

# Gay and Lesbian Activists Alliance of Washington, DC 2012 Questionnaire for D.C. Council Candidates

## Responses of Leon J. Swain, Jr.

### MARRIAGE AND FAMILY

1. *In the event of congressional action leading to a ballot initiative in the District that would take away the civil marriage rights now enjoyed by same-sex couples, will you oppose the initiative and will you publicly defend civil marriage equality?*

Response:

Yes. I will publicly defend marriage equality in DC; and I will oppose congressional interference.

In DC, we have made marriage equality a civil right, and I stand strongly on the side of protecting everyone's civil rights.

Furthermore, when Members of Congress meddle in DC affairs, they often are doing no more than posturing, playing to bigots in their home jurisdiction. We should not tolerate such posturing with respect to marriage equality or any other issue.

### PUBLIC HEALTH

2. *Will you support legislation giving the directors of the Office of GLBT Affairs and the Office of African Affairs the authority to issue competitive grants as other minority constituent offices have, that will be open to organizations serving the populations within the offices' purview?*

Response:

Yes. The Office of Latino Affairs has been particularly effective in utilizing modest (up to \$50,000) grants to promote services for the community that OLA serves.

The GLBT and African Affairs offices should have similar authority and resources. I would be particularly interested in utilizing such grants to foster communication, mutual understanding and respect between the GLBT or African communities and other DC residents.

3. *Will you defend the District's hard-won and life-saving medical marijuana program against attacks or further restrictions, whether from Congress, federal officials, D.C. officials, or residents?*

Response:

Yes. Patients who need medical marijuana should have a right to this treatment, and we must protect that right.

In my response to Question 1, I have already voiced my objections to federal interference and posturing.

In addition, I would add my counsel that one of the best ways to protect DC's medical marijuana program is to make sure that the program operates properly. This includes making sure that production and distribution facilities are secure -- operating without theft or fraud. As a former law enforcement officer, I will make the security of these facilities a personal priority.

4. *Describe steps you will support to improve performance at the HIV/AIDS, Hepatitis, STD, and TB Administration (HAHSTA), including in HIV prevention, HIV/AIDS surveillance, and mental health services.*

Response:

The DC Government must play a key role in treating and preventing sexually transmitted diseases. As a Council member, I will monitor the performance of the relevant DC agencies and will fight to assure the funding they need. Furthermore, to help in my oversight, I will seek input from advocates involved in GALAA as well as *DC's Doin It*, *The Rubber Revolution* and Mental Health America.

However, as with other public health challenges, the task of combatting sexually transmitted disease cannot rest solely in the hands of government. As a family member, as a member of my Church and as a former police officer, I will urge everyone to do their part. For example, I will encourage everyone to protect themselves and their partners. In addition, to prevent sexually transmitted disease in children, schools should be able to teach children how to protect themselves.

Finally, as a member of the DC Council, I will volunteer for HIV testing myself, and let others know that I have taken the test.

## **PUBLIC SAFETY AND JUDICIARY**

5. *Will you press for increased oversight of the Metropolitan Police Department's gathering and analysis of crime statistics to ensure greater comprehensiveness and objectivity, including transgender-related hate crime data?*

Response:

Yes.

I served 18 years as a uniformed MPD officer and I maintain excellent contacts with officers at all levels in the Department. I am well suited to monitor MPD activities and to help GALAA and other advocates build positive and effective relationships with the MPD.

As a Council member, I will bring together advocates and MPD officials. With them, I will map out a plan to improve how DC gathers and analyzes crime statistics. A high priority in this effort will be protecting the transgender community from assaults.

6. *Will you support funding for MPD to hire or contract qualified trainers to provide LGBT-inclusive cultural competency training including the handling of intimate partner violence?*

Response:

Yes. The DC Council must fund this training and assure that the MPD provides it.

Furthermore, I will encourage the MPD to seek GALAA's advice in planning and conducting the training. In DC we have precedent for advocates assisting in MPD training. Those concerned with preventing domestic violence routinely interact with the MPD. Similarly the American Civil Liberties Union of the Nation's Capital, helps the MPD make sure that its officers protect the constitutional rights of everyone in DC. I will advocate similar roles for GALAA and other GLBT advocates.

7. *Will you oppose legislation to make permanent the so-called Prostitution-Free Zones (PFZs), which facilitate anti-transgender profiling, and will you vote to repeal the current PFZ law?*

Response:

Yes to both questions.

Prostitution is wrong, because it makes victims out of so many people including the prostitutes, their customers and their families.

Nevertheless, in order to protect the civil liberties that prostitution zones may violate, police should find alternative tools to combat prostitution.

Finally, we must make sure that every MPD officer respects individuals in the transgender community and protects their rights.

## HUMAN RIGHTS

8. *Do you agree that the Director of the Office of Human Rights should be required to have professional training and experience in civil rights law enforcement?*

Response:

The Director must be an effective champion and protector of our human rights.

There is a difference between having training/experience on paper and being able and willing to do the job in practice. My priority is that the Office of Human Rights is effective in its work.

If the OHR lacks the confidence of the communities it serves, than the OHR Director should be removed – no matter what that person’s background.

As a Council Member, I will lead an assessment of OHR – seeking input from representatives of all the protected groups that OHR serves. I would give OHR a limited time to correct any deficiencies that the assessment identifies. Ultimately, correcting OHR’s deficiencies might require bringing in a new Director; if need be, I will call on the Mayor to take that step.

## YOUTH AND SENIORS

9. *Will you oppose both federal and local voucher programs that fund students in religious schools that are beyond the protections of the D.C. Human Rights Act?*

Response:

Yes. When schools accept public funds, they take on public responsibilities.

We must not tolerate situations where funds go to organizations that are exempt from public responsibilities, such as complying with the Human Rights Act.

I would make Human Rights Act compliance a condition of any organization’s receiving public funds. Furthermore, I would support strict enforcement in order to prevent funding of organizations that violate this law.

10. *Will you oppose the use of either federal or District taxpayer funds to promote "abstinence only until marriage" sex education that undermines safer-sex programs by excluding more comprehensive information?*

Response:

Yes.

As a family member and a Church member, I teach my moral code with respect to sex outside of marriage. Furthermore, I believe that families and religious institutions (not schools) must be the source of moral guidance about sex before marriage.

The role of the schools should be to promote public health. School-based sex education must teach all the ways they could protect themselves.

*11. Will you support legislation to ensure equal Medicaid spousal impoverishment protections for same-sex partners, including providing local funding to pay for benefits that are denied at the federal level due to the anti-gay Defense of Marriage Act?*

Response:

Yes. The federal government is wrong to deny spousal impoverishment protections to all same sex partners. In federal law, all married couples should have equal spousal impoverishment protections – regardless of the gender of those couples.

We have a responsibility to use local funds to make up for funds that DC residents lose because of the unjust federal law.

## **CONSUMERS AND BUSINESSES**

*12. Do you support the right of adults in the District to choose adult-oriented entertainment for themselves, and the right of appropriately licensed and zoned businesses to provide it, without excluding any ward?*

Response:

Yes.

Every ward in DC includes commercial areas that would be appropriate for adult-oriented businesses. Similarly, every ward in DC includes areas that would be appropriate for bars or theatres.

DC has well established processes for zoning and licensing decisions. These processes include input from the local community. We should leave to these processes decisions about locating any business.

*13. Will you support legislation to curb abuses involving endless series of baseless complaints to harass or extort bars and restaurants?*

Response:

Yes. In developing such legislation, I would seek input from restaurants and bars, their customers and community members who have filed complaints against them. My goal

would be to seek ways of protecting businesses from baseless complaints while at the same time affording community members ways of addressing justifiable concerns.

*14. What will you do to provide alternatives to incarceration for marginalized and at-risk populations like homeless youth and transgender people who resort to prostitution for survival?*

Response:

My years as a vice officer helped me learn that prostitution is a public health issue, one that cannot be addressed solely by incarceration.

In addressing prostitution, we must start by understanding why people resort to it. Then we must address such root causes: poverty, addiction and mental health challenges.

I recognize that the Metropolitan Police Department and the Department of Corrections are ill-equipped to address prostitution's root causes. We must enlist other organizations, in the DC Government and in the community, to attack the root causes of prostitution.

Once those organizations succeed in addressing the root causes, the role of law enforcement will be simplified and minimized.

**Your record is part of your rating. Please list any actions that you have taken that may help illustrate your record on behalf of lesbian, gay, bisexual and transgender people.**

**Your answers should be typed on separate paper rather than on this form. *You must sign your name on each answer sheet to indicate your personal commitment to your answers.***

**Please return your signed questionnaire responses by Wednesday, October 3 to GLAA, P.O. Box 75265, Washington, D.C. 20013.**

**In addition to sending your signed hard copy, please email a copy (in any major word processor or text format) for loading on GLAA's website ([www.glaa.org](http://www.glaa.org)) [toequal@glaa.org](mailto:toequal@glaa.org). Thank you.**

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## **Statement by Leon Swain**

### **Actions on Behalf of Lesbian, Gay and Transgender People**

As a member of the Metropolitan Police Department and as a member of the DC Taxi Commission, I have always treated people fairly – without regard to their sexual orientation.

Furthermore, as the MPD sergeant in charge of Vice, I have dealt with lesbian, gay and transgender individuals; and I have dealt with them in particularly sensitive situations. My record here is not only one of fairness, but also one of helping many gain access to assistance and services that they needed.