



# Illinois Attorney General 2018 Election Guide



## Erika Harold (R)

The Illinois Attorney General's Office has wide-ranging authority in the implementation and enforcement of policies regarding gender violence. With this in mind, anti-violence experts from six Chicago-based organizations - Chicago Alliance Against Sexual Exploitation, Chicago Metropolitan Battered Women's Network, Life Span, Resilience, Sargent Shriver National Center on Poverty Law, and Women Employed - asked AG Candidates to complete a questionnaire regarding their plans for addressing gender violence in Illinois.

*All of these organizations are 501(c)(3) nonprofits, and are nonpartisan entities that do not support or oppose individual candidates or political parties.*

*All responses are posted as submitted on October 16, 2018.*

*No part of this Election Guide may be construed to be an endorsement of either candidate's campaign or views by the six organizations listed above.*

Illinois Attorney General Candidate Questionnaire  
November, 2018

1. What are your priorities as Attorney General of Illinois?

In addition to ensuring that the Office's statutory responsibilities were being efficiently and effectively fulfilled in a nonpartisan manner, I would prioritize: (i) enhancing the Office's efforts and investigative tools to combat public corruption; (ii) coordinating statewide efforts to address the opioid epidemic; (iii) collaborating with the legislature to draft and enact workers' compensation and criminal justice reform measures; and (iv) protecting Illinoisans from harassment and violence, including peer-to-peer harassment in schools and sexual harassment within State government.

As someone who has been the victim of harassment and understands the feeling of being powerless and marginalized, I would fight to make sure that every Illinoisan—regardless of position or background—was vigorously represented.

2. Please describe your staffing priorities as it relates to violence against women and girls, including:

- a. A Violence Against Women Policy Director focusing exclusively on these issues? If yes, what do you see as the first three priorities they will work on?
- b. A SANE Coordinator?
- c. Appointed staff to monitor that law enforcement agencies have comprehensive policies that align with the Sexual Assault Incident Procedure Act and hold them accountable to following them?
- d. Will you have appointed staff to prioritize law enforcement responses to domestic violence?

While the amount of funds appropriated to the Attorney General's Office ultimately will dictate staffing decisions, my current goals for staffing as it relates to violence against women and girls would be to: (i) retain the Office's Violence Against Women Unit (which addresses violence against women, including domestic violence) and the Illinois SANE program; and (ii) to have a Joint Sexual Assault Working Group develop additional benchmarks for assessing compliance with the Sexual Assault Incident Procedure Act. Priorities for the Violence Against Women Unit include combating: human trafficking, domestic violence and violence against women who are incarcerated.

3. What would be your legislative efforts to address gender-based violence?

I would advocate for the General Assembly to appropriate the funds necessary to support the Office's initiatives and programs related to gender-based violence. Additionally, when necessary and appropriate--after consultation with the advocacy community, law enforcement officials, and medical and social service providers—I

would advocate for the amendment of statutes pertaining to gender-based violence in order to provide for additional reporting and enforcement mechanisms.

4. How will your office address workplace harassment and discrimination, particularly sexual harassment?

As Attorney General, I will continue advocating for reforms of the process by which allegations of sexual harassment and misconduct are investigated and adjudicated by the legislative inspector general and legislative ethics commission. The following are proposed amendments of the legislative ethics process that are designed to: respect Constitutionally mandated procedures and the separation of powers; afford due process to both the complainant and accused; provide for independent investigations and transparency of findings; and appropriately punish and deter those who would engage in misconduct.

- The law governing the Legislative Inspector General's position should be amended to provide for an investigation that is independent of the General Assembly's control, specifically empowering the Legislative Inspector General to initiate all investigations and issue subpoenas for documents and witnesses without the ethics commission's authorization.
  - The ethics commission should be expanded to include members of the public, so that legislators will be accountable not just to their colleagues in Springfield but also to their constituents.
  - If the Legislative Inspector General and ethics commission finds evidence that the individual perpetrated sexual harassment, retaliation or other serious misconduct, then a Complaint should be filed with the independent Illinois Courts Commission, as opposed to the ethics commission.
  - Following an evidentiary hearing, the Illinois Courts Commission should be empowered to render findings along with recommendations for punishment (if applicable), including censure, fines, suspension, or termination/removal. All findings of misconduct and recommendations for punishment should be made public and then sent to the ethics commission, as the public is entitled to know which individuals abuse their power and position.
  - Following receipt of the Illinois Courts Commission's findings and recommendations, the ethics commission will have 60 days in which to act upon them and make public their final resolution.
5. How will you commit to working with the advocacy community on training, legislation and other efforts to ensure that survivors have full access to protection via protective orders across the state?

I will consult and collaborate with the advocacy community on the protective orders modules of the Illinois Victim Assistance Academy and seek input from relevant stakeholders regarding mechanisms and methods of raising awareness regarding the different types of protective orders that are available under Illinois law, including the Stalking No Contact Order. Moreover, I will consult with the advocacy community

regarding potential amendments of the statute governing Stalking No Contact Orders to better address cyber harassment.

6. What will be the AGO's role in ensuring compliance with the Preventing Sexual Violence in Higher Education Act?

The Attorney General's Office will continue to engage in outreach to advise Illinois higher education institutions of its obligations under the Preventing Sexual Violence in Higher Education Act and will continue to publish an annual list of those institutions that fail to comply with the Act's reporting requirements.

7. As Attorney General, how would you ensure that children who survive domestic, dating, and sexual violence that occurs at school or off-school premises maintain equal access to K-12 education spaces? How will you ensure not only that they stay safe, but successfully complete their education?

Title IX of the Education Amendments of 1972 (Title IX) bars discrimination or the denial of benefits on the basis of sex in any education program or activity that receives Federal financial assistance. Title IX applies to sexual violence, gender-based harassment, and sexual harassment. The Attorney General's Office will strive to advise Illinois schools of their obligations under Title IX, including their obligations to designate a Title IX coordinator, to provide appropriate monitoring, supervision and security at locations where harassment is likely to occur, and to provide safe environments that are free from retaliation for students who have reported potential violations of Title IX. The Attorney General's Office also will advise parents and students of their options for seeking recourse in the event of non-compliance.

8. How will you ensure that the Student Resource Officers' training that is now required under SB 2925 includes appropriately responding to domestic and sexual violence situations and to survivors?

SB 2925, which is now codified as Public Act 100-0984, mandates that: "[t]he school resource officer course ... shall be created in consultation with organizations demonstrating expertise and or experience in the areas of youth and adolescent developmental issues, educational administrative issues, prevention of child abuse and exploitation, youth mental health treatment, and juvenile advocacy." In order to ensure that the course addresses the best practices for responding to domestic and sexual violence and survivors, I will emphasize the Board's obligation to consult with organizations that have expertise regarding such issues.

9. What are your priorities for use of Crime Victim's Compensation?

I would prioritize advocating for the appropriations necessary for the Illinois Crime Victim Compensation Program to continue its role of helping to mitigate the financial burdens borne by survivors and victims of violent crime across Illinois. Moreover, as local law enforcement officials typically have the initial interactions with survivors and victims of violent crime, the Office will continuously consult with such officials regarding education and outreach efforts to ensure that all eligible victims and survivors are advised of the program and the process for applying for compensation. Furthermore, I will perform an analysis of the way in which the funds have been

distributed in the past in order to ensure the funds are distributed in an equitable manner.

10. Since the Attorney General administers Violent Crime Victim Assistance (VCVA) and the Domestic Violence Fund to domestic violence and sexual assault agencies (as well as other agencies), what is your commitment to maintaining (or increasing) that fund? Are there any changes you foresee in the way this funding is administered?

To the extent feasible, I would strive to at least maintain those funds and to continue to build external sources of support for them. Moreover, I would consult with relevant stakeholders to assess whether the administration of this funding is being done in a manner that is transparent and equitable across affected communities and groups.

11. Many survivors of domestic and sexual violence hesitate to report the violence to law enforcement because of historical distrust on how they will be treated. Given that, the violence against women community is invested in learning how the AG's office will work to restore trust between Chicago communities and CPD, particularly around the findings and recommendations from the Department of Justice Investigation as they relate to these issues. What are your plans on CPD accountability related to DOJ investigation and the role of the Attorney General?

I support reform of the Chicago Police Department and will vigorously pursue compliance with the consent decree entered by the Judge. While the entry of a consent decree will not be a panacea, it will offer a constructive way forward in reforming CPD, protecting Chicagoans' safety, enhancing community policing efforts, restoring trust between communities and law enforcement, empowering victims of crime to report violence and abuse, equipping police officers with the tools necessary to meet their responsibilities, and upholding Constitutional rights and civil liberties.

12. What do you see as additional barriers to survivors in the following communities?

- a. Communities of Color
- b. Immigrant Communities
- c. LGBTQ Communities
- d. What do you see the role of the Attorney General's Office in assisting in overcoming these barriers?

According to the legislative findings set forth in the Sexual Assault Incident Procedure Act: "Sexual assault and sexual abuse are personal and violent crimes that disproportionately impact women, children, lesbian, gay, bisexual, and transgender individuals in Illinois, yet only a small percentage of these crimes are reported, less than one in five, and even fewer result in a conviction." (725 ILCS 203/5) Moreover, some members of immigrant communities may hesitate to report abuse and violence due to fear of interactions with law enforcement. (National Immigrant Justice Center)

Additionally, some members of communities of color may hesitate to report abuse and violence due to lack of economic support systems to assist in addressing domestic violence situations. "The response of law enforcement can directly impact a victim's ability to heal as well as his or her willingness to actively participate in the investigation by law enforcement." (725 ILCS 203/5) Accordingly, as Attorney General, I will work with the advocacy community, law enforcement officials and social service providers to advocate for the enforcement of Illinois laws that protect survivors and victims, advocate for proper funding of initiatives to support survivors and victims, and work to reduce the stigmas that often make victims hesitant to report abuse and violence.