

ACLU People Power Washington

2022 Policing and Public Safety Candidate Questionnaire – State Legislature



[People Power Washington – Police Accountability](#) strives to bring just and equitable public safety to our local communities through relationship building, education and policy reform. We champion policies that divest from police and reinvest in community-based solutions and alternate crisis response, decriminalize non-serious offenses, and implement accountability and enforceable standards for police officers and agencies. Our vision is for public safety in Washington to be community-driven and to meet the needs of all people equitably.

Our group's work advocating for police accountability in our local communities has made us well aware of the important role our local government and elected officials play in driving policy around this issue. Appreciating the impact the Washington State Legislature has on our day-to-day lives, our hope is to empower voters with a non-partisan resource to understand how to vote their values through a lens of police reform and re-imagining of public safety.

Candidate Information

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| Candidate Name | David Hackney |
| Position Sought | State Representative, 11th LD Position 1 |
| Campaign Contact Information | Website: www.hackney4the11th.com Email: david@hackney4the11th.com |

Part I – Yes/No Questions

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|----------------------------|------------|
| Yes | Yes |
| No | |
| Additional Comments | |

1. Do you support prohibiting traffic stops by armed law enforcement officers for low-level, non-moving violations such as vehicle registration violations and equipment failure?

- Traffic stops are one of the most common ways members of the general public interact with police. For decades, there have been significant racial disparities in traffic stops, particularly for low-level violations, unjustified by the crime-fighting value. This undermines community trust, fairness, and wastes law enforcement resources.
- While there’s a perception that traffic stops are dangerous for police, the reality is that they are far more dangerous for those being stopped, especially if they are people of color.
- As a result, Seattle and other jurisdictions, including Los Angeles, Philadelphia, and the State of Virginia, have restricted or banned traffic stops for low-level traffic violations.

2. Do you support establishing an Independent Prosecutor for cases of criminal conduct arising from police killings?

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|-------------------|------------|
| Yes | Yes |
| No | |
| Additional | |

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| Comments | |
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- Police investigating themselves present an inherent conflict of interest. County Prosecutors work closely with law enforcement and rely on law enforcement for gathering evidence, interviewing witnesses, and providing defense to law enforcement.
- Prosecutors, exercising prosecutorial discretion, often fail to file criminal charges even when unarmed citizens are killed at the hands of law enforcement.

3. Do you support a state law that would remove obstacles, like qualified immunity, when suing police officers for violating a person’s civil rights?

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|----------------------------|------------|
| Yes | Yes |
| No | |
| Additional Comments | |

- Today when someone’s constitutional rights have been violated or they are seriously injured or killed by the police, victims or victims’ families can only sue police or the department under federal law 42 USC 1983.
- This federal law includes the legal principle of qualified immunity, which protects government officials performing discretionary immunity from civil suits unless the plaintiff shows that the official violated "clearly established statutory or constitutional rights of which a reasonable person would have known."
- In essence, there are little to no consequences for when law enforcement commits the above actions.

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- State legislation could give individuals a legal remedy under state law that does not currently exist.

4. Do you support a state law that would authorize the Attorney General’s (AG’s) Civil Rights Division to investigate a law enforcement department where there are patterns of misconduct?

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| Yes | Yes |
| No | |
| Additional Comments | |

- Today, in order to hold a law enforcement department accountable for patterns and practices of misconduct such as discriminatory policing, the US Department of Justice is the only entity that can investigate the department and bring a lawsuit or consent decree to effect change.
- State legislation could authorize the AG’s Civil Rights Division to investigate systemic practices that deprive individuals of rights protected by the Washington Constitution, to address the most harmful practices in a department and ensure a minimum quality of policing across Washington.

5. Do you support strengthening law enforcement accountability by establishing statewide protocols for complaints, investigations, discipline, and disciplinary appeals for serious misconduct?

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| Yes | Yes |
| No | |
| Additional Comments | |

- Holding officers accountable through termination or suspension for serious misconduct at the department-level is important for maintaining public trust and confidence in law enforcement.
- Currently, procedures for administrative accountability are determined separately for each police department or sheriff's office across the state resulting in inconsistencies and lack of public trust.

6. Do you support ending long term solitary confinement?

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|----------------------------|------------|
| Yes | Yes |
| No | |
| Additional Comments | |

- The UN Mandela Rules define long term solitary confinement as torture.
- Human beings have a basic biological need to establish and maintain contact with others. The deprivation of human contact causes severe psychological consequences including depression, anxiety, paranoia, PTSD, psychosis, self-harm and even suicide, which interfere with rehabilitation of incarcerated people.
- The use of solitary confinement does not reduce violence or staff assaults in prisons.

Part II – Free Response Questions

What is your idea of public safety? What are tangible ways to measure progress toward this goal?

We're experiencing increased incidents of crime that shake public safety. As a federal prosecutor, I know what works to reduce crime: accessible mental health resources, punishment with a focus on rehabilitation, better resources for jails and prisons, and smart data driven policies that enable law enforcement personnel to do their jobs and ensure that people who do commit crimes will not reoffend.

What would you do, as a state legislator, to further your idea of public safety?

We can increase public safety without over policing of marginalized communities if we address the root causes of crime, and improve crime response resources. This means investing in providing economic opportunities, building more affordable housing, increasing education funding, and so many other areas of our society. We should also invest in peer groups like Choose180 and Community Passageways who help mentor youth away from the criminal justice system and create second chance opportunities for people.

Are there police reform/accountability measures that are not addressed here that you think would be productive to pursue?

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I affirm that all the information provided in response to this questionnaire is true, complete, and correct to the best of my ability, and that no relevant matter has been omitted.

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| Signature | <i>David Hackney</i> | Date: 6/30/2022 |
| Printed Name | David Hackney | |