

RI ACLU 2010 CANDIDATE SURVEY – ATTORNEY GENERAL

CANDIDATE: Joseph M. Fernandez

Please respond to the following questions. If you wish to offer explanatory comments to any of the questions, please limit them to 50 words or less.

1. Do you support legislation authorizing same sex marriage?

Yes No

2. Do you support amending the state’s anti-racial profiling law to prohibit law enforcement agencies from extending routine traffic stops by asking motor vehicle passengers for identification in the absence of reasonable suspicion of criminal activity?

Yes No

A blanket prohibition could adversely impact officer safety. I would partner with law enforcement to continue the work I began as a private citizen to implement policies and train officers to reduce crime without engaging in racial profiling.

3. Do you support legislation that would generally reduce from ten (10) to seven (7) days the time for state agencies to respond to public records requests?

Yes No

4. Do you support decriminalizing the simple possession of small amounts of marijuana?

Yes No

This issue should not receive a knee-jerk reaction. I would look closely at the legislation proposed and review results in other states before making a decision.

Though we need to make sure that limited public resources are targeted at the most compelling crime issues, my first priority is the public safety of our citizens.

5. Gov. Carcieri's executive order of March 27, 2008, instructed the RI State Police to enter into a 287(g) agreement with US Immigration and Customs Enforcement, to enable State Police to investigate violations of federal immigration law. Many police superintendents around the country have spoken out against 287(g) agreements, citing the dissolution of trust and cooperation between the police and immigrant communities that results when local police are seen as enforcers of civil immigration law. Do you support a rescission of that part of Gov. Carcieri's executive order relating to 287(g) agreements?

Yes No

I would seek opportunities to reach out to minority and immigrant communities. Developing trust between law enforcement and the community is essential to successful crime prevention. Immigration is a federal issue that needs a comprehensive federal solution because states simply do not have the resources available to enforce federal law.

6. The same executive order requires all companies doing business with the State to use the federal government's E-Verify program despite estimates from the Congressional Budget Office that mandatory nationwide participation in E-Verify could cost businesses billions of dollars in implementation expenses. Do you believe that employers who wish to do business with the State should be required to participate in the E-Verify program?

Yes No

The E-Verify system currently isn't working, and it's too easy for employers to use it as an anti-worker tool. What we really need is comprehensive immigration reform at the federal level.

7. The new national health care reform law requires women who participate in health exchanges to pay their insurers separately for abortion-related

coverage, creating potential financial disincentives for insurers to offer such coverage. Do you support ensuring that Rhode Islanders will have the option to obtain abortion coverage through health plans in the State's health exchanges?

Yes No

8. Do you support giving public funds in the form of vouchers to students attending private/religious sponsored schools?

Yes No

9. If implemented at the state level, the federal Adam Walsh Act would require the posting of the names and city of residence of juvenile sex offenders on the Internet. Do you support this practice?

Yes No

It does not appear it would lead to better public safety, and would not increase the state's ability to rehabilitate juvenile offenders enough to justify a change in current state law.

Several states have declined to implement it because of very high costs – higher than the corresponding loss in federal dollars. I do not want to inflict an unfunded mandate on Rhode Island taxpayers.