

People's Alliance PAC 2023 Questionnaire for North Carolina District Court Judge Candidates

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, but no later than Saturday, April 1 at 5pm, at the latest.

Please e-mail your responses to PAC Coordinators at papacboard@googlegroups.com by Saturday, April 1 at 5pm.

Please note that following the Saturday April 1 at 5pm deadline, the People's Alliance PAC may publish 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 your willingness to serve the people of Durham.

Candidate's name: **Ameshia Cooper Chester**

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Judges and judicial candidates in North Carolina are allowed substantial freedom of political speech. PA PAC believes that every question in this questionnaire may be answered fully within the scope of the applicable rules. For more information on the scope of permitted political speech for judicial candidates, we refer you to the March 2, 2022, memorandum of the Judicial Standards Commission on Permitted Political Conduct. You may find it at:

<https://www.nccourts.gov/assets/inline-files/JSC-3-16-22-Political-Conduct-Memo.pdf?VersionId=ePz7Gk6WyhubUTd5nry0pmUIIX41fuZ3?ePz7Gk6WyhubUTd5nry0pmUIIX41fuZ3>

1. What currently motivates you to be a district court judge and how have you prepared for this role?

My passion for serving my community has motivated me to seek the office of District Court Judge in Durham County. Serving my fellow man is the very fabric of who I am and I believe that serving one's community as a District Court Judge is the highest level of service one can give. Every professional role I have held has

prepared me to be a compassionate, thorough and effective District Court Judge. Additionally, I have spoken with practitioners, district court judges and other community stakeholders in an effort to become familiar with the subject matter, demands and challenges of the position, and I am prepared to step into the role confidently, if appointed.

2. What do you think is the single barrier to justice and what would you adopt as your judicial philosophy?

There are many barriers to justice. Racial inequity, income disparity, lack of education and access to information are the barriers I believe to be most impactful.

As a District Court Judge, I will approach each case with an open mind, listen carefully to the facts and apply the applicable law. I will take into consideration the entire person who stands before me and, no matter the outcome, treat the attorneys and litigants with kindness and compassion. With the barriers I have articulated in mind, I will sensibly exercise the judicial discretion I possess to issue fair and reasonable judgments and orders. I will not rush to judgment in any case, but where the facts and law are clear, I will issue timely rulings. Where additional study or research is needed, I will quickly conduct that study and research in order to make a ruling. In criminal cases, I will hold the State to its burden of proof, beyond a reasonable doubt, and order sentences that are not punitive, but address the underlying action and seek to keep the community safe.

3. What biases would be difficult for you to overcome and how will you overcome those biases for the administration of justice?

As a Black woman, I am keenly aware of inherent biases that perpetuate racism, sexism and classism and thereby impede the administration of justice. In the past, particularly in the courtroom setting, when a person dressed in a manner that did not acknowledge the formality of a court proceeding, I mistakenly believed that said dress or attire indicated a lack of care or concern for their legal matter. This bias was nurtured by the existing policy of denying litigants the ability to have their cases heard if they were not wearing sleeves or a belt. I realize now, this practice often caused humiliation where the situation was already difficult or embarrassing.

I know now that people do the best that they can with what they have and what they know. If selected to serve Durham as a District Court Judge, I will make a concerted effort to put any and all biases aside when hearing cases and making rulings.

4. 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.

I served as an Assistant District Attorney in Durham County for nearly five years. I became well acquainted with the mechanics of a district courtroom and developed a love for interacting with court personnel and members of the public. I also gained significant trial experience and honed my knowledge of the North Carolina Rules of Evidence. I served as the sole Juvenile Delinquency Prosecutor for two years and established a comprehensive working knowledge of the law pertaining to criminal violations, juvenile delinquency, traffic violations, domestic

violence, probation, civilian generated warrants and involuntary commitment procedures. I also assisted with the administration of Drug Treatment Court and the Misdemeanor Diversion Program. I was promoted to the position of Felony Domestic Violence Prosecutor and worked to ensure that victims were supported. My time as an ADA also allowed me to foster and maintain meaningful working relationships with key stakeholders in the criminal justice system.

Serving the North Carolina Attorney General's Office has allowed me to represent the State in several criminal appeals before the North Carolina Court of Appeals. As a result, I am a skilled legal writer and researcher. I have advised and litigated on behalf of the NC Sheriffs' Commission, the NC Criminal Justice Commission and the NC Alcoholic Beverage Control Commission. These matters are civil in nature and gave me an appreciation for the challenges of representing clients. I have also developed a comprehensive understanding of the law governing the officer certification process in North Carolina.

Currently, I prosecute criminal violations of North Carolina's tax laws on behalf of the North Carolina Department of Revenue. I have begun to cultivate a comprehensive understanding of the various types of taxes as I assist in securing the return of misappropriated tax funds to support some of our state's vital functions.

5. If your practice is primarily focused on criminal law, how will you address the learning curve associated with learning about civil law? If your practice is primarily focused on civil law, how will you address the learning curve associated with learning about criminal law?

I have obtained significant civil experience during my time at the Attorney General's Office. I have litigated numerous cases in the Office of Administrative Hearings where the Rules of Civil Procedure apply, hearings are evidentiary in nature and are recorded, much like cases in civil district court. I have drafted proposed orders at the conclusion of each hearing which contain Findings of Fact and Conclusions of Law. Additionally, I have defended the North Carolina Alcoholic Beverage Control Commission against the imposition of temporary restraining orders, also civil in nature.

On several occasions, when taking on new roles, I have been required to master new practice areas or subject matter quickly. The first of which was when I became the sole Juvenile Delinquency Prosecutor in Durham County. I researched the statutes, met with the juvenile defenders and visited with the Juvenile Court Counselors to gain insight into each party's role, how the law was applied and the courtroom procedures. When I joined the Attorney General's Office and was assigned to the law enforcement commissions, I had never practiced in the Office of Administrative Hearings and was unfamiliar with the North Carolina Administrative Code. I visited with Commission staff, studied the Commission's rules and statutes, and observed hearings to improve my competency. I believe these experiences, combined with my significant criminal law background, have prepared me for the transition to District Court Judge.

6. North Carolina incarcerates an extraordinary number of people, including persons convicted of non-violent crimes. Those who are incarcerated are disproportionately people of color. What, if anything, should the legislature and our courts do to address the issues of mass incarceration and racial bias in the administration of justice?

I was privileged to serve as staff to the Governor's Taskforce on Racial Equity in the Criminal Justice System. In that role, I made a presentation to one of the work groups advocating for the decriminalization of offenses, such as Failure to Return Rental Property and Vehicle Tint violations, as well as city and county ordinances that criminalize poverty, including panhandling and sleeping in a public place. I believe that if the General Assembly took these actions we would see less BIPOC and low income individuals incarcerated and involved in the justice system.

With regard to our courts, when judges are required to sentence defendants, they should look at the nature of the offense and ensure that the consequence for that offense is proportionate to the action. Judges should be mindful of probationary sentences that will only cause the defendant to be incarcerated later down the road, due to the inability to comply with the imposed conditions. Judges should also consider whether alternatives to incarceration are appropriate and utilize those alternatives where appropriate.

7. Should the North Carolina General Assembly abolish the death penalty?

Yes, the death penalty should be abolished because it disregards the humanity of those sentenced to it.

8. What, if anything, should be done to improve access to justice for people with limited financial means or who mistrust the system? How should courts handle requests to waive court costs, fines, failure to appear fees, probation supervision fees, attorney's fees, and bail in criminal court?

The courthouse should contain a resource center where service providers maintain staffed satellite offices. There should be materials available at that resource center to outline every resource offered within the county (whether the service is county-funded or offered by non-profit organizations) as well as a social worker with knowledge of the available resources.

Requests for waiver of court costs, fines, failure to appear fees, probation supervision fees and attorney's fees should be granted where the law allows and it has been articulated that the imposition of such fees would pose a hardship. Cash bail in criminal cases should only be used as a means to ensure a defendant's appearance at court and keeping the community safe. Where there are safe alternatives to incarceration while a defendant awaits resolution of their case, those alternatives should be seriously considered.

9. What does racial equity mean to you and how does racial equity inform your work as a District Court judge? Have you any special training in issues related to racial disparities and equities?

To me, racial equity is an acknowledgement of the impact that white supremacy has had on the achievable outcomes of Black and Brown people and the taking of meaningful steps to ensure that Black and Brown people enjoy the same level of security, success and joy as white people. As a District Court judge, I will be mindful of the influence white supremacy has had on the people who come before me and, where possible under the law, exercise judicial discretion to reach equitable rulings. This may mean sentencing an undocumented person to unsupervised probation as opposed to supervised probation, for example.

I attended a racial equity training hosted by the People's Alliance and presented by Alexa Broderick of the Equity Paradigm in 2020.

10. What are your thoughts on Durham's current diversion programs? If you believe these programs should be changed in any way please describe how and why.

I am familiar with the Teen Court and Restitution Program, Drug Treatment Court and the Misdemeanor Diversion Program. I believe each of these programs work well because they have clearly defined requirements, meaningfully incentivize the participants to be compliant when participating and have an important educational component. I believe it is necessary to give community members the opportunity to learn and grow from their actions and to empower them with the knowledge to make different decisions if faced with difficult choices in the future.

11. What is the most significant challenge we face in our Durham civil court system and what can be done to address it?

The recent reports detailing the length of time Durham children spend in the foster care system and the time it takes to resolve cases in our Abuse, Neglect and Dependency (AND) Court is a significant challenge. I have read the EmancipateNC/Thrive Tribe report and spoken with Attorney Simpson about the situation and I believe that many of the suggestions contained in that report might help to alleviate the issues we currently face. Funding will be a hurdle for some of the recommendations, but instituting time-slot scheduling and virtual hearings to ensure that all necessary parties are present when their case is scheduled may lead to swifter resolutions in cases. Utilizing Family Centered Treatment for biological families and seriously considering all safe options for the children involved will renew trust in the court process. I also believe that encouraging a sense of partnership among the stakeholders in AND Court will assist in the administration of that courtroom.