

Questionnaire for Candidates for Alameda County Superior Court Judge

BASIC CANDIDATE INFORMATION

1. Name as it will appear on the ballot: **Victoria Kolakowski**
2. Office sought (include office, jurisdiction, position/district number) **Alameda County Superior Court Judge, Seat 9**
3. What is your current occupation or elected office? **Administrative Law Judge**
4. Are you the incumbent? **No**
5. How long have you resided in this district and city? **I moved to Alameda County in 1990, and have lived here since except for a brief period for personal reasons.**

CAMPAIGN CONTACTS

Campaign Name:	Kolakowski for Judge 2010
Address:	285 Hanover Avenue, #1
City, State, Zip:	Oakland, CA 94606
Name of staff contact:	
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OUR ISSUES

Please answer the first five questions in 250 words or less

- 1. Jury service is an incredibly important and valuable civic duty. However, jury participation is declining with many citing financial burden, and many well-qualified jurors talk their way out of being selected. How would use your position as a judge to encourage jury participation in our court system?**

Most directly, judges can impress upon the jury pools the importance of service, and can be vigilant in jury selection (voir dire) to ensure that those who are unfit are excused while those who are not remain to the extent possible.

Fundamentally, the answer starts outside the courts. I believe that judges need to be ambassadors to the community, to explain the system, to inform the public about problems in the courts, and to be visible. If judges visited the schools, they might be able to teach civil responsibility to people early.

Sadly, in an era when corporate executives cannot even be bothered to register to vote, and the public does not discourage that behavior when they later decide to run for high office, civil participation is becoming devalued in our culture. However, that is no excuse for those in a position to encourage participation to be so silent.

- 2. The state's prisons are overcrowded and under-resourced. Offenders are being granted early release back into the community due to budget cuts. How will state and local budget cuts affect your work as an Alameda County Superior Court judge? Will you have discretion to use scarce resources wisely, and what will your priorities be as you do so? We are especially interested in youth involved in family or juvenile court.**

Alameda County courts have already had layoffs and are closed one day a month due to budget cuts. It is a shame that our judges aren't making this an issue in the community.

In addition, many of the social services which provide assistance dealing with issues such as drug abuse, youth services and assistance for the indigent are impacted, which makes it harder to help people turn their lives around.

There is pressure to release prisoners, including juveniles, back into the community using electronic surveillance equipment. This is not just a question of community safety, but for youth, placing them back into their environments, often with broken families and troubled peers, without additional resources doesn't address the problems that got them into trouble in the first place.

While judges cannot become partisan advocates, they can inform the public about the court system, and can lobby for that system. One area in particular is important. The Administrative Office of the Courts, the state agency that oversees the court system, is flush with cash, and has been working on a case management software system that will eventually cost over \$2 billion. It makes no sense to continue to work on such items when courts are laying off the people who are running the court system.

- 3. We understand that judges and judge candidates are limited in their ability to discuss their stance on many political issues. In lieu of that, please describe your life experiences that led you to run for judge, why you are running, and what kind of judge you want to be.**

I come from a working class background. I was the first in my family to graduate from college. I am still repaying my student loans!

I know that I am fortunate to have been blessed with opportunities unavailable to others. Therefore I have dedicated my public and personal life to community service, as detailed below. I have never pursued wealth or status, but have tried to help others who haven't had the same opportunities.

I believe that the bench should reflect the diversity of our community. Only 29% of the judges are women, none are visibly LGBT, in a county with a large LGBT population.

When I became an administrative law judge, I became the first out transgender judge in the U.S. If elected, I would be the first transgender judge in a trial court of general jurisdiction in the U.S. This matters, because transgender people generally interact with the legal system in limited ways, primarily as a victim or as a sex worker (many transgender women can only survive on the street). For judges, prosecutors, attorneys, police and others to interact with a transgender person as a judge would help immensely to reduce our stigmatization. I am the best positioned person to break through this barrier.

I have the experience, the demeanor, and the independence to be a fair and open-minded judge, because that is what I've been doing for the past four years.

4. Although you are limited to discuss political issues during your campaign, young people are extremely concerned with Alameda County's high death penalty rate. What is your position on the death penalty?

The California Code of Judicial Conduct states that:

A candidate* for election ... to judicial office shall not
(1) make statements to the electorate ... that
commit or appear to commit the candidate* with respect to cases,
controversies, or issues that could come before the courts...

My interpretation of this Canon is that it does not preclude my describing my prior activities, as long as I am clear that my personal opinions will not be the basis for my decisions from the bench, and that I am not committing to any outcome of any cases, controversies, or issues that could come before the courts.

It is clear that when handling a capital case, the utmost of care must be exercised, given the severity and irreversibility of the death penalty.

When I was working on my M.P.A. degree at L.S.U. in Baton Rouge, Louisiana, I prepared a statistical study, in conjunction with the local NAACP, on race and the death penalty in Louisiana. I found:

- (1) Prosecutorial discretion is almost impossible to evaluate, because there is no comprehensive publicly available data to determine which cases are never brought to trial.
- (2) The race of the defendant was strongly related to the severity of the final sentence.
- (3) The race of the victim was almost perfectly correlated to the severity of the final sentence.

Alameda County is not Louisiana, but it is not immune to biases. Judges need to be alert to potential problems that would result in an unfair process.

5. Have you collaborated with young people in your community work in the past (list specific examples)? How are young people involved in your campaign? How will you continue to involve young activists in your work after you are elected?

I was 28 when I moved to Alameda County and California. Within six months, I was president of what was then the East Bay Lesbian/Gay Democratic Club (now the East Bay Stonewall Democrats), and soon began co-authoring Berkeley's domestic partner registration ordinance. I recruited young activists for leadership in that group, including my successor, as well as for other groups. In my early thirties I was serving on the county Democratic central committee and the state party executive board, and helped elect one of the leaders of the Young Dems, Tal Finney, to state party controller.

I know and appreciate the input, energy and drive of young activists. I believe that is one of the reasons that I have support from leaders like Berkeley Councilmember Jesse Arreguin, Sean Dugar (former President of the California NAACP's Youth & College Division), Edie Irons and Richard Fuentes.

I have a large and active Facebook group for the campaign, and if elected, I will work with EBYD to inform the public about what is happening in the court system.

ACCOMPLISHMENTS FOR YOUTH

Please describe in detail at least three of your accomplishments that have improved the lives of young people. These examples should illustrate skills and capabilities that apply to the office you are seeking. These accomplishments may have occurred at any time in your personal, professional, or public life.

As chair of Berkeley's Human Welfare and Community Action Commission, I was a leader in determining which social service agencies were offered contracts to serve the poor of Berkeley. I presided over hearings in which over fifty contracts with community-based non-profits were considered. I advocated for services for youth, people with disabilities and seniors, and that those services not perpetuate unhealthy gender stereotypes and that faith-based services remained secular. These services included job training and placement, recreation, and peer mentoring in the schools.

As co-chair of the board of the Transgender Law Center, I am an advocate for our employment-related programs, which are helping transgender people, including trans youth, to get meaningful employment. Studies have shown that a majority of transgender people are either unemployed or underemployed, and addressing and reducing employment bias is a key issue key for the transgender community.

I have been a leader in the marriage equality movement for many years, including serving as a community liaison for Marriage Equality USA since 2006, and before that, in getting legal recognition for same-sex relationships. I co-authored Berkeley's domestic partner registry in the early 1990s, and I worked with numerous local agencies and governments to create domestic partner programs. Marriage equality has a major impact on young people. First, stable families are important for children, and the children of same sex couples benefit from marriage equality. Second, removing stigma is important for LGBT teens, who have a high suicide rate and suffer unduely from alcohol and drug abuse, as well as homelessness. Finally, it is important to all youth to live in a world as free from bias as possible.

EXPERIENCE

Please list or describe your current and past activities in the community in which you have acquired skills that relate to the office you seek. Include your role in the activity and the year(s) in which you were involved. Involvement consists of many areas such as family, neighborhood, community, employment, or public life. You may also list endorsements here.

Please see attached resume and endorsement list below.

Endorsements as of March 25, 2010

Present and Former Public Officials

Betty Yee, *Chair, California Board of Equalization*
Sheila Jordan, *Alameda County Superintendent of Schools*
Keith Carson, *Alameda County Supervisor*
John Russo, *Oakland City Attorney*
Doug Linney, *President, East Bay Municipal Utilities District Board*
Linda Handy, *Peralta College Trustee*
Max Anderson, *Berkeley City Council*
Jesse L. Arreguin, *Berkeley City Council*
Darryl Moore, *Berkeley City Council*
Kriss Worthington, *Berkeley City Council*
Ruth Atkin, *Emeryville Mayor*
Grant F. Peterson, *Hayward Unified School District (Former)*
Rebecca Kaplan, *Oakland City Council*
Mark Leno, *State Senate*
Bevan Dufty, *San Francisco County Supervisor*
Leslie Katz, *San Francisco County Supervisor (Former)*
Steve Ngo, *San Francisco Community College Board*

Organizations

Alameda Labor Council, AFL-CIO
California Nurses Association
East Bay Stonewall Democratic Club
Gays & Lesbians Organized for Betterment & Equality of Alameda County
Gay & Lesbian Victory Fund

Judicial Officers

Hon. Dorothy Duda, *Administrative Law Judge, CPUC*
Hon. Janet Econome, *Asst. Chief Administrative Law Judge, CPUC*
Hon. Jessica T. Hecht, *Administrative Law Judge, CPUC*
Hon. Janice L. Grau, *Administrative Law Judge, CPUC*
Hon. Myra Prestidge, *Administrative Law Judge, CPUC*
Hon. Linda Rochester, *Administrative Law Judge, CPUC*
Hon. Richard Smith, *Administrative Law Judge, CPUC*
Hon. Charlotte TerKeurst, *Asst. Chief Administrative Law Judge, CPUC*
Hon. Jean Vieth, *Administrative Law Judge, CPUC*
Hon. Christine Walwyn, *Administrative Law Judge, CPUC*
Hon. Mark Wetzell, *Administrative Law Judge (Retired), CPUC*

Attorneys

Sharon Braz
Alex Cleghorn
Christina DiEdoardo
Lisa Rae Dummer
Shay Aaron Gilmore
Paul Melbostad
Rebecca Prozan, *San Francisco Asst. District Attorney*

Renee Ross
David L. Roth, *Former Vice President, State Bar of California*
Matthew Rothschild
Scott Wiener

Community Leaders

Stephen Adams
Karen Anderson, *Member, Oakland Commission on Aging*
Rev. Sky Anderson
Jonathan Bair
John Bass *Former President, Castro Valley Democratic Club*
Leslie Bonett, *Member, Oakland Measure Z Oversight Committee*
Nancy Carleton, *Former Chair, Berkeley Zoning Adjustments Board*
Cecilia Chung
Masen Davis
Sean Dugar, *Former President, California NAACP Youth & College Division*
Rev. Michael Patrick Ellard
Richard Fuentes
Jamison Green
Sylvia Guerrero, *Mother of murdered transgender teen Gwen Araujo*
Nancy Holland, *Former Chair, Berkeley Public Works Commission*
Frank Howell, *Member, Alameda County Commission on Aging*
Edie Irons
Judy Jackson
Paul Matzner
Rev. Jim Mitulski
Lynn Ann Riordan, *Member, Berkeley Community Health Commission*
Nicky Roosevelt
Donna Sachet
Lucy Sells
Sean Sullivan, *Member, Oakland Community Action Partnership Administering Board*
James Williamson

(Partial List)
All Organizations and Titles for Identification Purposes Only