



Dear Candidate:

The San Francisco Democratic Party (SFDCCC) is eager to learn more about your candidacy and invites you to participate in our endorsement process.

If you would like to be considered for an endorsement by SFDCCC, please complete the attached Endorsement Questionnaire and return to info@sfdemocrats.org by **Monday, March 12 at 5:00pm**. Our Endorsement Committee will meet candidates for interviews on **March 17, 2018**. The exact time of your interview and location will be provided to you after we review your completed Candidate Endorsement Questionnaire and have determined that you meet our bottom line requirements to be considered for an endorsement. At the time of the interview, you may also provide additional information to supplement your questionnaire. You are limited to four (4) total pages, and you must provide 45 copies.

SFDCCC seeks to encourage the election of qualified local candidates who will help to advance our shared Democratic values. We are only able to endorse registered Democrats, except in the case of a nonpartisan race in which no registered Democrat has qualified for the ballot. We also seek to support those candidates who express agreement and have demonstrated support for our core issues and priorities, which are included in the California Democratic Party Platform, our Bylaws, and Policies and Procedures Manual (which can all be found at www.cadems.org and www.sfdemocrats.org).

To qualify for an endorsement interview, all candidates must indicate that they support the Democratic principles in our party platform, complete the Candidate Endorsement Questionnaire, and return it by the deadline of **March 12, 2018 at 5:00 pm**.

Candidate interviews will be brief and will be open to both SFDCCC members and members of San Francisco's chartered democratic clubs. Following the Endorsement Committee interview, the full body will deliberate and vote on a final endorsement at our meeting scheduled for March 28, 2018, at 6:30pm, at the Tenderloin Community

Elementary School. Meetings are open to the general public and are live streamed on our Facebook page. You are welcome to attend or follow our progress online.

The following rules also apply to the SFDCCC endorsement process and any violation may be subject to further actions, including a revocation of the endorsement:

1. Candidates may only use the “SF Democratic Party” name and image after the full membership endorsement;
2. Once endorsed, the SFDCCC will provide a high-resolution copy of our logo which may be used in your materials **only** for the race for which you were endorsed;
3. In the case of elections in which Ranked Choice Voting (RCV) is employed, listing of the SFDCCC endorsement must accurately reflect the ranked endorsement as detailed in our Policies and Procedures Manual;
4. Third parties wishing to utilize the SFDCCC name or logo in their campaign materials must submit a request to our Executive Director.

Thank you very much for your interest in the SFDCCC endorsement. Please do not hesitate to contact us should you have any questions. We look forward to learning more about your candidacy and your campaign.

Respectfully,
The San Francisco Democratic Party

By signing below, you acknowledge that you will comply with the SFDCCC’s Bylaws and Policies and Procedures and you will not utilize the SFDCCC name, the San Francisco Democratic Party, or its logo without written permission.

Nicole Judith Solis
(name)

Superior Court Judge, Seat 11
(position and seat number)


(signature)

March 12, 2018
(date)



**SFDCCC Candidate Questionnaire
Superior Court Judge - June 2018**

Name **Niki Solis**

Address **234 Arlington Street**

City, State, Zip **SF, CA 94131**

Campaign Phone Number **415-259-9454**

Cell Phone Number **415-203-4608**

E-mail Address **solis4judge@gmail.com**

What office and which seat are you running for?
 San Francisco Superior Court Judge, Seat 11

Are you running for re-election? Yes No

What other elected positions have you held previously?
 None

- INSTRUCTIONS:**
- Please complete this questionnaire and bring 45 copies (for the 31 Committee members and for Democratic Clubs) with you to be distributed just prior to your interview appointment on **March 17, 2018**
 - ****IMPORTANT**** Please send electronic copies to info@SFDemocrats.org by 5:00 PM on **March 12, 2018**
 - With the *possible exception* of a Democratic candidate filing to run after the questionnaire due date, *only* candidates who return a completed questionnaire electronically by the due date will be allowed to present before the committee.

- At the time of the interview, you may also provide 45 copies of up to 4 pages of supplemental information attached to your questionnaire for distribution to SFDCCC members (materials are not to be passed out during the meeting).
- We may distribute the questionnaires in preparation for event and post them on the SFDCCC website for the public to view.
- If you have not heard from the committee by **Thursday, March 15**, please contact Executive Director, Adam Mehis at 415-626-1161 or info@sfdemocrats.org to schedule a time slot during the Endorsement Interview Meeting.

PART I: GENERAL QUESTIONS (200 words or less)

- 1) Are you a registered member of the Democratic Party?

Yes. From the day I became a U.S. citizen, I registered as a democrat and have always been a member of the Democratic Party.

- 2) Please describe your contributions to the Democratic Party and/or increasing civic engagement in the democratic process at the local, state and or/national level in recent years.

I was president of San Francisco La Raza Lawyers Association. I drove up to Sacramento and met with the Governor's Appointments Secretary to advocate for judicial applicants to create a more diverse bench. I met with Senator Boxer and worked with Senator Feinstein's office to identify candidates for the federal bench. I advocated for the appointments of federal judges: I advocated for and/or wrote letters on behalf of Ed Chen, Lucy Koh, and two Latino judges, all whom got appointed to the federal bench. Judge Koh was the first female Korean American Article III judge and I was proud to write that letter on her behalf to the U.S. Senators.

I have, in the past, volunteered for and supported numerous campaigns for Democratic Party candidates.

- 3) Are there any other civic causes or organizations that you are involved with currently or were involved in prior to taking the bench? Please describe.

I have dedicated my life to serving the San Francisco community. I am appointed by the governor to sit on the Criminal Advisory Commission of the State Bar. I served on the litigation committee and as a board member of the ACLU of Northern California. I was also chair of the chapter reorganization committee that implemented changes in the structure of organization to increase diversity.

I sat on the Mayor's steering committee for the formulation of the Criminal Justice Center. I have also worked as a volunteer for the Asian Women's Shelter Annual Dinner and Dance which takes place at the St. Mary's Cathedral. I have also worked with careergirls.org to educate and inspire young girls who are in middle school.

4) Please list any organizations or elected officials who have endorsed you.

Hillary Ronen, Bevan Dufty, Jeff Adachi, Matt Haney, Peter Gallotta, Kelly Groth, Former State Senator Mark Leno, Former Mayor Art Agnos, Lateefah Simon, Petra Dejesus.

PART II: SHORT-ANSWER QUESTIONS (250 Words or less)

1) What do you perceive as the strengths of the Superior Court? What are the current weaknesses and how would you like to see the judicial system improved?

I believe Collaborative Courts, such as Behavioral Health Court, created by ALL stakeholders, are strengths of the Superior Court. A major weakness, however, is the sparing use of them. The statistics show that graduation rates are not that high. Too much deference is given to the prosecution when it comes to who gets to participate.

In addition, the bench is not representative of the community that comes before it each and every day. In this time, our judges need to have an array of experiences and a broad perspective that enables them to serve this community in an unbiased way. There has NEVER been an LGBTI Latina on the San Francisco bench. I would be the first.

One must wonder if the lack of diversity has lead us here where there is disproportionate confinement of people of color and little or no representation of African Americans in the jury pools. African Americans make up less than 4% of the San Francisco population, but comprise more than 50% of those incarcerated. I walk into holding tanks and on a regular basis, 12 out of 14 men are African American or Latino. The racial disparity is stark. In a recent trial case, out of 150 prospective jurors, 1 was African American and 1 was a Latino man. Not enough is being done by the courts to reach out to communities to encourage participation in the jury process. Not enough is done to address the racial disparity in incarceration rates. This makes for a terrible combination that will result in even more incarceration of men of color. Studies show that conviction rates go up exponentially when there are no African Americans on the jury. There is intransigence in the court and they appear to be in denial of compelling empirical evidence. When the public defender's office filed bail motions based on the recent Court of Appeals decision, the courts continued to deny release motions. In a 3/12/18 habeas petition *Reem v. Hennessy* (citations omitted), a federal judge ordered the release Mr. Reem finding he was being unlawfully held in custody by our San Francisco. The courts continue to hold people in custody in what appears to be a defiance of legal, binding authority.

As one judge recently told me, "the courts do things because they have always done things that way." For instance, probation reports, which are ordered by the court and upon which they rely, often have a bare recitation of facts straight from the police report. There is little discussion of a person's psychological deficits and childhood trauma. There are no assessments done in order to determine the root causes of addiction.

2) Please summarize your qualifications and experience for the office you are seeking. Have you ever had any experience with management? If you are seeking re-election, what is your experience prior to serving on the bench?

I am extremely well qualified for this position. I have conducted dozens of trials as a public defender. I approach litigation with a robust intellectual vigor. I write the CEB Chapter on Trial by Jury in the California Criminal Law and Procedures Book. As a managing Head Attorney for the misdemeanor unit, I wrote the CEB Action Guide for misdemeanor cases. I coached dozens of young attorneys throughout my career. I have mentored over a hundred students. I sat on the Mayor's steering committee for the formulation of the Criminal Justice Court. I met with criminal justice stakeholders from the Department of Public Health, the DA's Office, Adult Probation, the Police Department, and other city agencies to establish and implement policies for the new CJC court. I created the Volunteer Attorney Program that created a pipeline of trial attorneys who became public defenders throughout the state.

3) Have you ever had to support a legal position that was contrary to your personal moral beliefs? Please describe.

No. I defend people not crimes. As an officer of the court, I am obligated to uphold laws and constitutions of both the United States and California, and I do so proudly each day. No matter the crime, no matter the accusation, each and every person deserves to be represented in the criminal courts and to be treated as a human being. Every human being is defined by more than the one horrible thing he, she or they have done.

4) What do you perceive are the primary causes to the high rates of incarceration among communities of color? Do you believe the Court has a role to play in criminal justice reform?

The facts are that racial patterns in drug arrests still do not match racial patterns in drug use. Between 2012 and 2016, African Americans accounted for 25 percent of illicit drug deaths in San Francisco, but 42 percent of the city's drug felony arrests.

<http://www.cjci.org/news/11968>

In a Haywood Burns Institute study, black adults in San Francisco were more than seven times as likely as white adults to be arrested. Despite a significant overall reduction in arrest rates in San Francisco, the disparity gap – the relative rate of arrest for Black adults compared to White adults is increasing. **Black adults in San Francisco are ten times as likely as White adults in San Francisco to have a conviction in court.** Latino adults in San Francisco are nearly twice as likely as White adults in San Francisco to have a conviction in court. Over the course of the last year, **there were 288,177 bed days as the result of court sentences to jail** (either through county jail alone or as a part of a Jail/Probation Sentence). **Black adults account for 50 percent of these sentenced every day.** Although more White adults are convicted on DUI charges with blood alcohol levels greater than or equal to .08 than **Black adults, Black and Latino adults convicted of these charges are more likely to have a longer jail sentence (as part of a Jail/Probation sentence) than White adults.** The numbers do not lie. There are more troubling numbers. See:

There is a significant problem that cannot be ignored by ANY branch of government or stakeholders—including the judiciary. The courts do have a very critical role to play in the reformation of the criminal justice system. For the 23 years I have practiced law, I have seen the judiciary bury its head in the sand. There must be a change to the composition of the bench before there will be a change in attitude and action.

5) Do you believe that the current bail schedule has disproportionate impacts on low-income communities of color? How could this system be reformed and how?

Yes. The rates in the current bail schedule are among the highest in the state. The bail rates have been set by the current judges, one of whom I am running against. Throughout my career as a public defender, I have seen innocent people remain incarcerated until they were vindicated months if not years later. Recently, a man was acquitted after spending almost 4 years in jail awaiting trial. Many pre-trial detainees cannot adequately assist in the preparation of their defenses because they were kept in jail—financially unable to make bail. Statistically, an innocent person has a much better chance of mounting a successful defense if that person is not incarcerated while the case is pending. The system can be reformed by revamping the entire bail system, requiring that if a bail schedule is implemented, the community would have input—not just judges, many of whom are multi-millionaires appointed after having been partners at big downtown law firms.

6) San Francisco is facing a car break-in epidemic that is organized by crime networks. What do you perceive are the factors leading to this problem? What is the court's role in preventing offenders returning to crime?

One of the factors is addiction, and the inability of the courts to deal with it in a sensible way. Courts have historically addressed the “what” of crime and not the “why” of crime. Courts need to implement assessment tools that get to the root causes of the addiction in order to properly treat it. The courts can work with all stakeholders to lower the recidivism rate by taking a different approach. Many now say that the carrot and stick accountability approach to addiction is sadly misguided. In a recent book, *Unbroken Brain*, by Maia Szalavitz, she addresses a whole new way to consider and deal with addiction. The courts are empowered to conduct studies and to consider new treatment modalities.

7) Do you believe there is enough diversity in the court system? If not, how are you working to improve representation?

No, there is not enough diversity in the courts. Of 52 judges, NONE is a Latina lesbian. There is currently no out lesbian of color on the bench. California became a state on September 9, 1850. In those 168 years, there has never been ONE openly LGBT Latina on this bench. This is one of the many reasons why I am running. I will not get on the bench and be content with my having reached there. It is important of people in the judiciary to mentor lawyers to

become judges. I will do the same in supporting lawyers to become judges as I have in mentoring undergraduate students to become law students and law students to become public defenders. I will create a pipeline for people of color to become judges by establishing a program with the Minority Bar Coalition. Lawyers who are women, LGBTQI, and people of color with 10 plus years of experience will be able to partake; those in the criminal justice system can be paired with judges in the civil courts; those in the civil courts can be paired with judges in the juvenile and criminal courts. I have a plan.

8) How does your background and experience prepare you for legal cases pertaining to the rights of women, people of color, people with disabilities, and LGBTQ?

For over 22 years I have stood at the side of children, families, and clients protecting their constitutional rights with passion. As Judge, I will have a different role—to uphold each and every principle outlined in our United States and California Constitutions with unbiased deliberation and compassion. Every judge’s decision should be driven by facts and guided by law. Every Judge should consider the evidence but also reflect upon decisions with thoughtfulness and fundamental fairness if justice is to be served. My background enables me to do this. I will see every person who comes before me as equal under the law. I have a unique perspective as a lesbian mom, Vice President of the PTA, a social justice activist, a woman of color, and a formerly undocumented immigrant who is now a proud American citizen.

9) Do you believe there should be implicit bias training for judges?

Yes. There should be annual mandatory requirements and I will work to make that happen. This is not just talk. I am a person of action.

10) What is the court’s role in decriminalizing those with mental illness or the homeless who are caught up in our criminal justice system?

The court has discretion and authority in sentencing. Although Canon 5 prohibits me from answering this question fully, I can say that it was Jennifer Johnson, a public defender, along with Judge Kay Tsenin (now retired), and Cynthia Johns who is now a private attorney, who spearheaded the creation of Behavioral Health Court. Although Drug court had already existed, BHC was a new model of collaborative courts that involved wrap around services through various agencies including the Department of Public Health. **Thereafter, I was on the steering committee for CJC, another collaborative court in the San Francisco Courts.** I played a key role in ensuring that all stakeholders were informed of the potential roadblocks so that they could be avoided. I worked with Paul Henderson of the DA’s office, Barbara Garcia of DPH, Captain David Lazar, Lenore Anderson of the Mayor’s office and many others to create the best blue print for the creation of the court. I fought to ensure that the discretion for referral would be set out in an MOU and decided by the court.

11) How should the court ensure a fair hearing in the case of pro per or unrepresented litigants in family court or housing court?

I advocate for court appointed attorneys in all such civil cases. I participated on a BASF panel advocating for court appointed lawyers in these cases. That was about 6 years ago and nothing was done by the courts about it. As judge, I will see to it that a committee is formed to address this need and get it done.

12) What do you perceive are the biggest obstacles the court faces in civil litigation? How can this be improved to best serve the general public?

The huge backlog of cases is the biggest obstacle the court faces in civil litigation. There are not enough judges or funding of the courts by the other two branches of government in order to relieve the burdens of the courts. This election is a good time for our politicians to wake up and institute change in Sacramento—not to change the constitution. But to talk about real change by having the other two branches of government adequately fund the courts. Currently, there are furlough days where both the city and county and that state are economically healthy. Yet people having access to courts are being limited by weekly furlough closures.