

Jon Tunheim
Questionnaire for the Office of Thurston County Prosecutor

We have read the biographical statement on your website and we will include it in the materials we provide our members during the endorsement evaluation process. Is there anything you would like to add that might help us to further understand why you are seeking to serve in this office or what qualifies you for this office?

If you are the incumbent, what would you consider to be your most significant accomplishment?

Answer: The accomplishment I'm most proud of is the team I have built and the progressive culture we've created together in the Prosecuting Attorney's Office. I'm fortunate to have a group of hard working professionals, including lawyers and non-lawyers, who are dedicated to public service and open to innovation and new ideas. Without this team and its culture, we would not have weathered the pandemic as well as we did while also continuing to modernize the justice system.

Please answer the following questions for us. If you wish to attach or reference a position statement as a response, that is also appreciated.

#1 Can measures be taken to reduce the jail population without endangering public safety?

Answer: The jail population was actually reduced by about 30% during the pandemic and continues at that level. I believe we can maintain this reduction in population post-pandemic without a significant impact on public safety. We do this by only detaining those who pose a substantial risk to the community or who continuously fail to appear for court pretrial, as well as using jail alternatives for those convicted of low level crimes and investing in reentry services for those who are returning to the community from incarceration.

#2 Can you tell us your strategies for addressing the backlog of cases caused by the pandemic and by the change in the law regarding simple drug possession?

Answer: We are currently implementing a strategy to address the backlog of cases which accumulated during the pandemic utilizing our “first look” approach. This approach consists of screening uncharged backlog cases for diversion alternatives before the case is filed and working with public defenders to move eligible cases into diversion programs as early as possible. By using diversion alternatives for appropriate non-violent cases we can prioritize our resources for violent and repeat offenders. Additionally, in response to the Supreme Court decision in *State v. Blake*, we created a unit in our office to work collaboratively with our public defender’s office to exonerate or resentence those whose sentences were affected by that decision.

#3 Do you believe that electronic monitoring devices should be employed on individuals arrested for a crime while awaiting trial instead of holding them in jail?

Answer: Thurston County is currently involved in a five year overhaul of our pretrial system with technical assistance provided by Arnold Ventures. In Washington, courts may require money bail for those who pose a substantial threat to the community, are likely to flee, or who may interfere with the administration of justice. In Thurston County, our pretrial services program provides judges with alternatives when releasing people, including pretrial supervision and the possible use of electronic monitoring devices. That being said, most people who are released pretrial should be released without electronic monitoring because current research and best practice indicates that electronic monitoring should be used sparingly and only in certain circumstances as a condition of pretrial release. I support the presumption that those who are not a threat to public safety should be released before trial and the court’s ability to order electronic monitoring in appropriate cases.

#4 Do you believe the drug court program has been effective in reducing the revolving cycle of drug use and crime?

Answer: The research evidence is clear that a properly run drug court using current best practices can significantly reduce recidivism among its participants, even if they don’t ultimately graduate. I am a long-time vocal advocate in favor of drug courts and other therapeutic courts and am proud to be in a county with a robust therapeutic court program. I am also the past president of the Washington State Association of Drug Court Professionals, a

statewide nonprofit organization which supports professionals working in therapeutic courts throughout the state.

#5 Are existing firearm regulations sufficient?

Answer: While Washington has strong regulations regarding the sale of firearms, those regulations should always be reviewed for improvement in my opinion. Recent legislation restricting sale of high-capacity magazines and addressing “ghost guns” are good examples of necessary improvements to regulations. I support regulations designed to prevent firearms from getting into the hands of those who would use them to inflict harm.

#6 Are existing programs sufficient to prevent domestic violence and sexual violence?

Answer: As a community, we should be very proud of our long history of supporting programs focused on responding to domestic and sexual violence. Currently, the Prosecuting Attorney’s Office has a specific team of prosecutors, support staff, and victim advocates dedicated to these cases. In addition, Thurston County is one of the few counties in Washington to have both a child advocacy center, providing services to victims of child abuse and neglect, and a family justice center providing services to victims and survivors of domestic violence and human trafficking. The Prosecuting Attorney’s Office is an active participant in both programs. That being said, there are always ways to improve our response to domestic and sexual violence and such improvements will continue to be a priority during my next term as Prosecuting Attorney.

#7 Do you support the death penalty for capital offenses?

Answer: The Washington death penalty statute has been ruled unconstitutional by our state’s Supreme Court. I would not support legislation to re-enact it.

#8 Do you think that the Prosecutor’s Office should cooperate with federal authorities in the identification of undocumented immigrants?

Answer: No. While we are a public office and subject to the Washington Public Records Act, a county prosecutor’s role does not include enforcing federal immigration law. Our current practice is to comply with lawful requests for records but we do not proactively identify immigration status of any victim,

witness or defendant to federal authorities. We do, however, routinely review and support requests for special immigration visas for victims of crime.

#9 Do you believe the Citizens United decision should be reversed?

Answer: Yes.

#10 Do you believe any form of discrimination (race, sex, gender identification, age, disability, or creed) is acceptable?

Answer: No. The Prosecuting Attorney's Office is an equal opportunity employer.

#11 Does homelessness impact the work of the Prosecutor's Office?

Answer: Yes, in that those who are homeless are at higher risk of becoming involved in the criminal justice system. We have also had several recent examples of violent and other crime arising in areas where people who are unhoused tend to camp or congregate. I support a housing first philosophy founded on the principle that housing is a basic need which in turn increases engagement in treatment and other services reducing their risk of becoming involved in the criminal justice system.

#12 If more robust mental health treatment programs existed, how would they impact the Prosecutor's Office?

Answer: Those who enter the criminal justice system because of mental or behavioral health issues represent a failure of our mental and behavioral health systems in my opinion. Investments in those systems are critical to providing the necessary services which hopefully prevent crime and criminal justice involvement. Currently, we dedicate significant resources on cases involving mentally ill individuals who pose a risk to the community because the mental health systems are incapable of managing them. If those treatment systems were improved, we could divert those resources to focus on people who are not suffering from mental illness and hold them accountable for their criminal behavior.

#13 Will you hold law enforcement officers to the highest standards of professional conduct?

Answer: Yes.

#14 What are your thoughts about the Law Enforcement Assisted Diversion (LEAD) program in Thurston County? Do you support the expansion of the program recently approved by the Thurston Board of County Commissioners?

Answer: I was a founding partner of our current Thurston County LEAD program and strongly support its expansion. This program started as a partnership between the Prosecuting Attorney's Office, the Sheriff's Office, and Thurston County Public Health and Social Services. Together, we applied for and were fortunate to be selected to receive a state grant to help start the program, and we now have one of the fastest growing programs in the state. Our Thurston County program not only allows for arrest diversions, but also accepts referrals for those who have not committed a crime but are simply in need of services. In fact, we are beginning to receive self-referrals from those who have heard of the success of the program and are seeking out the services offered. Because of this, LEAD also has become a vital prevention program for individuals who are at high risk of arrest if their needs are not addressed.

The candidate assumes full responsibility for all answers to this questionnaire. Your responses to this questionnaire should be considered public knowledge as we cannot assure confidentiality when making the questionnaire available to our membership.