

INTRO1.

Aloha,

You are receiving this candidate questionnaire because you are a candidate for the Hawai'i State House or State Senate in the 2020 election.

The purpose of this questionnaire is to gather information on candidates' positions on important civil rights and civil liberties policy issues that affect the lives of Hawai'i residents. This questionnaire was sent to every candidate running for Hawai'i State House and State Senate in the 2020 election. By responding to this questionnaire, you give permission for your responses to be made available to the public.

Responses will be published on ACLU of Hawaii's website, acluhi.org, sometime after June 18, 2020. Your responses will be published exactly as you write them and while formatting of the questionnaire may change when published to the website, the substance of both the questions and your responses will not be altered in any way. Candidates will *not* have the opportunity to make changes to their responses once submitted.

Questions are organized by topic. For most questions, candidates should provide a response to the question by selecting YES, NO, or PREFER NOT TO ANSWER. Candidates then have the option of elaborating on their position in the text box below each question. **The questionnaire is extended to Monday, June 29, 2020.** No responses will be recorded after June 18. In publishing the results of this questionnaire, the ACLU of Hawai'i will note if a candidate did not respond to the questionnaire.

The intent of this questionnaire is *for the sole purpose of producing and disseminating informational or educational communications and is not intended to influence the outcome of an election, question, or issue on a ballot.*

The American Civil Liberties Union of Hawai'i is a 501(c)(4) nonprofit, nonpartisan organization. We do not support or oppose candidates for elected office. The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and state constitutions.

SA.

Candidate Information

Name:

James Logue

SB. Office/District for which you are running:

State House/District 29

INTRO2. Privacy & Technology

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE TWO QUESTIONS THAT FOLLOW

A recent study by the National Institute of Standards and Technology found that the majority of facial recognition technology programs exhibited disproportionate rates of error when analyzing the faces of women and people of color. In 2018, the ACLU tested Amazon's facial recognition technology software by running the photographs of sitting members of Congress against an arrest database. Twenty-eight false matches came

back, including those of six Congressional Black Caucus members. Multiple jurisdictions across the U.S. have instituted bans and/or moratoriums on government use of this technology.

Q1. Do you support legislation ending government use of facial recognition technology?

Yes

No

Prefer not to answer

Q1a. Please write any comments you might have in the box provided below.

Q2. Do you support legislation limiting private entities' use of facial recognition technology without the clear, written consent of the subject?

Yes

No

Prefer not to answer

Q2a. Please write any comments you might have in the box provided below.

INTRO3. Police Reform

PLEASE ANSWER THE FOLLOWING QUESTION

Q3. Do you support legislation establishing a uniform policy for law enforcement use of body cameras?

Yes

No

Prefer not to answer

Q3a. Please write any comments you might have in the box provided below.

INTRO4. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Hawai'i law allows law enforcement to seize—and keep—personal property without ever charging the property owner with a crime. This is done through a process called civil asset forfeiture. The Legislature passed—and Governor Ige vetoed—a bill in 2019 reforming Hawaii's civil asset forfeiture law by prohibiting civil asset forfeiture except where the property owner had been convicted of a felony connected to that piece of property.

Q4. Do you support this reform?

Yes No Prefer not to answer

Q4a. Please write any comments you might have in the box provided below.

As one who fully believes in democracy and the democratic institutions on which a democracy is built I fully object to the notion that a person's property can be seized before they are convicted. This practice does nothing more than funds police departments which, in turn, gives incentive to the officers to seize people's property. Then, in order for the person to get their property back they have to fight in the courts which costs money and many people opt not to because they can not afford it. This practice must be stopped as we pave a path forward of an overhaul to how police departments and officers operate.

INTRO5. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Hawai'i law provides special protections for the disclosure of police disciplinary records.

Q5. Do you support legislation repealing such special protections and disclosing the disciplinary records of all law enforcement officers in Hawai'i?

Yes No Prefer not to answer

Q5a. Please write any comments you might have in the box provided below.

I am 100% against special protections for anyone no matter their career, title, position, rank, etc. Especially when funded by tax payer dollars and in a position of community interaction. We are causing unnecessary harm to people who fall victim to repeat offenders when we hide their records. These officers get fired or relieved of duty and then simply apply to another department who has no knowledge of their history. This has been proven to be a terrible policy as many victims have come forward with stories about officers that who we find out (thanks to investigative journalists) that they had similar incidents in their previous department.

INTRO6.

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

The Legislature passed a law establishing a Law Enforcement Standards Board in 2018. To date, this board has met on two occasions and has not set any standards for law enforcement.

Q6. Do you support legislation to strengthen the board's independence, increase citizen oversight, set deadlines, and provide the board additional resources?

Yes

No

Prefer not to answer

Q6a. Please write any comments you might have in the box provided below.

INTRO7. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE THREE QUESTIONS THAT FOLLOW

Evidence shows that school suspensions and school-based arrests lead to further contacts with the juvenile justice system and adult criminal legal system, as well as higher dropout rates and lower academic performance. Currently, students are being suspended for up to 92 days—over half of the school year—for even smelling like cannabis.

Q7. Do you support further limiting the number of days that schools can suspend students?

Yes

No

Prefer not to answer

Q7a. Please write any comments you might have in the box provided below.

Q8. Do you support ending the use of school resource officers (i.e., police officers permanently placed in certain schools)?

Yes No Prefer not to answer

Q8a. Please write any comments you might have in the box provided below.

I chose "Prefer not to answer" as this question requires a lot more detail about the schools in which resource officers are placed. While I know many are against it I feel that before removing them we need to implement policies that steer students away from activities that cause them to get in to trouble, and for which these officers were found to be needed. In my opinion, we don't want to simply remove the officers from a school that may have troubled students as they may then get more out of hand which impacts other students, teachers, staff, as well as that student's family. We first need to look at ways to mitigate the reasons why officers are there in the first place.

Q9. Do you support eliminating status offenses for youth, such as truancy?

Yes No Prefer not to answer

Q9a. Please write any comments you might have in the box provided below.

Due to the wide array of the types of "status offenses" I can not answer "YES" or "NO." While the question does state "such as truancy," which I would support eliminating a punishment for, there are other offenses that are considered to be "status offenses" that I do not support eliminating punishment for.

INTRO8. Economic Justice

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Only seventeen percent of workers nationwide have access through their employers to paid family leave to care for and/or bond with a new child, or to care for a sick or injured family member. The availability of paid family leave has been shown to increase workers' loyalty to employers, decrease employee turnover, and has been linked to decreased infant mortality rates and decreased reliance on public assistance. Eight states and Washington D.C. have passed laws that guarantee paid family leave to workers. In December 2019, Congress passed and President Trump signed the Federal Employee Paid Leave Act extending 12 weeks of paid parental leave to most federal employees.

Q10. Do you support legislation to guarantee 12 weeks of paid family leave to Hawaii's workers through the establishment of a social insurance program?

Yes No Prefer not to answer

Q10a. Please write any comments you might have in the box provided below.

INTRO9.

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Hawai'i law does not guarantee any paid, short-term sick leave to workers.

Q11. Do you support legislation to guarantee paid sick days to Hawaii's workers?

Yes

No

Prefer not to answer

Q11a. Please write any comments you might have in the box provided below.

INTRO10.

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Half of Hawaii's families cannot afford to meet basic needs. A recent study found that four in ten adults do not have access to \$400 at any given time, making them one emergency—or court-ordered fine—away from financial ruin. Studies have found that scaling fines based on affordability increases the likelihood that fines will be paid in full and increases revenue.

Q12. Do you support legislation that would require courts to scale fines based on an individual's income?

Yes

No

Prefer not to answer

Q12a. Please write any comments you might have in the box provided below.

I would need more details about how exactly income would be verified and what happens if someone has no income or is working "under the table" and has not paid taxes or reported their income. If fines are based on income it seems like those without income could simply commit crimes and not be penalized. So for this I would need more detailed information on how it would be implemented.

INTRO11. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE TWO QUESTIONS THAT FOLLOW

State law punishes nonpayment of traffic and parking tickets by placing a “stopper” on a person’s driving or vehicle record that prevents them from renewing or obtaining a driver’s license or vehicle registration until they’ve paid the ticket in full, plus a 21% fee assessed by the state’s contracted, Texas-based collection agency. Those who cannot afford their ticket and therefore cannot renew their license may be forced to choose between driving without a valid license (a traffic crime punishable by up to a \$1,000 fine or up to one year in jail) and losing their job or taking their child to the doctor. In recent years, several jurisdictions have either moved away from or completely stopped suspending licenses for nonpayment of traffic and parking tickets. In Hawai’i, there are approximately 350,000 outstanding license and registration stoppers.

Q13. Do you support legislation that would end the use of “stoppers” for nonpayment of traffic and parking fines?

- Yes No Prefer not to answer
-

Q13a. Please write any comments you might have in the box provided below.

Q14. Would you support a traffic ticket amnesty program to ease the economic burden that traffic tickets place on the working class in Hawai’i?

- Yes No Prefer not to answer
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Q14a. Please write any comments you might have in the box provided below.

I would need more details on what this program consists of in order to make an educated decision.

INTRO12. Criminal Law Reform
PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE TWO QUESTIONS THAT FOLLOW

Under Hawai’i law, it is a felony to possess any amount of a drug that has been classified as dangerous, which is essentially every drug except cannabis. Even the possession of small amounts is punishable by up to five years in prison and a \$10,000 fine.

Q15. Do you support legislation decriminalizing possession of small amounts of dangerous drugs, and reinvesting the savings in effective, community-based drug treatment?

Yes

No

Prefer not to answer

Q15a. Please write any comments you might have in the box provided below.

Yes, but only if those who are found to have drugs on them are forced to a long term treatment facility that helps them get off of the drugs. It wouldn't be jail, but they would be court ordered to remain in treatment until a doctor deems them able to be released.

Q16. Do you think substance use should be treated as a matter of public health?

Yes

No

Prefer not to answer

Q16a. Please write any comments you might have in the box provided below.

INTRO13. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Prosecutors are possibly the most influential player in the criminal legal system, yet there is little publicly-available information about how prosecutorial decisions are made.

Q17. Do you support legislation to promote transparency in county prosecutors' offices by requiring increased data tracking and disclosure?

Yes

No

Prefer not to answer

Q17a. Please write any comments you might have in the box provided below.

INTRO14. PLEASE ANSWER THE FOLLOWING THREE QUESTIONS

Q18. Do you support increasing funding for re-entry services for those who are released from incarceration?

- Yes No Prefer not to answer
-

Q18a. Please write any comments you might have in the box provided below.

I work for the SNAP office and plenty of my clients are folks released from prison who tell me that they have no where to go, no ID, no documents, nothing. I believe that in order for people to reintegrate into society there should be a program for them before they are released that helps set them up with social services and shelters.

Q19. Do you support measures to decrease barriers to employment for formerly incarcerated individuals?

- Yes No Prefer not to answer
-

Q19a. Please write any comments you might have in the box provided below.

Q20. Do you believe that Hawaii's criminal legal system is working?

- Yes No Prefer not to answer
-

Q20a. Please write any comments you might have in the box provided below.

INTRO15. Houselessness

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE THREE QUESTIONS THAT FOLLOW

Hawai'i has one of the highest houselessness rates in the country. The number of unsheltered people has exploded in the past decade even though we have had low unemployment and a relatively strong economy. With COVID-19's harm to the Hawai'i economy, the number of people experiencing houselessness is likely to grow.

Q21.

What do you believe is working and is not working about Hawaii's approach to houselessness?

Please explain your thinking in the space below.

I believe Hawaii's approach is not working. It seems to be a patch work method. The non-profits are overwhelmed. The hospitals are overwhelmed. The communities are overwhelmed. One thing people need to accept is that homeless are indeed coming to Hawaii from the mainland. It is a fact, I see it all the time working for the SNAP office. That on top of the lack of long term care facilities for the mentally ill is just exacerbating the problem. Hawaii needs to invest in long term care facilities to get the mentally ill and addicts off of the streets and in to a place to receive proper care & treatment. Otherwise, we are just continuing to put bandaids on major wounds.

Q22.

Do you support legislation establishing a homeless bill of rights?

Yes



No



Prefer not to answer



Q22a. Please write any comments you might have in the box provided below.

Q23.

How do you plan to address houselessness in Hawai'i in the short, medium, and long term?

Please explain your thinking in the space below.

I believe in the short term the state should capitalize on tele-work and implement it permanently. By doing this we can reduce the amount of office space(s) needed for workers and storage. We can condense offices in to smaller spaces. With less space being needed for workers was can renovate the unused space to create housing which can be for things such as Housing First, mental health services, etc. For the long term for the mentally ill and addicted, I fully believe that we won't fix the problem without long term care facilities. For the long term for individuals and families who can't afford housing, I feel that the state should take more of a role in developing housing on state property for the homeless. From donating land to offering deep incentives for developers to partner up and create units, the state needs to step in and take charge of the situation, because it is only going to get worse now post-COVID.

END.

Mahalo for your participation.

Please select the '**Submit survey**' button to submit your answers.

Aloha!