

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.

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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?

I want to become a District Court Judge to continue my career of service to North Carolina and the people of Durham. My years of experience seeing the worst of the justice system through the Innocence Inquiry Commission and the best of the justice system through my work with restorative justice have given me a unique and balanced perspective.

For eight years, I was the Executive Director of the North Carolina Innocence Inquiry Commission. During that time, our work resulted in eight exonerations. We shone light on the most grave mistakes made by the justice system. Errors, bias, tunnel vision, and rushed process resulted in innocent people locked away for decades. If I am chosen to serve, I will be a judge that always upholds the high burdens of the law and due process because I know the disastrous consequences of a rush to judgment.

During my time as an Assistant District Attorney, I embraced restorative justice and created a model program for the DA's Office. I have personally represented The State through the first felony case to undergo a formal restorative justice process. I am now finalizing the first restorative justice homicide case in North Carolina. Restorative justice is the only time I have seen the system leave people better than we found them. If I am appointed, I will treat people who enter the criminal and civil courts with respect and genuinely listen to what they think is important.

I believe the justice system is in transition. Bringing my career of service to the wrongfully convicted, victims of crime, and transformative practices to the bench would serve Durham well. My experience as a restorative justice practitioner would help me expand the work further in Durham District Court and share my knowledge with other judges across the state.

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

I believe there are many barriers to justice, but a thread woven through all of them is the machinery of the system that treats people *en masse* rather than as unique individuals who have different needs. The justice system has become adept at moving huge volumes of cases through the District Courts. It is important to move cases swiftly and not delay proceedings, but this is how we have created a mill to mass incarceration, destruction of families, and rubber stamp family court proceedings.

My judicial philosophy will be to listen carefully to all who appear before me and respect their perspective. People deserve to be heard fully when they appear in court. In civil court, I will seek opportunities to use mediation, parenting coordinators, and restorative practices. In criminal court I will look for diversions, restorative justice, and non-traditional alternatives to incarceration.

I believe the role of a judge is to be patient and attentive. A judge must follow the law and make difficult decisions, but there is always room for compassion and a willingness to apply non-traditional approaches. My passion for restorative justice reflects the values I hold to see each person as a whole person. This is the type of judge I will strive to be each day and in each courtroom.

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

I must guard myself against the bias to see others' perspectives through my own experiences. My goal as a judge is to genuinely listen to people and respect their assessment about what they need, be they a civil litigant, a parent, a defendant, or a victim of crime.

However, I recognize that many people do not feel safe in the justice system to relay their needs to a lawyer or a judge. It is easy to write someone off as being disinterested or disrespectful when they

may actually be scared or wary. A judge must remember that none of the proceedings are personal to them.

Guarding against biases takes constant vigilance, self-examination, and a desire to never stop learning. In my own life, I love people who have struggled with addiction, debilitating mental health disorders, and capacity different than my own. I will continue to expand my world and my perspective by building relationships with people who have different experiences than my own.

If I am selected to serve, I will build a reputation in the community as a judge who knows the law, genuinely listens, and is kind and respectful to all who appear before me.

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 have been a public servant my entire career. From 2004 through 2007, I served as an Assistant District Attorney in Durham. I began my career in District Criminal Court, District Traffic Court, and District First Appearance Court. After a year, I became the Juvenile Court Prosecutor and worked in Drug Court. Then, I moved to Domestic Violence Court and handled both felony and misdemeanor cases. From my early career, I became well versed in all of the Durham County Criminal District Courts and learned how judges could effectively manage dockets and make careful legal decisions.

From 2007 through 2015, I served as the Executive Director of the North Carolina Innocence Inquiry Commission. This was a post-conviction practice that covered the entire state. Our work resulted in eight exonerations. One man had served 39 years in prison for a crime he did not commit and another awaited execution on death row.

In 2015, I returned to the Durham District Attorney's Office. I have tried over 30 jury trials including 10 homicide trials. Under District Attorney Satana Deberry, I serve as the team lead for our Special Victims Unit and handle cases in District and Superior Court.

I also serve as the Restorative Justice Liaison for the District Attorney's Office. After a career witnessing trauma, I longed to find a way that the criminal justice system could see people as individuals and to give them a more active role in defining accountability. I found that in restorative justice, where crime victims are allowed to express the complexity of their pain and offenders are accepted as whole people. In 2017, I moved the first felony case in North Carolina through a formal restorative justice process. I am now finalizing the North Carolina's first restorative justice homicide case.

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?

My practice has primarily been in the criminal court system, although at the Innocence Inquiry Commission we used the rules of civil procedure for depositions and service of process. I wrote extensive civil format briefs and presented cases before non-jury hearings.

I am dedicated to expanding my knowledge of the law. I have read the Durham Rules of Civil and Family Court. The School of Government offers a benchbook for family court judges and extensive judicial trainings.

Under District Attorney Satana Deberry, I am the team lead for our Special Victims Unit. I manage a team and my own large caseload of domestic violence, sexual assault, and child abuse cases. My work in this role often overlaps with civil cases in Family Court, Abuse/Neglect/Dependency Court, and Civil Protective Order hearings.

Many of the child abuse cases I prosecute have a concurrent process with Child Protective Services. I am familiar with those procedures and have attended many trainings regarding child abuse laws and investigations. Some of my domestic violence cases also cross into family court for child custody, equitable distribution, and divorce proceedings. My training in recognizing the cycle of power and control will give me the wisdom to seek truth in those courtrooms.

District Court Judges also preside over civil protective order hearings. My experience working with survivors will make me a compassionate judge who listens with respect. I will never interject my own personal opinions. A victim centered approach means that how a survivor is treated in court will play a part in whether they will call the police or seek protection from the law if the abuse continues.

I am committed to learning the complex civil laws for each courtroom. I will apply the experience of my entire career to ensure that I retain the judicial demeanor and work ethic that all litigants deserve.

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?

The ultimate answer is that the justice system is too flawed for reform and must be replaced. At this time, we do not have a clear model for a new and better system. I believe that it is the duty of those who work in the current system to embrace new ideas and seek ways to transform the very idea of justice. It is the work that we are doing now that will shape what a new and better justice system can embody.

The work to recognize the harm caused by the criminal justice system, especially to people of color, is the first step. This brings awareness and prepares society for change. I was proud to have been part of this work at the Innocence Inquiry Commission, shining the light on wrongful convictions. Seven of the eight exonerees during my time at the Commission were indigent Black men.

Next, accountability to those harmed needs to be addressed in reparations and restoration. Some of this work is being done in Durham through the DEAR Program with license restoration, mass expunctions, and postconviction relief. Accountability to those harmed needs statewide expansion and funding.

The final component is prevention. I believe that diversions and restorative justice work are foundations that will be at the core of a better system. We have a responsibility to expand ways to deincarcerate and provide genuine services to help those who have been harmed by violence as well as those who have caused harm. I am extraordinarily proud that Durham is leading the way with the Criminal Justice Resource Center diversion programs, RJ Durham, HEART, and other programs that I hope are showing us the path forward to a new criminal justice system.

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

Yes. All my life, I have actively opposed the death penalty. When I was in law school, I interned at the Center for Death Penalty Litigation and helped write a brief that earned a new trial for a man on death row. The Supreme Court opined that the “trial was riddled with errors.” Later, I created an art exhibit at Duke Law School featuring works by persons on death row. I wanted to show the humanity of prisoners through their paintings, drawing, and written works.

During my time at the North Carolina Innocence Inquiry Commission, two of the men exonerated through the work of the Commission and their dedicated lawyers at the Center for Death Penalty Litigation had served on death row. One man’s sentence had previously been commuted to life due to his young age, but the other man was second in line for execution. Their innocence was proven through DNA evidence and exhaustive investigation. Two other exonerees had pled guilty to a murder they did not commit in order to avoid the death penalty.

We know with absolute certainty that our justice system is so terribly flawed that innocent men are sentenced to death. For this reason alone, the General Assembly has a duty to repeal the death penalty.

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?

Justified mistrust of the system runs deep for defendants, crime victims, and civil litigants. The result can be that victims of violence don’t call the police, defendants do not participate in probation programs, parents do not seek custody agreements, or survivors do not apply for protective orders.

As a prosecutor, I have worked with countless victims of crime who have such great mistrust that they ultimately refuse to attend court. In the Special Victim’s Unit, we provide connection to resources and trust the survivor’s own safety plan. It is our hope that being respected in this encounter will leave someone more willing to seek future help from the criminal justice system if needed.

In two particular cases with victims who were previously traumatized by the court system, I was able to achieve a positive non-court outcome through Restorative Justice. One family would not attend court because of immigration and deportation fears. Another family would not attend court because of trauma from prior proceedings where their children had been removed. In both of those cases, the work was done at churches where the families felt safer. Ultimately, we achieved accountability and support for these families that left them with something they considered justice.

I am proud that Durham has embraced waiving court fines and working to restore people’s chance to obtain a drivers license through the DEAR program and other expunction work.

I am learning more about the drawback to making fines and fees a civil judgment. I am troubled that interest accrues on these civil judgments. A person can be shackled with a debt that may prevent them from later obtaining housing, building credit, or even held against their parental rights. I believe that the court system must stop seeking to fund its own existence on the backs of the poor.

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?

I have attended at least four specific race equity courses and many smaller CLEs or short trainings. The intensive workshops I have completed are:

- *Together Towards Racial Justice Two-Day Workshop*, Taught by the Vera Institute, September 2020
- *Implicit Bias: Prosecuting Ethically*, Taught by Rachel D. Godsil and Song Richardson of the Perception Institute, January 2017
- *Race Equity Two-Day Workshop*, Hosted by Racial Equity Institute, LLC, September 2016
- *Dismantling Racism Weekend Workshop*, Hosted by DRworks, July 2015

I am committed to continuing to learn and admitting when I have been wrong. I know that I will never fully understand the effects of living with discrimination, but I trust the truths of those who have lived it and are giving me the chance to listen.

To me, racial equity is working towards a goal where people are given opportunities that are not predetermined for them based on their race. It is the goal of achieving better outcomes and opportunities for people of color.

I will continue to attend racial equity trainings. I hope there are offerings specifically for judges to teach how to guard against biases from the bench. If there are not offerings for judges, I will be a part of requesting those trainings.

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.

Durham has developed a significant menu of diversion options. The Criminal Justice Resource Center now hosts the Misdemeanor Diversion Court and the Post-Arrest-Diversion Program (PAD). I was honored to be part of the pilot program for PAD. We proved that successful diversion of felony cases for people with prior criminal records was achievable.

In 2017, I sent the first felony in North Carolina through a formal Restorative Justice Process. I then created the Restorative Justice Program for the DA's Office and District Attorney Satana Deberry made me the office liaison for restorative justice. This program and other transformative processes have revolutionized Durham's criminal justice system. Offenders are finding a different type of accountability, one that recognizes they too need support. Crime victims are finally given a choice to ask for what they actually need instead of just a maximum criminal sentence.

One of the reasons I want to serve as a Judge is to expand access to these programs. I have unfortunately encountered multiple times in District Court where the time limits created obstacles to accessing diversion programs. I often have transferred cases to Superior Court to expanded access to diversion programs. As a judge, I will have been an attorney practitioner and pioneer for many diversion

programs. I will use my experience to open access for more people to benefit from diversions. It is our responsibility in the justice system to keep expanding our ideas about diversion and access to programs.

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

The pandemic and high case volumes have left Durham's Family Court and Abuse/Neglect/Dependency Court with significant backlogs. A delay of even a few months is unacceptable. This can result in delay in reunification of a family, custody determinations, equitable distribution, and protective orders.

If I am appointed, I will review the civil case files prior to the week's calendars. The parties will not waste time first "catching up the judge." I will enter each session ready to delve into the hearings. I will make timely and clear rulings. I will return written orders efficiently.

I am a hard worker and a team player. I am excited to work with the other District Court Judges to help expand court access for temporary hearings in family court and make sure that our courts meet the volume of civil protective order requests. The honor of serving as a district court judge means that the people of Durham deserve my very best each day and I am eager to give that.

End