

PA PAC Questionnaire for District Attorney Candidates – 2022

Please return the completed form along with your resume or biographical statement describing education, work history, community service, and prior political experience, as well as a high-resolution headshot of yourself as soon as possible or no later than Saturday, Mar 19th at 5pm.

Please e-mail your responses to PAC Coordinators at papacboard@googlegroups.com by Saturday, March 19th at 5pm.

Please note that following the Saturday, March 19th at 5pm deadline, the People’s Alliance PAC may publish both your responses to this questionnaire and your resume.

When answering this questionnaire, please repeat the questions in your response document with each question numbered and organized as it appears here. Type your responses in italics, bold, or a different font to distinguish your responses from the questions. Do not use colors or shading. Please try to confine your responses to no more than 300 words unless another word limit is indicated. Do not feel obliged to exhaust the limit for each question.

If you use words or ideas from another person, please attribute your source.

Thank you for completing this questionnaire and for your willingness to serve the people of Durham.

Candidate’s name: Jonathan Wilson II

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About you:

1. Please describe if and how your religious and philosophical beliefs may affect your conduct and decision-making if you are elected.

As a devout Christian, my faith in God and belief in Jesus Christ guides the decisions I make in my daily life. It is of the utmost importance to me that I live a life in accordance His Commandments and embody the fruits of the spirit (which include love, peace, patience, kindness, generosity, faithfulness, gentleness, and self-control).

While I consider Jesus Christ to be my personal Lord and savior, I also recognize that others may not subscribe to the same faith system. I strongly believe that one’s personal religious convictions should not be used to oppress, disempower, or deprive others of fundamental human rights. I categorically reject discrimination based on religion (or lack of faith). As District Attorney(DA), would take a very hard stance against hate crimes based on one’s religious beliefs or lack thereof. There is no place for anti-Semitism, Islamophobia, homophobia, or other kinds of bigotry in a fair and just society. As DA, my job will be to uphold the law and ensure justice for all.

2. Please describe a situation in which you took a controversial position and explain how you handled it.

As a criminal defense attorney, I have represented individuals charged with heinous crimes. I handle the controversy of taking such cases by keeping the U.S. Constitution at the top of mind (specifically, the Sixth Amendment). Every defendant, no matter how egregious their alleged conduct, deserves a fair trial with counsel of his or her choice. The legitimacy of our criminal justice system depends on all parties having adequate representation. I handle controversy by focusing on the big picture, standing on truth, and managing my personal feelings. Any decision made or position taken for the greater good, is usually the best decision—even when controversial or unpopular.

3. Why should progressive voters support you? What expertise do you bring to your race?

Progressive-minded voters should vote for me because I am committed to making Durham safer, more inclusive, and bringing about healing and rehabilitation to the communities most impacted by crime. Durham's diversity is what makes it so special. However, it also makes it a target of stereotypes and stigma. I am well aware of the complex tapestry of social issues that leads to crime in Durham. My life experiences have positioned me to build a deeply personal connection and rapport with my clients, many of whom have been cast away as the "criminal class" of Durham (particularly, young, Black and Latinx men from underprivileged backgrounds). I sincerely believe that with increased outreach, accessibility, and efficiency, we can change the narrative and save lives.

I am not a politician. I am not an academic. I am a trial lawyer and a tireless advocate for the underserved. To bring about tangible change in Durham (specifically, lowering crime and preventing recidivism), we must strategically focus the resources of the District Attorney's office by aggressively and efficiently prosecuting violent crime and gun offenses, collaborating with law enforcement and other stakeholders, and engaging in consistent aggressive outreach efforts. I care deeply about Durham and will work tirelessly to make it a place where all people can feel safe and thrive.

4. Please describe your involvement in civic and professional organizations, noting any offices you may have held.

I currently serve as Vice President of the Board of Directors of Durham County Teen Court and Restitution Program, an organization with a mission of providing constructive opportunities for community service and victim restitution while holding juvenile and youthful offenders accountable for criminal and delinquent behavior. In addition, I am a member of the George H. White Bar Association, and the Durham County Bar Association (where I served on the CLE Committee).

About your practice of law:

5. Please describe your practice as a lawyer. Describe the areas of your practice and your specialties. If, over time, your practice has evolved or changed, describe the changes. Describe your various client bases as a part of your answer.

My primary practice area is criminal defense. I represent defendants facing a wide range of charges from traffic violations to drug trafficking and first-degree murder. I also represent victims in domestic disputes

seeking orders of protection from our courts. While I have a diverse client base, my client base is heavily comprised of Black and Latinx males between the ages of 15-40. I have a fair bit of clients who are native Spanish-speakers and require translation assistance. I primarily practice in state courts (60% District Court and 40% Superior Court), but I have recently started handling federal matters in the Eastern District of North Carolina. In addition to my criminal defense practice, I assist clients in family law and personal injury matters on a limited basis.

6. Please describe the nature and extent of any pro bono legal work or other volunteer work you have done which best illustrates your values as a lawyer and as a person.

I have handled countless criminal and family law matters on a pro bono basis. These matters have included defending charges of larceny and assisting with emergency custody hearings. Earlier in my career, I volunteered at El Centro Hispano (formerly the Hispanic Resource Center), where I provided pro bono legal advice. I have also served as a Guardian ad Litem in matters involving medical incapacitation.

7. Have you ever been the subject of a complaint to the North Carolina State Bar or the North Carolina Judicial Standards Commission? If the answer is yes, please explain the circumstances and the outcome.

No.

The District Attorney's Office:

8. If elected, in what ways will your office address and meaningfully impact the crime rate in Durham?

If elected Durham County District Attorney, my highest priority will be to reduce violent crime in Durham. I believe this can be accomplished by continuing to divert time and resources from minor and victimless crimes and aggressively prosecute cases involving violent crime and firearms. In addition to aggressively and efficiently handling cases involving violent crime and firearms, my office would increase its accessibility and community outreach efforts. Please see below for additional information:

PLEA BARGAINS: In cases involving guns and violent crime, I would implement policies to ensure that Assistant District Attorneys (ADAs) are trial-ready. I would revamp the current plea bargain practices which have resulted disproportionately light sentences being offered in situations involving serious (and sometimes heinous) crimes.

PRE-TRIAL RELEASE: I would impose stricter policies regarding pre-trial release in cases involving guns and violent crime. For example, N.C. Gen. Stat. §15A-533(f) provides that for safety reasons, when there is reasonable cause to believe that a person has committed a felony or Class A1 misdemeanor involving the illegal use, possession, or discharge of a firearm and the offense was committed while the person was on pretrial release for another crime involving a the illegal use of a firearm, the person must overcome a rebuttable presumption that no condition of pretrial release will reasonably assure the appearance of the person and the safety of the community.

Currently, this statute is rarely invoked by the current Durham DA's office, while it is widely used in other counties to ensure the safety of the community. This is one example of a practice/policy that I would immediately change.

VICTIM SERVICES AND COMMUNITY OUTREACH: *I would also improve the District Attorney's communication with victims and witnesses. I would make immediate staffing changes to ensure that victims are kept up to date regarding the cases in which they are involved, and their voices are heard in court. I would also increase the District Attorney and ADA's presence in the courthouse and community by enforcing mandatory office hours and appearances.*

9. Please describe your experience managing a large staff of professional and non-professional employees.

I have experience managing a small legal staff including a Junior Associate Attorney and Legal Assistants at my former firm. With respect to managing a large staff of non-professional employees, I have experience managing staff as a shift manager in the restaurant industry. While not considered professional experience, I have over 15 years of experience as a Head Coach where I have been required to manage a large group of players and assistant coaches moving toward a common goal.

10. What is the single most important challenge facing the Durham County District Attorney's Office? What will you do to address it?

The single most important challenge facing the District Attorney's Office is the sudden (and perceived) increase in violent crime, and citizens not feeling safe in Durham. With the spike in violent crime, the District Attorney's Office is charged with trying to balance fairness and equity with the safety/security of the citizens of Durham. I would address this by continuing to enforce policies that deprioritize petty crimes while taking a harder stance on violent crime and firearms. At the same time, I would make prosecutors more accessible and visible in the Durham Community and engage in aggressive outreach efforts in communities most affected by crime (please see response to Question #8).

11. What policies, training, hiring practices, or other measures will you implement to address the disparate prosecution of people of color and people who are poor in our criminal justice system?

As District Attorney, it will be my job to recognize the role racial and ethnic bias plays in how crimes are prosecuted in our County and take steps to prevent these biases from interfering with the administration of justice. I will continue the policy of declining to prosecute certain petty offenses such as simple possession or overcharge/request bail for persons charged with minor offenses. These policies will reduce unnecessary police involvement in lower income areas and communities of color and free up critical prosecutorial resources to focus on violent crime and felonies. I will also heavily utilize diversionary programs when appropriate and ensure that ADAs are trained to recognize racial bias in the discharge of their duties.

Concerning law and policy:

12. How can our legal system be more equitable and accessible to all?

While equity and accessibility to the legal system starts with initial police interaction, the District Attorney's office must ensure the thoughtful charging of crimes to ensure that its efforts are not unnecessarily punitive, but instead are narrowly tailored to have an impact on safety. Most importantly, DA and ADAs must be more accessible to members of the public who are involved in cases (particularly victims of crime). There are immediate changes needed in the Durham County District Attorney's Office

to ensure that it maintains open lines of communication with the community. Improving communication and deepening authentic community engagement is how you make our legal system equitable and accessible to all. If elected DA, I will make staffing changes on day one to ensure that members of the District Attorney's office are available to the community.

13. What, if anything, will you do to minimize the impact of immigration consequences in our community on justice-involved people? Specifically, please address the impact of Class H and I felony convictions on removability and deportability, given NC structured sentencing guidelines, and how this may impact your prosecutorial decisions and plea bargaining.

Throughout my practice, I have always fought for those who are undocumented and subject to immigration consequences. As an intern at the Wake County Public Defender's Office, I remember being in court with my undocumented clients while Immigration and Customs Enforcement (ICE) waited outside to take them away. I will never forget how frustrated and powerless that made me feel. It seemed to me that their humanity and the interests of their families weren't taken into consideration. If I am elected DA, I will serve undocumented individuals and others without legal residency status with compassion. As it relates to Class H and I felonies, I believe it is important to evaluate each case and to seek to come up with an appropriate resolution that would not impact a person's immigration status. In certain cases, I would offer informal deferrals which could lead to dismissals or reduce Class H and I felonies to misdemeanors that would not impact one's immigration status.

14. What can be done to address the impact of DWLR or No Operators License convictions?

If elected, I would decline to prosecute charges of No Operators License (NOL) and Driving While License Revoked (DWLR) for those who do not have the ability to obtain a license due to legal status so long as they have not been involved in an automobile accident or other infraction such as driving under the influence. In addition, I would ensure that The Durham Expunction and Restoration Program (DEAR)(which assists people whose licenses are suspended for failure to pay fines) was made more accessible to defendants.

15. What types of crimes should be prioritized for prosecution?

Violent crimes, firearm offenses, crimes against children, and any crimes which violate the sanctity of the home (such as burglary and breaking and entering) will be expedited and aggressively prosecuted under my leadership.

16. How can the District Attorney's Office improve its support of victims of crimes?

The District Attorney's Office needs more staff designated to assist victims. For example, in the last three years, at least two Victims Assistant positions were eliminated and replaced by public relations/social media-focused positions. This has created a communication gap with victims, who are not being notified of court dates and updates in their cases. In some cases, victims have not been notified by the District Attorney's office that their cases have been dismissed. If elected, I will take prompt action to ensure that victims are supported and informed.

17. How can the efficiency of District Court be improved? Superior Court?

Currently, there is a backlog of cases in both District and Superior Courts. This backlog cannot be addressed without mandatory office hours and an increase in staff assistants. To resolve cases, the DA and ADAs must be more available and present for court. Recently, the DA's office was operating on a schedule where the ADAs were only in the office two days a week. This policy prevented cases from being resolved in a timely manner. In addition to being present, ADAs should be more accessible to defense attorneys and pro se defendants. To accomplish this, I would assign an ADA in a separate negotiation room to meet with defense attorneys, while allowing an ADA inside the courtroom to address victims and the Court. In addition, I would improve coordination between the DA's office and law enforcement and revamp the felony screening process to emphasize getting reports to the screener in the DA's office quicker, so ADAs can be assigned, and victims can be contacted as soon as possible.

With respect to Superior Court, I would make it a priority that the DA's office exchange all discovery with defense attorneys in a timely fashion. That requires working with law enforcement to ensure that all evidence is collected in cases and making sure victims are aware of the status of their cases.

18. What are the shortcomings of law enforcement in Durham? What can be done to correct them? Specifically, please address the interaction of the DA's office with DPD and the Sheriff's Department.

The pandemic has put strain on law enforcement. In light of the staffing shortages, officers are overworked, and certain departments have been shut down and relocated. The District Attorney and law enforcement share a common goal, and that goal is to ensure the safety of the community and to pursue justice. This means working together to make sure that the citizens of Durham are protected and that if a crime is to occur, the victims have a voice. Currently, there is a disconnect between the DA's office and current law enforcement. Under my leadership, the DA's Office and law enforcement agencies will work together collaboratively in intelligence-gathering placing a focus on violent crime.

19. What do you think of economic justice within the context of the justice system? Please address prosecutors' role in setting bail and in seeking fines, fees and restitution in your response.

As District Attorney, I would make every effort to ensure poverty is not criminalized. When it comes to the economic implications of criminal justice, I would only seek the remuneration necessary to ensure appearances and deter crime, and in the case of restitution, seek only the amount necessary to restore the victim. Specifically, while bail amounts are decided by the judge, the District Attorney can enforce a policy where only reasonable bond recommendations are made in cases that do not involve violent crimes or firearm offenses.

In addition, fines should only be requested if statutorily mandated. With the continuous rise in court costs, many people are unable to pay court cost and fines. This results in civil judgments and other consequences that can contribute to the cycle of economic disempowerment (which in turn, results in more crime). I would also implement a policy where it is mandatory for ADAs to request that jail fees be waived for every defendant.

20. How has the COVID-19 pandemic changed the functions of the position you occupy or are seeking?

While I hope that the darkest days of the COVID-19 pandemic are behind us and we are moving back toward normalcy, the isolation and devastation caused by the pandemic cannot be overstated. Certain members of the community (particularly the Black and Latinx community) were more likely to feel the financial strain caused by the pandemic: they were more likely to be unemployed or have jobs as essential workers which exposed them to the virus and took them away from their homes and left their children without supervision during school closures. The strain caused by the pandemic led to an increase in violent crime (particularly domestic violence). As District Attorney, I would ensure that ADAs consider the impact of the pandemic on each case, and exercise prosecutorial discretion to decline to prosecute certain low-level offenses which do not jeopardize public safety. In cases that involve violence in the home, I will ensure ADAs are in contact with victims and connect them (and defendants) with resources needed to prevent further abuse.

21. As District Attorney, how would you make the prosecutors in your office more accessible to victims, defendants, and defense attorneys?

The DA's office needs more Victim's Assistants to serve as liaisons to keep the lines of communication open. With respect to defense attorney and defendants, the DA's office must enforce mandatory office hours. In the courtroom, there should always be at least one ADA to run the docket and resolve cases that are ready for disposition. As DA, I would assign one DA to a negotiation room to meet with defense attorneys to prevent interruptions inside the courtroom and unnecessary delays. For cases that are screened to district court, I would make sure that an ADA has reviewed the case and is prepared to resolve those cases in a timely manner. Please also see answer to Question #16.

Your politics:

22. For whom did you vote in the 2020 United States Senate and presidential elections?

I voted for the Democratic candidates in both races: Cal Cunningham and Joseph R. Biden.

Again, thank you. **Please do not forget to provide us with your headshot and a resume or biographical statement.**