

#1

COMPLETE

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Page 1

**Q1**

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**Q9**

**Yes**

Do you support the use of remote court hearings?

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**Q10**

Do you believe Utah should continue to decrease its incarceration rate?

**Yes,**

Please explain your answer choice if you'd like::  
Perpetrators of violent crime and other serious public offenses should be kept safely behind bars. But not everyone charged with a crime deserves jail. Treatment, counseling, community service, and education are effective alternatives to jail that prevent crime and rehabilitate offenders.

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**Q11**

Individuals with mental health concerns and psychiatric disabilities are overrepresented in jails and prisons across the country. Will you commit to enacting policies to divert defendants with mental health concerns away from the criminal legal system and into treatment and support services in the community?

**Yes,**

Please explain your answer choice above, if you'd like::  
Counseling and treatment are an essential component of rehabilitation. For a Defendant experiencing mental illness, incarceration should include treatment and counseling, and when a defendant is safe for release probation should likewise include such treatment.

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**Q12**

In the criminal legal system, the vast majority of cases are resolved through plea agreements rather than through trials. What role do you believe plea agreements should play in Utah's criminal legal system?

When a defendant participates in shaping his own punishment through plea bargaining, that person is more likely to successfully complete probation by engaging in treatment, counseling, and paying court-ordered fines and restitution.

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**Q13**

If elected, what will you do to ensure that the plea agreements being offered to defendants are fair?

The purpose of the criminal justice system is to deter crime, punish bad behavior, and rehabilitate offenders. A good plea bargain fulfills all such objectives. In addition to being fair to the Defendant, a plea bargain must also be fair to crime victims and to the communities who are negatively impacted by criminal behavior.

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**Q14**

Do you support the use of diversions and pleas in abeyances?

**Yes,**

Please identify the situations in which you believe diversions and pleas in abeyances are appropriate:: Under the right circumstances, an offender deserves the right to earn a reduction or dismissal of the charges against them. A Plea in Abeyance or Diversion is an effective tool that creates a habit of good behavior by promising dismissal when counseling, restitution, and other objectives of crime-free living are demonstrated.

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**Q15**

Do you support alternatives to incarceration? Why or why not? If any, which alternatives to incarceration do you support?

Yes. In appropriate circumstances I support crediting day-for-day enrollment in residential treatment against jail time. In other circumstances community service hours, home confinement, or ankle monitoring may also appropriately be credited against or substituted for jail time.

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**Q16**

Do you agree that prosecutor practices have contributed to mass incarceration?

**Yes,**

Please explain your answer:: Prosecutors exercise a measure of discretion in what cases are charged, and what punishment to pursue. However, legislatures also shape incarceration levels through the laws that they create. Judges also shape incarceration rates through the punishments they impose, and criminals themselves also shape incarceration rates through the crimes various they commit.

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**Q17**

People with a criminal conviction face long term barriers to housing and employment, among other consequences, as a result of contact with the criminal legal system. Will you commit to implementing policies to mitigate these consequences?

**Yes,**

Please explain your answer choice above, if you'd like:: I believe in allowing offenders who have lived crime-free the opportunity to earn post-conviction reductions in the level of the offense (or sometimes even full dismissal) by successfully completing court-ordered counseling, treatment, restitution, and a meaningful period of crime-free living.

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**Q18**

What will you do to change these racial disparities in your county?

Equity demands that people be met where they are. A good prosecutor will recognized that certain advantages of forms of privilege enjoyed by some people are not enjoyed by others. When public safety is not compromised, I will seek to ensure that every defendant receives fair opportunities to succeed.

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**Q19**

Will you make different charging decisions when there has been racial profiling or racial bias in a case?

**Yes,**

If so, please explain how. If not, please explain your thinking further::

Racial profiling is illegal, and racial bias has no place in the criminal justice system. Defendants must be charged for the crimes that they commit, and the harm that they cause to crime victims and to society.

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**Q20**

Do you support internal anti-bias training for prosecutors?

**Yes**

**Q21**

Will you thoroughly and transparently investigate claims of police brutality and officer involved shootings?

**Yes,**

Please elaborate::

I have already prosecuted conflict cases for other jurisdictions against law enforcement officers who have violated the law in those counties. When an officer is suspected of violating the law in my own county, I will see that an outside agency conducts and impartial investigation, and that an outside prosecutor screens and (if necessary) prosecutes such cases.

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#2

COMPLETE

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Page 1

**Q1**

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**Q9**

**Yes**

Do you support the use of remote court hearings?

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**Q10**

**Yes**

Do you believe Utah should continue to decrease its incarceration rate?

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**Q11**

**Yes**

Individuals with mental health concerns and psychiatric disabilities are overrepresented in jails and prisons across the country. Will you commit to enacting policies to divert defendants with mental health concerns away from the criminal legal system and into treatment and support services in the community?

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**Q12**

In the criminal legal system, the vast majority of cases are resolved through plea agreements rather than through trials. What role do you believe plea agreements should play in Utah's criminal legal system?

I believe that plea bargains should be eliminated. They are inherently coercive. The government should always have to prove the allegations it makes against fellow citizens. Plea bargains, by definition, allow the government to gain a conviction without proving the allegations in the case.

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**Q13**

If elected, what will you do to ensure that the plea agreements being offered to defendants are fair?

I have committed to eliminating plea bargaining.

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**Q14**

**Yes**

Do you support the use of diversions and pleas in abeyances?

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**Q15**

Do you support alternatives to incarceration? Why or why not? If any, which alternatives to incarceration do you support?

The violent and dangerous belong in prison. But that's only 90% of those in the criminal justice system. The 90% of non violent offenders need a non incarceration option to pay their debt to society.

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**Q16**

Do you agree that prosecutor practices have contributed to mass incarceration?

**Yes,**

Please explain your answer::

Prosecutors control the entire criminal justice system. Plea bargains are the core source of virtually every problem in the criminal justice system. Plea bargains only occur because prosecutors allow them. The vast majority of problems in the criminal justice system are caused by prosecutors.

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**Q17**

People with a criminal conviction face long term barriers to housing and employment, among other consequences, as a result of contact with the criminal legal system. Will you commit to implementing policies to mitigate these consequences?

**Yes**

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**Q18**

What will you do to change these racial disparities in your county?

**Respondent skipped this question**

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**Q19**

Will you make different charging decisions when there has been racial profiling or racial bias in a case?

**Respondent skipped this question**

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**Q20**

Do you support internal anti-bias training for prosecutors?

**Yes**

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**Q21**

Will you thoroughly and transparently investigate claims of police brutality and officer involved shootings?

**Yes**

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#3

COMPLETE

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Page 1

**Q1**

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**Q4**

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**Q8**

**Respondent skipped this question**

Campaign Phone Number:

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**Q9**

Do you support the use of remote court hearings?

**Yes,**

Please explain your answer choice if you'd like::

Remote court hearings increase participation by all parties and reduce impact on court resources.

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**Q10**

Do you believe Utah should continue to decrease its incarceration rate?

**Yes,**

Please explain your answer choice if you'd like::

Incarceration inherently damages health, especially mental health. Pre-trial detention in particular also disproportionately affects low-income and racial minority populations. I support use of alternatives to incarceration, when available.

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**Q11**

Individuals with mental health concerns and psychiatric disabilities are overrepresented in jails and prisons across the country. Will you commit to enacting policies to divert defendants with mental health concerns away from the criminal legal system and into treatment and support services in the community?

**Yes,**

Please explain your answer choice above, if you'd like::

During my first term, my office, the Moab District Court, our mental health treatment providers, and our local defense bar began our first informal mental health court, held separately from our typical law and motion calendar. Participants are required to present themselves to the judge more frequently so that the mental health court team can observe their progress with treatment. Since our numbers are low and there is no funding, there are still hurdles to overcome to expand this program into the future, but we have taken an important first step. I will continue to explore outside funding for more mental health programs that could benefit Grand County.

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**Q12**

In the criminal legal system, the vast majority of cases are resolved through plea agreements rather than through trials. What role do you believe plea agreements should play in Utah's criminal legal system?

Plea bargains should continue to play an important role for both those charged and those who have been victimized. Plea bargains can lower incarceration rates and recidivism, increase participation of defendants in substance abuse programs, mental health programs and domestic violence programs, and provide earlier closure and healing to victims of crimes while providing an early case resolution that honors the victims rights in the plea bargain process. Appropriate and proportionate plea bargains reduce backlogs in the courts and can place the focus of the courts on the more serious cases.

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**Q13**

If elected, what will you do to ensure that the plea agreements being offered to defendants are fair?

Approaching each case with sensitivity and a sense of humanity is essential to reaching fair and just resolutions. I seek justice, community safety, and rehabilitation, not a high conviction rate.

Generally, I am and have been committed to each defendant's right to hire a lawyer, understand their appeal rights, take sufficient time to consider the plea bargain, and discuss the plea bargain in court. I am also committed to hiring diverse prosecutors. GCAO has two prosecutors: one a woman and the other a Latino male who is fluent in Spanish.

Specifically, all plea bargains should look at the whole picture and not just a charge or criminal history. To ensure fairness to all offenders, plea bargains should be offered equally across the board. With the hiring of our second prosecutor, combined with our experienced Chief Deputy, we will be implementing a review process of plea bargaining and offers for DUIs, DVs, and other cases to ensure the plea bargaining process is objective.

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**Q14**

Do you support the use of diversions and pleas in abeyances?

**Yes,**

Please identify the situations in which you believe diversions and pleas in abeyances are appropriate::  
Diversions are appropriate in those instances where there are extenuating circumstances in play, such as those incidents that might involve mental health issues or breakdown. They are also appropriate for first time non-violent offenders who may benefit from programs rather than punishment. PIAs can also be appropriate to first time offenders, or those with little to no criminal history. PIAs provide an incentive to an offender to change their criminal behavior and are especially helpful for those who opt to participate in drug court. PIAs should be structured for success for the offender.

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**Q15**

Do you support alternatives to incarceration? Why or why not? If any, which alternatives to incarceration do you support?

Drug court and mental health court are two great programs to help provide the support and treatment individuals need to lead healthy lives. Community service and probation are important programs as well to ensuring convicted individuals are giving a meaningful chance to give back to the community. House arrest can be an important tool in certain non-violent cases as well. GPS monitoring and the use of SCRAM devices are alternatives to incarceration that allow offenders to continue to work while protecting victims and the community by monitoring their locations and alcohol use.

**Q16**

Do you agree that prosecutor practices have contributed to mass incarceration?

**Yes,**

Please explain your answer::

Sentencing laws with mandatory minimums set by legislation mean that a prosecutor's discretionary charging and plea bargaining decisions can determine the outcome of the case. For these reasons, it is important that prosecutors have anti-bias training, resources to combat compassion fatigue, and reasonable workloads. In addition, transparency with the community and media is important to ensuring accountability in the office. In addition, prosecutors whose focus is on justice and not "wins" are what this country and Utah needs to help combat the mass incarceration that has been occurring. A prosecutor who forgets what their role is in the criminal justice system, is a prosecutor who ends up adding to the mass incarceration we see in this country. Prosecutors who are properly trained and use bargaining tools, alternatives to incarcerations, etc., are the prosecutors who can help to reduce incarceration and recidivism.

**Q17**

People with a criminal conviction face long term barriers to housing and employment, among other consequences, as a result of contact with the criminal legal system. Will you commit to implementing policies to mitigate these consequences?

**Yes,**

Please explain your answer choice above, if you'd like::

Minimizing pre-trial detention and incarceration in all possible cases is critical to reducing the impact of these barriers. Grand County is small; however, and the community works together to keep folks in the criminal justice system housed and employed. One program that Grand County is extremely excited about implementing in the future is the 24/7 sobriety program which will allow DUI offenders to keep their driver's license and maintain their employment while still ensuring the safety of the community. The Utah Legislature adopted the 24/7 program in 2018 as a pilot program and expanded that program in 2021 to be implemented state-wide in counties that are interested in adopting it, and Grand County sees the benefit and will do everything in its power to see it implemented once it is our turn.

**Q18**

What will you do to change these racial disparities in your county?

The racial demographics in the Grand County Jail largely match those of the community, which means our local jail population is overwhelmingly white. With that said, I support and require anti-bias training for my prosecutors and staff, and I have worked hard with our Sheriff and Police Chief to alert them to any concerns I have with biases of their officers.

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**Q19**

Will you make different charging decisions when there has been racial profiling or racial bias in a case?

**Yes,**

If so, please explain how. If not, please explain your thinking further::

If the basis of a stop is illegal, then the Grand County Attorney's Office will decline the case. We do not and would not file cases in which there is evidence of racial profiling. Cases that are submitted to our office for charging, are charged based on the evidence and not all cases are charged and not all offenses are charged.

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**Q20**

Do you support internal anti-bias training for prosecutors?

**Yes**

**Q21**

Will you thoroughly and transparently investigate claims of police brutality and officer involved shootings?

Please elaborate::

The Grand County Attorney's Office is not an investigating agency and does not have an in-house investigator to conduct investigations of police brutality. If our office became aware of a claim of police officer brutality, we would immediately refer that claim to another county to investigate and then prosecutor. In addition, if another county requested that we screen a case involving police brutality, we would do so and do so objectively and without bias.

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#4

COMPLETE

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Page 1

**Q1**

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**Q4**

Candidate name:

Troy Rawlings

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**Q5**

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**Q6**

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**Q9**

Do you support the use of remote court hearings?

**Yes,**

Please explain your answer choice if you'd like::

For some hearings, but not all hearings. Evidentiary hearings where testimony or evidence are taken should be in person. Many felony sentencings should be in person.

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**Q10**

Do you believe Utah should continue to decrease its incarceration rate?

**Yes,**

Please explain your answer choice if you'd like::

The honest answer to that questions depends upon the crime rate and types of crimes being committed. As Utah's population grows and more serious victim centered crime is committed, there will naturally be an increase in incarceration for those types of serious threat to public safety persons. Decreasing incarceration for non-violent individuals who do not pose a public safety threat is a good goal to pursue, but we must also as a state fund viable alternatives / programs / treatment or we are not doing those individuals who will be on the criminal justice carousel any favors. Let's not just decrease incarceration because it sounds good, let's help individuals and society by decreasing the criminality as the primary way to decrease incarceration.

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**Q11**

Individuals with mental health concerns and psychiatric disabilities are overrepresented in jails and prisons across the country. Will you commit to enacting policies to divert defendants with mental health concerns away from the criminal legal system and into treatment and support services in the community?

**Yes,**

Please explain your answer choice above, if you'd like::  
We already to this in Davis County with various programs such as a receiving center, diversion program, plea in abeyance and mental health court for those who need the structure and positive feedback from a judge and treatment providers to get them on track and try and keep them there. Some of these folks need structure for a time to get used to a schedule, going to treatment and keeping appointments, UA's, and taking meds. Many persons with mental health issues are not able to do those things on their own so programs that assist them are optimal in enhancing their ability to function and reducing their criminality and incarceration.

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**Q12**

In the criminal legal system, the vast majority of cases are resolved through plea agreements rather than through trials. What role do you believe plea agreements should play in Utah's criminal legal system?

Plea agreements are vital to the criminal justice system. They must be fair, constitutionally appropriate and based on the facts / admissible evidence, law and relevant circumstances such as victim input in cases where there are identified victims.

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**Q13**

If elected, what will you do to ensure that the plea agreements being offered to defendants are fair?

My answer to question 12 is incorporated herein. We will continue to do what we have been doing ever since I was elected in Davis County, be fair. We dismiss cases that need to be dismissed for legitimate reasons instead of offering a plea to get something out of what should be nothing. We do not overcharge to extort pleas to lesser offenses. We are not a rubber stamp for law enforcement and we decline about 1/3 of the cases that come to our office off of the top because they should not be prosecuted so those cases do not have to get to a plea agreement stage. This is critical. We will continue to do what we do and I wager if you reach out to members of the Utah Defense Bar who regularly practice in Davis County, you will hear that we actually walk the walk of fairness in our office.

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**Q14**

Do you support the use of diversions and pleas in abeyances?

**Yes,**

Please identify the situations in which you believe diversions and pleas in abeyances are appropriate::  
Case by case basis. There are a ton of scenarios where diversion and plea in abeyance arrangements are appropriate, fair and serve the interests of justice for the community, victim and defendant. We use these tools regularly in the Davis County Attorney's Office. For example, almost all defendants in Mental Health Court are on a plea in abeyance. Diversion is used regularly for lower level offenders who do not pose a public safety risk, where there are no significant victim issues and where the defendant is actually willing to engage and do what they must do in order to benefit from the arrangement. Prosecutors in the Davis County Attorney's Office have the discretion and judgment to consider diversions, plea in abeyance or even dismissal on a case by case basis where they determine such a route serves justice best.

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**Q15**

Do you support alternatives to incarceration? Why or why not? If any, which alternatives to incarceration do you support?

Yes. We do have a vibrant drug court, mental health court and diversion program in Davis County. We have a division in our office called "Rehabilitation Services" with a case manager. On a case by case basis, I can support all such programs that actually have funding, can make a meaningful difference, where the victim agrees if there is a victim, and where you have a defendant willing to engage and get to work on self-improvement. I do not support just saying we are going to reduce incarceration and then doing nothing meaningful.

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**Q16**

Do you agree that prosecutor practices have contributed to mass incarceration?

**No,**

Please explain your answer::  
Not in Utah. Prosecutors are not overzealous to incarcerate simply to incarcerate. Incarceration is a tool to be used wisely / judiciously and it is my view that prosecutors in Utah are doing just that. Some people actually need incarceration. Many do not. Prosecutors in Utah, in my experience, are trying to get it as right as can be done given the nature of our system and human experience.

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**Q17**

People with a criminal conviction face long term barriers to housing and employment, among other consequences, as a result of contact with the criminal legal system. Will you commit to implementing policies to mitigate these consequences?

**Yes,**

Please explain your answer choice above, if you'd like::  
Yes, and we already do. That is a primary function of a public prosecutor, protect constitutional rights while addressing public safety. Sometimes you better address public safety by using tools that do not end up in conviction / incarceration, but rather help folks not engage in criminality moving forward. All of our policies in the Davis County Attorney's Office are geared to constitutionally based public safety, which absolutely means we are concerned for the due process and equal protection rights of defendants as well as victim's rights. The primary mechanism of achieving this laudable goal is not prosecuting and not convicting individuals who should not be, using diversion and plea in abeyance tools to avoid convictions on a case by case basis where appropriate and dismissing cases that need to be dismissed once we learn of legitimate reasons to do so post filing. However, some persons absolutely need conviction / incarceration so the proper balance must be met by using discretion wisely on a case by case basis.

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**Q18**

What will you do to change these racial disparities in your county?

I would like to see Davis County specific data to answer this question thoroughly. Our office does not factor race in at any point in the equation on any case unless we are pursuing a hate crime enhancement based on race as the articulable evidentiary factor. The 2017 report you refer to says this: "This data point was initially raised in our first annual report, though we now plan to conduct more research into the issue, including analyzing sentencing guideline placement and presentence recommendations for minority and white offenders and controlling for other factors. These findings will be released as a follow up issue brief to this report." I will be surprised if the data shows racial disparity in Davis County whatsoever. If it does, then we will look at why and what should / can be done to address it in a meaningful way.

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**Q19**

Will you make different charging decisions when there has been racial profiling or racial bias in a case?

**No,**

If so, please explain how. If not, please explain your thinking further::  
Is this intended to be a trick question? This is not new. We have already been addressing this for years in Davis County. We did not need sentencing guidelines to tell us that law enforcement should not be racially profiling in arrests, stops or searches when bringing charges against individuals. We have not and do not condone such unconstitutional practices so there is no need for us to change a thing. Our obligations to exercise our discretion and not allow unconstitutional arrests, stops or searches exit independent of and long before the 2021 sentencing guidelines.

**Q20**

**Yes**

Do you support internal anti-bias training for prosecutors?

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**Q21**

Will you thoroughly and transparently investigate claims of police brutality and officer involved shootings?

**Yes,**

Please elaborate::

Yes. We do, have and will continue to do so. Our protocol for investigating such cases happens to be in large part what the Utah State Code adopted. Our protocol for quality investigation and transparency is top-notch and involves usually at least 13 agencies. We have a case pending against an officer right now in District Court for misusing force. We have prosecuted multiple police officers (about a dozen) since I have been the elected DA in Davis County for a variety of crimes. We will continue to do so as the evidence justifies.

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#5

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Page 1

**Q1**

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**Q4**

Candidate name:

J. Robert Latham

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**Q5**

County:

Washington

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**Q6**

Campaign Website:

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**Q8**

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801-872-3133

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**Q9**

Do you support the use of remote court hearings?

**Yes,**

Please explain your answer choice if you'd like::  
Facilitating remote participation in court hearing by both prosecutors and respondents to State petitions and their attorneys increases access to justice and conserves both party and judicial resources. Protecting our constitutional rights, along with due process and statutory requirements, necessitates in-person hearings in certain circumstances.

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**Q10**

Do you believe Utah should continue to decrease its incarceration rate?

**Yes,**

Please explain your answer choice if you'd like::  
Incarceration for violent crimes reduces violent crime rates. Incarceration for a crime without a victim increases crime rates. Non-custodial sentences -- such as restitution and restorative justice initiatives -- reduce recidivism, and are credible, cost-effective substitutes for incarceration, which should be considered as a last resort, not a default punishment.

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**Q11**

Individuals with mental health concerns and psychiatric disabilities are overrepresented in jails and prisons across the country. Will you commit to enacting policies to divert defendants with mental health concerns away from the criminal legal system and into treatment and support services in the community?

**Yes,**

Please explain your answer choice above, if you'd like::  
The talents of our skilled professionals in the jails and prisons are overtaxed when individuals with psychiatric disabilities and mental health concerns are incarcerated. The construction of the Washington County Receiving Center is a welcome recognition that incarceration is a counterproductive approach for our neighbors in crisis.

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**Q12**

In the criminal legal system, the vast majority of cases are resolved through plea agreements rather than through trials. What role do you believe plea agreements should play in Utah's criminal legal system?

The Cato Institute's Clark Neily cites three factors that make plea bargains unfair: 1) pretrial detention, 2) resource disparities and a lack of independence for court-appointed defense counsel, and 3) the "trial penalty". Properly-administered pretrial risk assessments help determine if pretrial detention is appropriate. Independence from county commission interference with and adequate resourcing of court-appointed defense counsel, which I support, addresses Mr. Neily's second concern. And seeking proportionate and appropriate sentences can protect our constitutional rights to trial and due process.

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**Q13**

If elected, what will you do to ensure that the plea agreements being offered to defendants are fair?

Plea agreements will be regularly evaluated for their efficacy in addressing the circumstances that brought the defendant to court, and for not creating a net harm to our community through criminogenic effects.

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**Q14**

Do you support the use of diversions and pleas in abeyances?

**Yes,**

Please identify the situations in which you believe diversions and pleas in abeyances are appropriate::  
Because, if I am elected, the Washington County Attorney's Office will not file criminal charges in cases in which there is no victim (an individual whose bodily autonomy or owned resource has been aggressed against), the use of diversions and pleas in abeyance may be rare. That said, I will be open to the use of diversions and pleas in abeyance in cases where there is a victim, such as when the victim supports their use. Although I welcome constructive dialogue with seasoned line prosecutors and law enforcement professionals, I anticipate being more open to the use of diversions and pleas in abeyance than my predecessors.

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**Q15**

Do you support alternatives to incarceration? Why or why not? If any, which alternatives to incarceration do you support?

Yes, I support alternatives to incarceration. One reason I support alternatives to incarceration is because of my role as a lawyer for persons who are incarcerated at the Central Utah Correctional Facility in Gunnison, Utah. There is limited rehabilitative programming at the CUCF. Members of prison gangs pose a threat to others in the custody of the Utah Department of Corrections, the CUCF's staff, and members of their own gang. Unprescribed controlled substances and intoxicants are available to those in UDC custody, despite convictions of both persons who are incarcerated and some former UDC staff members who have admitted bringing such contraband into the prison. Although I support incapacitating predators, I support alternatives to incarceration that keep our community safer over the long-term.

Returning to an earlier response, non-custodial sentences -- such as restitution and restorative justice initiatives -- reduce recidivism, and are credible, cost-effective substitutes for incarceration, which should be considered as a last resort, not a default punishment.

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**Q16**

Do you agree that prosecutor practices have contributed to mass incarceration?

**Yes,**

Please explain your answer::

Prosecutorial practices contribute to mass incarceration. But other constituencies play a role -- including but not limited to -- politicians who stoke public fear through "tough on crime" campaigns, industries that profit from and lobby for the construction, maintenance, and operation of prisons and jails, and for more punitive criminal laws to feed the bloated and wasteful prison-industrial complex (PIC). And although outside the lane of a county attorney's official duties, it's worth acknowledging that the Federal Reserve Bank's past expansion of the money supply has helped perpetuate the illusion that expensive mass incarceration policies are relatively "free."

**Q17**

People with a criminal conviction face long term barriers to housing and employment, among other consequences, as a result of contact with the criminal legal system. Will you commit to implementing policies to mitigate these consequences?

**Yes,**

Please explain your answer choice above, if you'd like::

Making a serious effort to avoid a criminal conviction on the front end by addressing a problem without resorting to prosecution will greatly reduce the collateral consequences resulting from such a conviction on the back end.

**Q18**

What will you do to change these racial disparities in your county?

In addition to fostering ongoing conversations with local law enforcement agencies about better serving communities that are over-policed and under-protected, such as ending the war on some people who use some drugs, if elected I will authorize the collection and sharing of data to assess whether the Washington County Attorney's prosecutorial practices are just.

**Q19**

Will you make different charging decisions when there has been racial profiling or racial bias in a case?

**Yes,**

If so, please explain how. If not, please explain your thinking further::

Demonstrable racial profiling or racial bias in a case could be a mitigating sentencing factor, according to the Utah Sentencing Commission's Adult Sentencing & Release Guidelines. Accordingly, depending on the offense involved, proven racial profiling or bias could play a role -- either as a mitigator or aggravator -- in a charging or plea-bargaining decision.

**Q20**

Do you support internal anti-bias training for prosecutors?

**Yes**

**Q21**

Will you thoroughly and transparently investigate claims of police brutality and officer involved shootings?

**Yes,**

Please elaborate::

Misconduct by individuals employed by law enforcement agencies undermines the communities' confidence in those individuals and agencies to keep our communities safe. To improve the communities' confidence in accountable and well-trained peace officers, I support the use of independent, outside investigators to review claims of excessive use of force and officer-involved shootings.

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#6

COMPLETE

**Collector:** Web Link 1 (Web Link)  
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Page 1

**Q1**

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**Q2**

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435-210-1952

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**Q4**

Candidate name:

Stephen J. Stocks

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**Q5**

County:

Grand County

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**Q6**

Campaign Website:

N/A

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**Q7**

Campaign Email Address:

StephenJayStocks@gmail.com

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**Q8**

Campaign Phone Number:

435-210-1952

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**Q9**

Do you support the use of remote court hearings?

**Yes,**

Please explain your answer choice if you'd like::  
Remote hearings are excellent to allow individual the opportunity to appear in court without having to lose time at work. In the Seventh District Court for Grand County litigants would have to travel long distances to attend court. Remote hearings promote access to justice and flexibility with the schedules of all parties.

---

**Q10**

Do you believe Utah should continue to decrease its incarceration rate?

**Yes,**

Please explain your answer choice if you'd like::  
Incarceration should be utilized for situations where no other result would be appropriate to improve community safety. Incarceration causes major impacts on the community's stability, decreases workforce, and damages families. It is important to measure the punishment with the goals of the community, often that means seeking alternatives to incarceration to address underlying problems.

---

**Q11**

Individuals with mental health concerns and psychiatric disabilities are overrepresented in jails and prisons across the country. Will you commit to enacting policies to divert defendants with mental health concerns away from the criminal legal system and into treatment and support services in the community?

**Yes,**

Please explain your answer choice above, if you'd like::  
Grand County and San Juan County would benefit from a mental health court like the Utah County mental health court. There are individuals in the community that have minor level of offenses because they are not receiving the treatment that they need to function. This causes them to be repeat offenders for offenses that are normally misdemeanors. Grand County could attempt to partner with San Juan County and utilize remote hearings to make this a possibility.

---

**Q12**

In the criminal legal system, the vast majority of cases are resolved through plea agreements rather than through trials. What role do you believe plea agreements should play in Utah's criminal legal system?

Plea agreements are necessary due to the vast number of cases in the criminal justice system. They should strike the balance between the community goals and an individual defendant's situation. There should be consideration given to what the individual did, why they did it, and how can we resolve the underlying problem. Pleas should explore the individual's lived experience and the community's need in the given situation.

---

**Q13**

If elected, what will you do to ensure that the plea agreements being offered to defendants are fair?

I would promote using plea in abeyances, diversion agreements, in formal probation, and supervised probation when necessary. Fines should be reasonable based on the situation with the option to complete community service. Each of these terms can help ensure compliance and allow individuals the opportunity to pay for their violation of law.

---

**Q14**

Do you support the use of diversions and pleas in abeyances?

**Yes,**

Please identify the situations in which you believe diversions and pleas in abeyances are appropriate:: Individuals should be entitled to an opportunity to demonstrate their ability to comply with probation. Plea in abeyance agreements allow an individual the opportunity to complete the terms of their probation and have their case dismissed upon successful completion of the plea in abeyance. This allows them to expunge their record. This is a great tool for rewarding the individual for their compliance. Diversions can be utilized for individuals that would be unfairly disadvantaged by a plea in abeyance. For example, a plea in abeyance can still trigger immigration consequences for non-citizens. They should be utilized when a plea in abeyance would normally be utilized for individuals in those similar circumstances.

---

**Q15**

Do you support alternatives to incarceration? Why or why not? If any, which alternatives to incarceration do you support?

I support drug court, mental health court, in-patient facilities, outpatient programs, 24/7 sobriety programs, plea in abeyances, and diversions. The listed programs help individuals in their given circumstances and help treat the underlying problem. Incarceration is often temporary and will have the individual back in the community often with treatment, training, or structure. Those options above help promote compliance, give skills, and help give other opportunities for success.

---

**Q16**

Do you agree that prosecutor practices have contributed to mass incarceration?

**Yes,**

Please explain your answer::

The plea agreements, combined with the sentencing guidelines, set minimums that an individual will be reincarcerated based on the offenses charged. The prosecutor has great control over the specific charges, which set what the defendant will eventually be sentenced on.

---

**Q17**

People with a criminal conviction face long term barriers to housing and employment, among other consequences, as a result of contact with the criminal legal system. Will you commit to implementing policies to mitigate these consequences?

**Yes,**

Please explain your answer choice above, if you'd like::

402 Reductions, expungements, and pardons should be utilized to help reduce the consequences of criminal convictions. Individuals that have complied with probation, or other obligations, should be permitted these tools to help mitigate those impacts.

---

**Q18**

What will you do to change these racial disparities in your county?

Treat each case only on the facts of the case and not permit race to be the determining factor of charging, prosecuting, or sentencing an individual.

---

**Q19**

Will you make different charging decisions when there has been racial profiling or racial bias in a case?

**Yes,**

If so, please explain how. If not, please explain your thinking further::

Factors and motivations for stopping an individual will play a part in determining how an individual was charged and what outcome happens in each individual case. The goal is to ensure that each individual charges with a particular case is done so based on his/her conduct and not his/her race, socio-economic status, or gender.

---

**Q20**

Do you support internal anti-bias training for prosecutors?

**Yes**

---

**Q21**

Will you thoroughly and transparently investigate claims of police brutality and officer involved shootings?

**Yes,**

Please elaborate::

The entire community benefits from a properly conducted investigation. This is for the officers and the individual community members. Each investigation should be conducted by an agency outside of the area to ensure fair dealing and transparency.

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#7

COMPLETE

**Collector:** Web Link 1 (Web Link)  
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Page 1

**Q1**

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**Q4**

Candidate name:

Sim Gill

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**Q5**

County:

Salt Lake County

---

**Q6**

Campaign Website:

<https://votesim.com/>

---

**Q7**

Campaign Email Address:

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---

**Q8**

Campaign Phone Number:

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**Q9**

Do you support the use of remote court hearings?

**Yes,**

Please explain your answer choice if you'd like::

I support the use of remote court hearings only in non-substantive instances. Remote hearings are helpful to those who have barriers to making it into the court in person, such as transportation or work.

---

**Q10**

Do you believe Utah should continue to decrease its incarceration rate?

**Yes,**

Please explain your answer choice if you'd like::

Incarceration should only be for those that are a true risk to our community. Treatment and diversion are far better options for low-level offenders. The criminal justice system cannot be the "catch all" for front end policy failures.

---

**Q11**

Individuals with mental health concerns and psychiatric disabilities are overrepresented in jails and prisons across the country. Will you commit to enacting policies to divert defendants with mental health concerns away from the criminal legal system and into treatment and support services in the community?

**Yes,**

Please explain your answer choice above, if you'd like::

I helped start the first mental health court 21 years ago. Salt Lake County now has a veterans court, a drug court, and a homeless court. Getting people access to treatment and support is a far better return on investment and the right thing to do.

---

**Q12**

In the criminal legal system, the vast majority of cases are resolved through plea agreements rather than through trials. What role do you believe plea agreements should play in Utah's criminal legal system?

Plea agreements allow us to see the defendant as an individual, and create proportionate and fair outcomes.

---

**Q13**

If elected, what will you do to ensure that the plea agreements being offered to defendants are fair?

We rely on data, research, and needs-assessment rather than emotion. Every case should be resolved with what is best for the individual. We can and should have proportionate accountability without compromising public safety.

---

**Q14**

Do you support the use of diversions and pleas in abeyances?

**Yes,**

Please identify the situations in which you believe diversions and pleas in abeyances are appropriate::  
Diversions and pleas should be used regularly with low-level offenders. Salt Lake County has led out on a pilot project with pre-filing diversions that have had exceptional results. Because of programs like this, individuals are not re-offending, and not entering the justice system.

---

**Q15**

Do you support alternatives to incarceration? Why or why not? If any, which alternatives to incarceration do you support?

Yes, I support alternatives to incarceration. Incarceration should be reserved for the most violent offenders. If you are a risk to public safety, incarceration makes sense. However, if you are mentally ill, suffering from a substance abuse disorder, there must be an alternative to jail. In those cases, we are helping solve the underlying problem.

---

**Q16**

Do you agree that prosecutor practices have contributed to mass incarceration?

**Yes,**

Please explain your answer::  
We jail more people in the United States than the rest of the world combined. It would be dishonest to not acknowledge the role prosecutors have played. That is why it is important to understand that the old model simply won't work anymore. Tough on crime, and "lock 'em up" DA's of the past are part of the reason for mass incarceration.

---

**Q17**

People with a criminal conviction face long term barriers to housing and employment, among other consequences, as a result of contact with the criminal legal system. Will you commit to implementing policies to mitigate these consequences?

**Yes,**

Please explain your answer choice above, if you'd like::  
I championed legislation for automatic expungement which made Utah the second state in the country at that time to have such a law on the books. After someone has paid their debt to society, they should no longer wear their conviction like a millstone around their neck. The collateral consequences after incarceration make the barrier to entry back into society much more difficult than it should be, and often times leads to recidivism.

---

**Q18**

What will you do to change these racial disparities in your county?

Systemic racism exists. I am a person of color. There are people who still refuse to accept that people of color and poverty are overrepresented in the criminal justice system. I am aware of these inequities, and will continue to do everything in my power to not perpetuate them.

---

**Q19**

Will you make different charging decisions when there has been racial profiling or racial bias in a case?

**Yes,**

If so, please explain how. If not, please explain your thinking further::

We prosecute cases based on the evidence. If there is evidence of racial profiling or bias, they will be taken into account when charging decisions.

---

**Q20**

Do you support internal anti-bias training for prosecutors?

**Yes**

**Q21**

Will you thoroughly and transparently investigate claims of police brutality and officer involved shootings?

**Yes,**

Please elaborate::

I am the only District Attorney that publishes our findings on every Officer Involved Shooting that happens in Salt Lake County. We make them available on our website, and have press conferences to walk through our findings. This is because our community deserves transparency and accountability.

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