

**CVUV Candidate Questionnaire**  
**Albemarle Commonwealth Attorney**  
**October 2007**

Crime Victims United of Virginia (CVUV) is a nonpartisan victim's rights political action committee. You can learn more about our work at [www.cvuv.org](http://www.cvuv.org).

In an effort to learn more about candidates' positions on issues of importance to victims of crime, we have devised this questionnaire. We have asked you and your opponent in this year's election for Albemarle County Commonwealth's Attorney to answer the following questions, in an effort to decipher your positions on these important issues. Your responses to these questions may impact our endorsement of a candidate in this year's race for Commonwealth's Attorney, should we make such an endorsement.

We ask that your responses are received back no later than the close of business on Thursday, October 25, 2007. Please respond via regular mail and email.

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**1. Fair Treatment of Crime Victims**

**BACKGROUND:** The primary focus of CVUV is to ensure that crime victims in our community are treated with respect and dignity by the criminal justice system. While we live in a relatively safe community, someone is victimized by crime in the County every day. While these crimes vary in seriousness and range of punishment, they all have a significant impact on the victim. The Commonwealth's Attorney has perhaps the most significant role to play in ensuring such respectful treatment.

**QUESTIONS:** If elected, what will you do to promote and protect the rights of crime victims? Specifically, would you:

1. Solicit the input of the victim before agreeing to a negotiated disposition of any criminal case?
2. Ensure that victim impact statements are solicited in every case and provided to the court for consideration at sentencing?
3. Notify victims of important events in every criminal matter, both before and after conviction?

What other specific steps would you take to ensure that the rights of crime victims are recognized and protected?

## 2. Government Accountability

**BACKGROUND:** In Virginia and across the U.S., research shows that most voters choose candidates for Commonwealth Attorney based upon little or no information about the candidates' positions or record. Yet, the performance and commitment of these officials has a profound impact upon the lives and safety of crime victims. In Virginia, reliable criminal justice data is incomplete and difficult for the public to access, making it difficult or impossible to measure the performance of public servants in law enforcement.

**QUESTION:** Would you support the creation of a database and tracking system for the Albemarle Commonwealth's Attorney's office which would be compiled annually and made accessible to the public in an easily understood format which would include the following data:

- a. Number and type of all crimes reported by the public
- b. Number of arrests
- c. Cases referred to prosecutors
- d. Cases accepted by prosecutors
- e. Charging practices
- f. Plea Bargaining
- g. Final Dispositions and sentences
- h. Race of victim and perpetrator
- i. Assign a code to each case so that they can be tracked through the system, not lost

Please explain:

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### 3. Child Pornography

BACKGROUND: Child pornography has become a fast-growing, multi-billion dollar global market, creating an enormous demand for the sexual victimization of children. Research shows that over 80% of those arrested for possession of child pornography possessed images of actual child rape of children under 12. An estimated 55% percent of those arrested for possession of child pornography were known to have abused a child directly (40%) or attempted to lure a child for sexual purposes (15%). In a May article for *The Hook* the newspaper quoted Internet Crimes Against Children task force commander Lt. Mike Harmony as saying “In the month between January 1 and February 1, 2007, Harmony says, he tracked 143 leads coming from Charlottesville area IP addresses.”

QUESTION: To combat this urgent and growing threat to public safety, would you support:

1. Making the interdiction and aggressive prosecution of these known offenders a prosecutorial priority for the entire Albemarle Commonwealth’s Attorney’s office should you be elected?
2. Requesting Albemarle Police issue appropriate search warrants in all local child sexual assault cases?
3. Lobbying local and state authorities for increased resources for law enforcement initiatives aimed at child pornography, such as the Internet Crimes Against Children (ICAC) Task Force?

#### **4. Sexual Assault at UVA**

BACKGROUND: According to the [latest data released](#) by the UVA police, there have been 70 reported [sexual assaults](#) between 2004 and 2006, making sexual assault the third most common crime at UVA. The report also notes that 18 sexual assaults were reported to the UVA police, while 52 were reported to “other law enforcement agencies.” The report also suggests that police believe such assaults are “underreported.”

QUESTION: Given the prevalence of sexual assaults on campus and the problem of underreporting, what will you as Commonwealth’s Attorney do to:

1. Encourage victims of sexual assault to come forward and report sexual assaults?
2. Ensure that victims are treated with respect and dignity when they report sexual assaults?
3. Vigorously prosecute offenders?

## **5. Response to Virginia Tech Shooting**

**BACKGROUND:** The impact of the April 2007 shootings at Virginia Tech extend well beyond that campus. The tragedy led to the creation of a blue-ribbon panel which has examined the entire event and made specific recommendations, as well as several pieces of proposed legislation. These evaluations will help the law enforcement community learn from the tragedy and ensure that we are doing all we can to prevent a similar event in the future. As the top elected law enforcement official in Albemarle County, you will have an important role in responding to this tragedy and incorporating some of the changes proposed in the wake of the April shootings.

**QUESTION:** What steps would you take to prevent another mass shooting like that which occurred at Virginia Tech? Specifically:

1. Which of the many recommendations of the Governor's Commission do you support, and how would you work to implement those recommendations locally?
2. Do you believe the current system of background checks for gun purchasers is adequate to protect the public from dangerous individuals?
3. Are there sufficient mental health services available to arrestees and incarcerated individuals? If not, what should be done to increase such services?
4. Does UVA have an adequate emergency notification and response system in place in anticipation of an emergency on Grounds?

## 6. Gangs

**BACKGROUND:** Local law enforcement officials have noted a recent increase in gang activity in our community. They have made several arrests of alleged gang members and gathered information about the activities of criminal gangs. The Charlottesville-Albemarle Commission on Children and Families and other community groups have held community forums on gang activity in our neighborhoods and solicited input from local leaders about how to combat the problem. The lure of criminal gangs will continue to tempt our youth and demand a response from government, including the law enforcement community.

**QUESTION:** What would you as Commonwealth's Attorney do in response to the rise in gang activity?

1. Where do you place gangs and gang activity on the spectrum of law enforcement challenges in this community?
2. What factors have contributed to the spike in gang activity? How would you as Commonwealth's Attorney minimize those factors?
3. Is there sufficient statutory authority to punish gang activity? If not, what specific changes to the law would you propose?

## **7. Investigating Law Enforcement**

**BACKGROUND:** As the elected Commonwealth's Attorney, you will be tasked with investigating alleged misconduct by Albemarle County and other law enforcement. Accusations regarding the use of excessive force, improper brandishing or discharge of firearms, and insensitive, disparaging treatment of citizens are infrequent but do occur. The Commonwealth Attorney works closely with the Albemarle County Police Department and Sheriff's Office and relies on those agencies to gather evidence presented by prosecutors in court.

**QUESTION:** Are there particular rules which will govern your investigation of allegations of police misconduct? Specifically:

1. What are the biggest challenges facing local police agencies? What will you as Commonwealth's Attorney do in response to those challenges?
2. Does the investigation of officers create any actual or apparent conflict of interest for the Commonwealth's Attorney? If so, how will you resolve those conflicts?
3. Would you consider the referral of all or some police misconduct matters to a special prosecutor? If so, what factors would determine when to seek such appointments?
4. Does the Commonwealth's Attorney have a role in training police officers and helping them avoid allegations of misconduct? If so, what training priorities would you establish if elected?

**8. Other Issues**

In your view, what issues beyond those identified above have the most impact on crime victims? What steps do you propose on those other issues?