

COMMITTEE FOR COUNTY PROGRESS
2008 CANDIDATE QUESTIONNAIRE
JACKSON COUNTY PROSECUTING ATTORNEY

Candidate Name: Rachel Townsend

Campaign Committee Name: Townsend for Jackson County

Campaign Address, Website and phone: 214 W. 67th Street, Kansas City, MO 64113
www.townsendforjacksoncounty.com
(816) 729-7673

Office Seeking: Jackson County Prosecuting Attorney

Campaign Treasurer/Deputy Treasurer: Michael L. Brown, CPA

BACKGROUND INFORMATION

Education: BA English, University of Missouri – Columbia 1989
Recipient of General Honors Certificate from Honors College

Juris Doctor, University of Missouri – Columbia 1992
Dean's List

Current Employment: City Prosecutor, City of Lee's Summit, Missouri

Civic and Political Experience : Former Assistant Prosecutor for Boone County, Missouri (3 ½ years); former Deputy General Counsel for Department of Corrections, Hearings Officer with the Department of Social Services

Previous elective or appointive office sought: present employment is an appointed position by the City Council of Lee's Summit, MO

Addresses for the last 5 years:
214 W. 67th Street, Kansas City, MO 64113

Anticipated Campaign Budget
\$250,000

QUESTIONS

(Please attach additional pages for your responses)

1. In one page or less, why are you seeking the office of Prosecuting Attorney?

I am seeking the office of Prosecuting Attorney because I am the best qualified candidate to see that justice is accomplished in Jackson County. I have experience as a quasi-judicial hearings officer with the Missouri Department of Social Services. I was the former Deputy General Counsel for the Missouri Department of Corrections. I served as an Assistant Prosecuting Attorney with the Boone County Prosecutor's Office for over three and one half years before moving to Kansas City. I prosecuted over fifteen felony jury trials during this time period. After a very brief stint in private practice, I was appointed to the position of City Prosecutor for the City of Lee's Summit, where I have served for nearly ten years.

I absolutely love my job with the City of Lee's Summit. Lee's Summit has some of the lowest crime activity in our Nation. I believe that I can still serve the fine citizens of Lee's Summit, but in a larger capacity as the County Prosecutor. I want to make Jackson County a safer place to live.

2. Describe the most important characteristics of a prosecutor.

A prosecutor should be an intelligent, tough, and fair person. A prosecutor should recognize that she is a servant of the people with the sole purpose to obtain justice. A prosecutor should have the ability to establish relationships with the diverse population of Jackson County to further public safety. A prosecutor must be sure that justice is applied even-handedly to all people. A prosecutor should not use the prosecutor's office for political gain.

3. Please describe the accomplishments or contributions – from any point in your life - of which you are most proud. The examples should illustrate the skills and capabilities most applicable to the office of Prosecuting Attorney.

I am very proud of my work in the Boone County Prosecutor's Office as a champion for the voiceless victims in society. I obtained the first felony non-support conviction in the State of Missouri by jury trial, and obtained the maximum penalty of five years in prison. I obtained the first felony animal abuse conviction in the State of Missouri by jury trial after a man named Roosevelt Blair viciously doused a living cat with gasoline and set it on fire, killing it. I also tried a domestic violence case involving a recanting witness, and was able to obtain a conviction without the victim's cooperation (I handled the appeal instead of giving it to the Missouri Attorney General - See State v. Archuleta, 977 S.W.2d 12 (Mo. App. W.D. 1997)). I am pleased that this case continues to be cited in support of domestic violence victims across the State.

I am very proud of building the Prosecution Division of the Law Department in the City of Lee's Summit. In 1999, there was one part-time prosecutor, and I was appointed as the first full-time Codes Prosecutor. There was one part-time support staff. With the

support of the City Attorneys and the wonderful City Council, and lots of hard work, the Prosecution Division now has two full-time prosecutors, three part-time prosecutors, and two full-time support staff. We process over 16,000 cases per year. I believe that I am a skilled administrator as well as a trial attorney.

4. What are the most important duties of the elected prosecutor in Jackson County?

The most important duty of the elected prosecutor in Jackson County is to insure public safety by effectively prosecuting those cases presented to the Jackson County Prosecutor's Office by the Jackson County Sheriff's Office, the Missouri State Highway Patrol, and the various local law enforcement agencies. The end result in each case should always be about achieving justice. Crime victim rights should be paramount in every case. The Prosecutor should make certain, through the independent audit process, that there are no disparate treatments for different ethnicities. The prosecutor should allow her staff to do their jobs without undue interference and micro-managing. The prosecutor should encourage a diverse workforce, because diversity strengthens the effectiveness of the office across the entire county. The prosecutor should reach out to the communities of Jackson County to ascertain their concerns concerning crime, and work with these communities to fashion solutions.

5. What are the Prosecuting Attorney's obligations when considering whether to seek the death penalty?

The elected prosecutor has the ultimate responsibility to decide whether to seek the death penalty in a first-degree murder case. The prosecutor must view the facts of the murder case to first see if any statutory aggravating circumstances exist for the death penalty. The prosecutor must also see if any of the statutory mitigating circumstances exist to not seek the death penalty. The prosecutor also has equal obligation to consider seeking life without parole over the death penalty. Whether to seek the ultimate punishment should be considered by a highly specialized committee of assistant prosecutors; however, the final decision rests with the elected prosecutor.

6. What is your position on the use of state resources for the apprehension of undocumented immigrants?

State and local law enforcement routinely apprehend undocumented immigrants on various charges, usually minor traffic violations. Subsequently, these agencies conduct an Illegal Alien Query (IAQ) through the Bureau of Immigration and Customs Enforcement (ICE) computer database. If there is a positive "hit" with IAQ, an ICE detainer will be faxed to the arresting law enforcement agency. That particular agency will hold the immigrant on the detainer for less than forty eight hours, at which time ICE

will deport him or her. The only utilization of state resources for apprehending these undocumented immigrants is the labor taken to run an IAQ, and the cost of boarding the undocumented immigrant for less than forty eight hours. Detaining and deporting undocumented immigrants is a by-product of an arrest made with probable cause.

7. What do you propose to do regarding the growing concern among many about forced labor, domestic servitude and/or exploitation of undocumented immigrants, particularly in the context of human trafficking?

Human trafficking exploits the vulnerable and helpless. Laws against human trafficking are prosecuted by the U.S. Attorney's Office. Recognizing and detecting human trafficking requires specially trained law enforcement officers because the activity is so cloaked in secrecy. I would encourage law enforcement to obtain training from the federal government, and propose that the County consider constructing a human trafficking shelter. The funding for the shelter could be secured by seeking federal grants. There would have to be a special "U" visa available to the trafficking victims granted by the U.S. Citizenship and Immigration Services.

8. There is a well known fear among undocumented immigrants of reporting crimes and predatory practices against their community, lest they face deportation. How do you propose to reach out to those communities to reduce this fear and target those who victimize undocumented immigrants?

Undocumented immigrants who are willing to cooperate with law enforcement in the investigation and prosecution of violent crimes are eligible to apply for a "U" visa, which allows them to work and live in the United States and to apply for permanent residency after three years. "U" visas will also be made available to family members. I would reach out to the Hispanic community to listen to their concerns about these matters, and try to work on a solution that can enhance their safety in their community, which would include the use of "U" visas.

9. Should prevailing wage laws be enforced for public financed projects?

Public bodies with publicly financed construction projects are required to provide the prevailing wage to contractors bidding on any particular project. The prevailing wage is calculated by determining a base rate along with other benefits such as health insurance. The prevailing wage allows all workers and contractors to compete fairly. Detractors of the prevailing wage laws intimate that paying the prevailing wage to union workers involves paying more than the project is really worth. In my opinion, the prevailing wage law insures that a project will not be built by a less expensive workforce who has less training, less skill, and less experience, which would ultimately cost the project more than skilled laborers. Regardless, construction companies and contractors should be held to the law in providing prevailing wages to laborers.

10. What is the Prosecutor's most important role in the administration of the COMBAT fund?

COMBAT was passed and re-passed by the citizens of Jackson County to fund an all-encompassing program to fight the use of illegal drugs. It consists of three basic components: (1) law enforcement; (2) substance abuse treatment; and (3) education and prevention. This tax funds law enforcement salaries and the drug court, along with other drug-prevention related endeavors. The elected prosecutor has the ultimate responsibility in administering COMBAT funds to insure that these funds are utilized for the appropriate purposes. The fund, consisting of millions of dollars received each year, must be under constant and close scrutiny. COMBAT should be audited bi-yearly by an independent auditor to insure that there are verified outcomes for each dollar spent. The public has the absolute right to know where their tax dollars are being spent.

11. What changes, if any, would you make to the expenditure of COMBAT funds?

As prosecutor, I would request that all agencies receiving COMBAT funds provide a detailed description and update of their programs. The needs of the agencies must then be prioritized. The budget may need to be adjusted to accommodate those priorities. We cannot just assume that each agency should receive the same amount of COMBAT funds that they received in the previous year.

12. Is a COMBAT-type approach a good idea to fund increased resources for fighting the gang/violent crime epidemic? Should there be a prosecution unit dedicated exclusively to street gangs?

The COMBAT approach has been replicated and duplicated across the country because of its comprehensive approach to fighting illegal drug use. It is an outstanding idea started by Albert Riederer and then brought to prominence by Claire McCaskill. The KCPD Gang Unit does receive some COMBAT funding through funds going to the KCPD Street Narcotics Unit. If KCPD has statistics and information that the Gang Unit should receive more funding from COMBAT, it is an important issue for the prosecutor and the County Legislature to consider.

It takes specialized training and education about gang culture and activity to effectively deal with the gang element in Jackson County. Jackson County needs a specially trained prosecution unit dedicated exclusively to street gangs. This unit should work closely with the KCPD Gang Unit, and have weekly briefings on gang activity from the KCPD Gang Unit.

13. Do you or have you ever supported placing limits on a woman's right to choose? If yes, please explain.

A woman has the absolute right to choose to abort a pregnancy pursuant to the guidelines outlined in Roe v. Wade, 410 U.S. 113 (1973). I have never supported placing limits on a woman's right to choose.

14. Do you support a constitutional amendment to secure the right of early stem cell research?

Stem cells are primarily obtained by scientists by utilizing pre-embryos created by the *in vitro* fertilization process. Informed and consenting adults donate these embryos when they no longer needed. These pre-embryos, which have not implanted themselves in a uterus, are the earliest human cellular formations. Scientists take the inner cell mass of this pre-embryo, and culture them. These cell cultures then can multiply into different lines, and can be utilized to treat disease, and even grow organs. An amendment to the Missouri Constitution allowing stem cell research would allow scientists to pursue exciting treatments for cardiovascular disease, cancer, diabetes, severe burns and birth defects, and many other crippling diseases.

15. What is the most challenging issue facing Democrats today?

The most challenging issue facing Democrats today is restoring public trust and accountability in government, from the top down. For the last eight years this country has been mismanaged by Republican leadership, causing us to be embroiled in a war and causing us to sink into an economic recession. Democrats need to unite - nationally, state-wide, and locally - and move toward finding solutions involving the participation of the many, and not the few and the rich. Democrats don't need to be fighting Democrats.

16. Do you or have you ever supported limiting an individual's right to a trial by jury, including placing artificial caps on the damages? If yes, please explain.

I do not believe in placing artificial caps on the damages in any situation. If a person is injured or damaged, he needs to be able to seek restitution in full in a trial by jury. Artificial caps on damages promote sloppy and careless behavior from doctors and other tortfeasors, give big breaks to insurance companies, and do not adequately compensate the injured.

17. Prior to running for office, please identify the progressive interest groups in which you have been involved and what legislation or policy issues the group(s) advocated.

None.

18. Prior to this campaign, please identify the Democratic campaigns in which you have been involved and describe your role.

None.

Please list and explain your top three priorities if elected:

1. Reach out to the various communities to ascertain concerns about public safety, and work with the communities and law enforcement to fashion solutions to those problems in the name of public safety.
2. Research sentencing alternatives to incarceration in ways that can benefit Jackson County and revitalize the urban core, including partnering with private industry to achieve those goals.
3. Re-evaluate all COMBAT expenditures.

Thank you for participating.

Please e-mail (if possible) your responses back to pat.mcinerney@huschblackwell.com. Your answers will be available to CCP members prior to endorsement in your race.