1 is a series of short-answer questions, with a 150-word limit on answers. Part 2 is a series of Yes/No questions covering a broad set of issues.*

*Please email your answers to Political Action Committee (PAC) at* *pac@milkclub.org* *and to our Correspondent Lee Hepner at* *correspondent@milkclub.org**.*

*There will be an opportunity for you or a proxy to speak in person at the club’s PAC meeting on Saturday, December 7th from 11am to 6pm at the Women’s Building at 3543 18th Street. Please contact us at* *pac@milkclub.org* *or* *president@milkclub.org* *to schedule an appointment.* ***And please note that your time will be limited to 5 minutes (including questions). So the content of this questionnaire will be the main source for endorsement consideration.***

*Good Luck!*

**Required Information**

***Full Name: Michelle Tong***

***Office Sought: San Francisco Superior Court Judge, Seat No. 18***

***Mailing Address: Michelle Tong for SF Judge***

 ***20 Galli Drive, Suite A***

 ***Novato, CA 94949***

***Phone: 415-322-0081 / cell 510-334-2021***

***Email: tong4Judge@gmail.com***

***Website: tong4judge.com***

***Are you a Member of the Harvey Milk LGBTQ Club?: No.***

***If so, since when?:***

***Do you identify as lesbian, gay, bisexual, transgender, and/or queer (LGBTQ)?: No.***

**PART 1:**

**Questions for All Candidates**

*(Please answer each question in 150 words or less.)*

1. Please describe your qualifications for the position you seek. Feel free to add anything that you would like our Members to know about you and your candidacy.

If elected, I will rely on my decades of proven experience defending the constitution and my passion for equality under the law. I will fight for equal access to a legal system that should serve those in need regardless of their sexual orientation, gender identity, immigration status, education, race, income or mental health. I will use the power of the court to serve and protect communities that are affected by the criminal justice system.

I have dedicated my life’s work to advocating for underserved communities of this city. Judges have the unique power to make decisions that affect us day to day. From child custody decisions, to neighbor disputes, to critical criminal justice determinations, San Francisco Superior Court Judges hold the power to make life altering decisions that affect those in our communities. I will bring all of my experience to bear in my rulings if I am elected judge.

2. Do you have any key endorsements that you would like to share? Why are these endorsements meaningful to you? \*For identification purposes only

**Hon. Teresa Caffese,** SF Superior Court Judge\*

**Hon. Bruce Chan,** SF Superior Court Judge\*

**Hon. Linda Colfax**, SF Superior Court Judge\*
**Hon. Michael Begert**, SF Superior Court Judge\*
**Hillary Ronen**, SF Supervisor\*
**Matt Haney**, SF Supervisor\*
**Cindy Elias**, SF Police Commissioner\*
**Aarti Kohli**, ED of Asian Americans Advancing Justice – Asian Law Caucus\*
**Angela Chan**, Policy Director and Senior Staff Attorney, Asian Americans Advancing Justice – Asian Law Caucus\*
**Rudy Corpuz**, Executive Director of United Playaz\*

Every endorsement I receive is meaningful to me. They are community activists and leaders who work tirelessly to improve our society. Their endorsements are not only acknowledgements of my work thus far; they are also calls to action to continue advocating for and working towards a truly equitable and just legal system. For a list of my endorsements to date, please visit: <http://www.tong4judge.com/endorsements/>

3. What do you see as the most important short-term and long-term solutions to SF’s homeless crisis? What can you do in your office to help end homelessness?

Under the Code of Judicial Ethics, as a candidate for judicial office, I cannot make public statements that commit me “with respect to cases, controversies, or issues that are likely to come before the courts.” Because of this ethical duty, I am unable to discuss if or how my personal beliefs would impact the rulings I would make from the bench if elected to it.

However, because so many of my clients were and are homeless, I am deeply aware of their plight, the need for affordable housing, and the collateral consequences of being unhoused in San Francisco.

4. What are your plans to address housing affordability and economic inequality in San Francisco? What work have you done on these issues in the past?

Under the Code of Judicial Ethics, I cannot comment on issues that may come before me if I am elected judge. However, through my work at the Asian Law Caucus, Eviction Defense Collaborative and as a public defender, I am deeply aware of the devastating consequences of the economic inequality and lack of affordable housing in San Francisco. Jails should not serve as a substitute for housing.

5. Describe your work addressing racial injustice and inequity in San Francisco.

My career path started in college when I interned at the Asian Law Alliance in San Jose, where I helped immigrants navigate their way to become U.S. citizens.  This work resonated with me because of my own family’s trials and tribulations of emigration from Hong Kong to the United States. Prior to law school and after, I have devoted the entirety of my professional career addressing racial injustice and inequity in San Francisco from the Asian Law Caucus working with API immigrants, to my first job out of law school at the Eviction Defense Collaborative and then at the SF Public Defender’s Office.

Every day, I work to ensure everyone has equal access to the legal system. I provide representation to those who do not have access to the legal system because of their sexual orientation, gender identity, immigration status, their accent, education, race, poverty and mental health.

6. How have you supported economically-underresourced LGBTQ San Franciscans, and how will you continue to do so if elected?

I know the daily struggles of immigrants, restaurant workers, tenants, people accused of crimes, and crime victims who are adversely affected by the criminal justice system, many of whom are and were economically disadvantaged LGBTQ San Franciscans.  I have spoken to hundreds of members of the community who have come to our courts to serve as jurors. I know there is frustration with the legal system because people feel they are not being heard.  As a resident of this city, a public defender, an immigrant rights’ advocate, and community-based attorney, I will bring a unique perspective to the bench to help to better our communities and make all of us safe.  As judge, I will bring decades of proven experience to serve this city and county to which I have dedicated my entire career.

I have and continue to represent clients that are economically-underresourced LGBTQ SF’ers. I can share countless to stories. Some of which have changed my life and broaded my understanding and compassion with LGBTQ community. For example, I represented the late Athena Cadence - see her profile attached. <https://www.sfchronicle.com/crime/article/SF-s-sluggish-progress-in-accommodating-10836075.php>.

7. Do you support State Senator Scott Wiener’s SB 50, a rezoning proposal to promote housing density? Why or why not?

Under the Code of Judicial Ethics, as a candidate for judicial office, I cannot make statements with respect to cases, controversies, or issues that are likely to come before the court. Because of this ethical duty, I am unable to take a public position on this proposal.

8. What are your thoughts on the role of law enforcement and corporations in the annual Pride parade?

I believe that law enforcement and corporations should participate and support the LGBTQ community of San Francisco politically, emotionally, and financially in the annual Pride parade. SF has one of the greatest and largest Pride parades in the world. Law enforcement and corporations should assist in maintaining this great celebration.

9. Do you support lowering the voting age to 16 for local elections? Why or why not?

Under the Code of Judicial Ethics, as a candidate for judicial office, I cannot make statements with respect to cases, controversies, or issues that are likely to come before the court. However, I have supported voter rights and ensuring equal access to voting.

10. Who did you support in the recent District 5 Supervisorial race?

I supported Dean Preston in spirit. I do not live in D5 district and could not vote for him.

11. Who did you support in the recent District Attorney's race?

I supported Chesa Boudin for SFDA since the inception of his candidacy.

12. Who did you support in the 2019 Mayor’s race?

I supported Matt Gonzalez for Mayor 2019 via write-in.

**Only SF DCCC Candidates**

*(Please answer each question in 150 words or less.)*

1. Are you presently a member of the San Francisco DCCC? If so, did you obtain your position from an appointment?

2. Please explain three main goals you would like to achieve as a DCCC member.

3. How will you make the local Democratic Party more accessible, relevant, and engaged to community members?

4. Do you support limits on DCCC fundraising? If so, explain how?

5. If you served on the DCCC during the 2019 endorsement process, how did you vote for

Mayor:

District Attorney:

District 5 Supervisor:

Prop C (Vaping):

Prop D (Uber/Lyft Tax):

Prop E (Teacher & Family Housing):

Prop F (Sunlight on Dark Money):

6. Do you support a candidate or candidates for President in 2020? Why?

**Only Judicial Candidates**

*(Please answer each question in 150 words or less.)*

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

I am not presently serving on the bench.

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

1. Proven social justice experience - I have dedicated my life’s work to advocating and bettering the lives of underserved San Francisco residents and communities. I will continue to do so if I am elected judge.
2. Diverse experiences and core values - Judges have the unique power to make decisions that affect us day to day. Judges make life altering decisions that affect our communities. I will bring the breadth of my knowledge and experience to the bench in order to provide compassionate and just jurisprudence. I believe true and effective justice is compassionate.
3. Restorative justice - I believe in a system that focuses on making victims whole through restorative justice principles. I have interacted with many crime victims and know they are often disregarded and not included in the process. I want to work with all justice partners and allies to ensure that victims of crimes are heard.

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

I support the efforts to reform the current money bail system with the eventual goal of complete eradication of this system. Such a system unfairly targets people on the basis of socioeconomic status, which, in turn, is unfairly and greatly influenced by factors such as race, gender identity, sexual orientation, ethnicity, mental illness, and addiction.

Statistically, people facing criminal charges have a better chance of fighting and receiving better outcomes if they are out of custody. Such an advantage cannot only be available to those with money. I have represented 100’s of people who plead guilty / no contest to crimes simply because they wanted to get out of jail and were incarcerated while their case was pending because they could not afford bail.

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.)

Over policing and the disparate prosecution, conviction, and imprisonment rates of African Americans are the direct result of explicit and implicit bias which reinforces the systemic racism that pervades the criminal justice system and every other aspect of American society.

As a public defender, I have been in the trenches battling the racial bias of the criminal legal system. Most of my clients are people of color. Yet, there is a dearth of jurors of color and an appalling lack of class diversity among jurors that are reflective of my clients’ backgrounds. I speak directly to jurors, colleagues, prosecutors, and judges about implicit and explicit bias in order to mitigate their devastating effects. As a judge, I will continue to actively foster awareness about internal biases not only among jurors, but also among my professional colleagues.

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?

As judge, I will make sure I am familiar with all the community resources available in all areas of legal needs so I can share this information with low income litigants and litigants of modest means. I will endeavor to make sure that the litigants who appear before me have the time they need to access as many resources as possible so they can be educated and empowered to be protected by and within the court process. I have done this throughout my legal career because I have participated in coalition building with a variety of other public interest agencies and non-profits. I envision bringing this same approach to the bench as a judge so that all litigants can have broader access to better ensure they receive effective legal assistance.

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?

In many areas of sentencing, a judge can exercise their discretion by striking allegations that are based on past convictions which are designed to add years of exposure to the current case. As a judge, I will consider the circumstances of the accused, such as their social, family, mental health history, their criminal history (or lack thereof) amongst many other factors under the sentencing guidelines and intend to exercise my discretion appropriately.

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.

**Only Congressional Candidates**

*(Please answer each question in 150 words or less.)*

1. Please explain why you are running for Congress.

2. Briefly describe three achievements you have made in your Congressional district.

3. How will you make the local Democratic Party more accessible, relevant, and engaging for community members?

4. Do you support Congresswoman Alexandria Ocasio-Cortez’s *Green New Deal?* Why or why not?

5. Do you support Medicare For All? If so, how would you implement it?

6. Do you support reducing military spending, and diverting it towards domestic programs? If so, how would you help implement this?

7. Do you support reducing America’s military presence in other countries?

8. What would you do to improve America’s current immigration policy? Give some examples.

9. Do you support raising the Federal Minimum wage? If so, to what amount?

10. Is your campaign accepting any corporate or PAC money? If so, please list those sources.

11. What are your main strategies for meeting voters?

12. Do you support a candidate or candidates for President in 2020? Why?

**Only State Assembly & State Senate Candidates**

*(Please answer each question in 150 words or less.)*

1. What are your top three goals as a member of the State Legislature?

2. Will you increase truly affordable housing while respecting the autonomy of local zoning and housing policies? If so, how?

3. How will you continue to advance state environmental policies that adequately address the climate crisis?

4. Will you support a permanent ban on fracking in California?

5. What are your plans for improving and expanding public transportation?

6. How will you ensure that public education is fully funded and that all schools are provided with adequate resources, regardless of locale? How exactly will you increase teachers’ pay?

7. How will you address and help remedy the record number of prison inmates? What programs will you undertake to assist prisoners before release and reduce recidivism?

8. Is your campaign accepting any corporate or PAC money? If so, please list those sources.

9. Do you support a candidate or candidates for President in 2020? Why?

**Only Presidential Candidates**

*(Please answer each question in 150 words or less.)*

1. Please explain why your candidate is running for President.

2. Briefly describe three major achievements your candidate has made prior to running for president.

3. Does your candidate support Congresswoman Alexandria Ocasio-Cortez’s *Green New Deal?* Why or why not?

4. Does your candidate support Medicare For All? If so, how would it be implemented?

5. Does your candidate support reducing military spending, and diverting it towards domestic programs? If so, how would you help implement this?

6. Does your candidate support reducing America’s military presence in other countries?

7. What would your candidate do to improve America’s current immigration policy? Give some examples.

8. What steps will your candidate take to ensure reproductive freedom and LGBTQ rights?

9. Does your candidate support raising the Federal Minimum wage? If so, to what amount?

10. Explain the criteria your candidate considers when appointing federal judges.

11. Is your candidate’s campaign accepting any corporate or PAC money? If so, please list those sources.

**Only Ballot Measures**

*(Please answer each question in 150 words or less.)*

1. Briefly explain the purpose of this ballot initiative and what it would do.

2. What would be the fiscal impact of this initiative?

3. Who crafted this initiative, and how was it placed on the ballot?

4. Who are the initiative’s principal consultants, and what is its main funding sources?

5. Who are some of the initiatives’s individual and organizational supporters?

6. Who are some of the initiative’s individual and organizational opponents?

7. Why do you think the Harvey Milk Club should endorse this initiative?

**PART 2:**

**Yes or No Questions**

*(Please check* ***Yes*** *or* ***No*** *for each question.)*

Under Canon 5B(1)(a) of the California Code of Judicial Ethics, a candidate for judicial office is cannot “make statements to the electorate or the appointing authority that commit the candidate with respect to cases, controversies, or issues that are likely to come before the court.” For this reason, I am unable to answer the following sections / questions that are highlighted in yellow. However, I will note that I have devoted the entirety of my legal career to serving the most underserved and underprivileged members of our community by zealously defending their constitutional and human rights.

**GENERAL YES NO**

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| 1. Are you registered to vote as a Democrat? | **✔** |  |

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| 2. Have you ever sought elected office before? |  | **✔** |

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| 3. Do you have a campaign consultant or other main point of contact? If so, who? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  | **✔** |

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| 4. Have you ever sought a Milk Club endorsement in the past? |  | **✔** |

**LGBTQ ISSUES YES NO**

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| 5. Should the SFPD formally apologize for the decades of homophobic and transphobic abuses and violence it committed against the LGBTQ community that have spanned decades. | **✔** |  |

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| 6. Do you support public funding for employment development for transgender job-seekers? | **✔** |  |

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| 7. Do you support efforts to expand access to PrEP and the *Getting to Zero* initiative to end the HIV epidemic in San Francisco? | **✔** |  |

**TENANT, HOUSING, AND DEVELOPMENT ISSUES YES NO**

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| 8 Do you support the creation of an independent commission to oversee the Department of Homelessness and Supportive Services? |  |  |

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| 9. Do you support the split-role repeal of Proposition 13?  |  |  |

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| 10. Do you support the repeal of the Costa-Hawkins Rental Housing Act? |  |  |

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| 11. Do you support the repeal of the Ellis Act?  |  |  |

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| 12. Do you support increasing funding for enforcement capacity for Short Term Rental platforms, e.g. AirBnB and VRBO?  |  |  |

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| 13. Do you support the sweeps of homeless encampments by the Department of Public Works? |  |  |

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| 14. Do you support a vacancy tax on empty commercial properties? |  |  |

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| 15. Do you support a vacancy tax on empty residential properties? |  |  |

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| 16. Would you support a licensing system for landlords in San Francisco? |  |  |

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| 17. Do you support a public municipal bank in San Francisco? |  |  |

**IMMIGRATION JUSTICE ISSUES YES NO**

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| 18. Should U.S. Immigration and Customs Enforcement be abolished?  |  |  |

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| 19. Do you support San Francisco’s Sanctuary City status? | **✔** |  |

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| 20. Do you support due process protections for immigrant youth accused of crimes? | **✔** |  |

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| 21. Do you support localities allowing noncitizens to vote in local elections, including, but not limited to, the SF School Board? |  |  |

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| 22. Do you support increased funds for immigrant defense services? |  |  |

**SOCIAL JUSTICE, PUBLIC HEALTH, AND LABOR ISSUES YES NO**

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| 23. Do you support the death penalty? |  | **✔** |

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| 24. Do you support the use of tasers by law enforcement?  |  | **✔** |

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| 25. Do you support requiring an independent investigation of all police officer-related shootings? | **✔** |  |

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| 26. Should the Department of Police Accountability have the power to investigate allegations of misconduct by members of the Sheriff’s Department? | **✔** |  |

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| 27. Should a civilian oversight commission for the Sheriff’s Department be created, with the power to suspend or terminate members of the department? | **✔** |  |

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| 28. Do you support the implementation of supervised injection/consumption sites? | **✔** |  |

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| 29. Do you support the decriminalization of sex work? | **✔** |  |

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| 30. Have you ever crossed a union picket line or ignored a union boycott? | **✔** |  |

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| 31. Do you support the right for public sector employees to go on strike?  | **✔** |  |

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| 32. Do you support AB 5, making it harder for companies to label workers as independent contractors instead of employees? |  |  |

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| 33. Do you support the recent vote by the SF Board of Supervisors to close Juvenile Hall? | **✔** |  |

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| 34. Do you support the rebuilding of the county jail at 850 Bryant? |  | **✔** |

**EDUCATION AND YOUTH YES NO**

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| 35. Do you support expanding LGBTQ curriculum throughout San Francisco’s public schools? | **✔** |  |

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| 36. Do you support the full, continuous funding for Free City College? |  |  |

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| 37. Do you think teachers' salaries should be increased to ensure a living wage in San Francisco? |  |  |

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| 38. Do you support the March 2020 ballot initiative known as the San Francisco Affordable Housing/Jobs Balanced Development Act (“M2”)? |  |  |

**ENVIRONMENTAL AND TRANSPORTATION ISSUES YES NO**

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| 39. Do you support the recent bailout of Pacific, Gas, & Electric? |  |  |

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| 40. Do you support the dissolution of Pacific, Gas, & Electric? |  |  |

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| 41. Do you support expanding the CleanPower SF program? |  |  |

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| 42. Should CEQA guidelines be reduced in order to increase development? |  |  |

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| 43. Do you ride San Francisco public transit on a daily basis?  |  |  |

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| 44. Do you support free access to public transit for seniors, disabled persons, the economically disadvantaged, and the underserved? |  |  |

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| 45. Do you support a plan to provide free transportation citywide? |  |  |

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| 46. Do you support the ongoing switchbacks on the K, N, and T Muni lines? |  |  |

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| 47. Should the mayor continue to appoint all commissioners to the SFMTA? |  |  |

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| 48. Did you support Measure D on the November 2019 ballot? |  |  |

**POLITICAL TRANSPARENCY YES NO**

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| 50. Did you support the recent *Sunlight on Dark Money (****Prop F****)* ballot measure on the November 2019 ballot? |  |  |

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| 51. Does your campaign accept corporate contributions? |  |  |

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| 52. Does your campaign accept contributions from individuals with a financial interest in land use matters valued at $5 million or more? |  |  |

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| 53. Do you support expanding SF’s public financing program? |  |  |

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| 54. Do you support Supervisor Gordon Mar's charter measure to prohibit a mayoral appointment within 90 days of an election? |  |  |