



**Candidate Questionnaire for Monroe County
Circuit Judge, Court 1 Race**

About DFMC

Democracy for Monroe County (DFMC) is a political action committee dedicated to recruiting, training, and supporting fiscally responsible and socially progressive candidates at the local and state levels. DFMC is part of a nationwide coalition of grassroots groups allied with Democracy for America, the political action committee inspired by the presidential campaign of Howard Dean. We meet every first Thursday of the month. For more information about our organization, visit our website at www.democracyformonroecounty.org.

DFMC: Building and training the progressive grassroots.

Please return this questionnaire to chair@democracyformonroecounty.org by Monday, March 21 either in written form at our forum on that date or send to robertdeppert@gmail.com.

About You

Name: Darcie Fawcett

Preferred email address: fawcettforjudge@gmail.com

Website (if available): www.Fawcettforjudge.com

List of your support or campaign committee members:

Supported candidate by the Democratic Women's Caucus.

Fawcett for Judge Committee:

Tomilea Allison,
Honorary Chair

Allison Chopra, *Chairperson*

Michael Gastineau, *Treasurer*

Lisa Abbott

Jennifer Armstrong

Jack Baker

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Janet Decker

Jackie Dakich Ehman

Bethany Emenhiser

Chris Gaal

Betsy Greene

Geoff Grodner

Candi Haley

Justin Hunter

Richard Lewis

Elizabeth Mann

Bob Miller

Nancy Miller

Glenda Murray

Patrick Murray

Darryl Neher

Rob Shollenberger

Chris Sturbaum

Brad Swain

Sue Wanzer

Lara Weaver

Question 1

Why are you running for office?

I am running for judge because I am committed to justice and equality in our community. I ask for your vote because my professional experiences and my outlook make me the best qualified to serve. We should be proud of our local court. It is a court that has focused on the needs of the underserved and the promise of equality and justice for all. I will keep that focus and extend that promise, for I have a solid reputation for hard work and a lifetime commitment to progressive values and service to others.

As a graduate of the IU School of Law, I am an attorney trained in all areas of the law. I often work with the Family and Children Mediation Clinic, Community Legal Clinic, and the Protective Order Project. I have extensive courtroom experience. For over a decade, I have been a Deputy Prosecuting Attorney, handling thousands of cases from theft to murder. In my current position at the Monroe County Prosecutor's Office, I specialize in prosecuting sexual assault cases and child molesting cases. I have to protect victims, weigh very difficult family dynamics, assess the influence of drugs and alcohol, and check and recheck that the system is treating its participants fairly, equally and with dignity. Like judicial decisions, my prosecutorial decisions must be informed by the goal of justice and an outcome that serves victims and the community. The deliberative process of whether to file charges and how to proceed with each case, each defendant, and each victim is very much the same deliberative process of a judge considering the credibility of witnesses and the weight of the evidence.

As a prosecutor, I work closely with our Probation Department, Alternative Supervision Programs and our Problem Solving Courts. These Problem Solving Courts are important because they require offenders take responsibility for the changes they need to make. The courts and the community can and should make opportunities for offenders to accept responsibility for what they have done and to open pathways going forward. I embrace the broad integration of the problem solving philosophy into the administration of justice to improve court processes and outcomes.

My dedication to equality is firmly entrenched and extends well beyond the courtroom. I have taught in the most underserved communities, first in Bangkok, Thailand, then in the Chicago Public Schools and finally in the Indianapolis Public Schools. The lessons learned there about tailoring a program to an individual's need and treating everyone fairly and with respect inform my work everyday.

I came to Bloomington more than 15 years ago and have been engaged in the community ever since. I am a single mother of two young girls and it's important to me that they see my active participation

our community. My children attend Fairview Elementary and I serve as president of its PTO. I am also president of the Prospect Hill Neighborhood Association, a member of the Bloomington Urban Enterprise Zone Board, and of the Hospital Site Reutilization Steering Committee.

Thank you and please contact me (www.fawcettforjudge.com) should you have questions.

Question 2

List your political experience (here and elsewhere), including any grassroots activity in which you participated or led.

I have been active in individual democrat candidate campaigns for 8 years, first for Chris Gaal's Prosecutor Campaign and then for Shelli Yoder's 2012 Congressional Campaign.

I was also selected by the Indiana Democratic Party to participate in the 2013 Emerging Leaders Project class. I was one of 40 candidates selected from over 175 applicants from across the state. Emerging Leaders is a project of the Indiana Democratic Party that offers free training, mentoring and professional development opportunities to those who are interested in serving in elective office, party leadership or working on campaigns or in public service in Indiana.

Question 3

In what way(s) do you consider yourself socially progressive?

I am socially progressive because I believe that everyone deserves a fair shot at a decent, fulfilling, and economically secure life. I believe that everyone should do his or her fair share to build this life through education and hard work and through active participation in public life. It is because of that belief I first became a teacher. I double majored in Psychology and Education and Minored in Women's Studies. As part of my teaching practicum I applied for and was chosen to be part of a Teach for Diversity Cohort that consisted of 12 elementary education majors who specifically wanted to teach in underserved communities. Following graduation, I obtained a teaching position at Kasetsart University in Bangkok Thailand. Upon returning to the states I taught for two years in the most underserved areas, first, two years in Chicago Public Schools, followed by one year in Indianapolis Public Schools. Working with diverse populations has given me different perspective and insights that will enrich our judiciary.

I also believe that everyone should play by the same set of rules with no special privileges for the well-connected or wealthy. It is because of this belief that I send my children to Fairview Elementary School. I have never waivered in my support for Fairview, even despite others suggesting to me that I should enroll them in a private school, or opt to send them to another school in MCCSC. I strongly believe that every child has something to offer to the world, they just need to be given an opportunity and a level playing field.

Along with freedom and opportunity comes *responsibility* — personal responsibility and the responsibility we have to each other and to the common good. Personal responsibility requires each of us to do our part to improve our own lives through hard work, education, and by acting with honesty and integrity. Responsibility to others and to the common good requires a commitment to

putting the public interest above the interests of a few and an understanding that strong families and communities are the foundation of a good society. It means working to achieve greater social justice and economic conditions that benefit civil society broadly. I put this into action by being the President of my neighborhood association, an appointed member of the Bloomington Urban Enterprise Association, as well as a member of the Hospital Site Reutilization Committee

Question 4

Describe your ideas for engaging citizens in more active participation in our community and our government.

Actively engaging citizens helps improve public trust in the justice system. Greater trust, in turn, helps people feel safer, fosters law-abiding behavior, and makes members of the public more willing to cooperate in the pursuit of justice (as witnesses, jury members, etc.) Courts have often sought to minimize contact between themselves and their communities. The belief is that courts, to retain their independence and impartiality, need distance. Some judges understandably want to protect themselves from people who might try to influence their actions on pending cases. Judges are limited in how they can advocate for engaging citizens, however I feel it is possible to maintain impartiality while actively collaborating with the community and listening to their concerns. Judges, of course, need to make clear at public meetings that they're not there to address specific cases but rather to discuss broad topics of interest to the community, such as categories of crime and local "hot spots." I would support the use of questionnaires—mailed or completed by volunteers who go door-to-door—to identify community problems. I would also attend community gatherings, such as meetings of block associations and business groups. I would also work to find roles for the public by using community volunteers to staff "impact panels" in which residents explain to low-level offenders the negative consequences of their offenses on neighborhood quality of life. I would also consider the use of community groups to oversee offenders performing community service.

Question 5

Do you pledge to publicly support all Democratic Party nominees, including your primary opponent(s), should he/she prevail in the May Primary Election?

Yes, however, because I am running for judge, unless it is during an election cycle in which I am also running, I cannot engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the Judiciary.

Question 6

When it comes to sentencing, what circumstances might make you lean toward the maximum allowable sentence.

Sentencing decisions are based on several factors which include the seriousness of the crime charged; the age of the accused; any prior criminal history; etc. These are called aggravating and mitigating circumstances. Crimes that cause extreme physical or emotional trauma would make me lean toward the maximum sentence. The harm that has been caused to a victim is extremely important to what a sentence should be. Prior criminal history is a factor that should be considered, for it is often an indication of the defendant's unwillingness to lead a law abiding life.

However, it is extremely important that the sentence addresses the problems—like drug addiction and family violence—that bring people to court. Therefore, I embrace our local commitment to problem-solving courts to insure that we are addressing any underlying substance abuse or mental health issues an offender may have.

I will be the type of judge who will interact with individuals in ways that will induce hope and motivate them to consider availing themselves of treatment programs. I hope to encourage offenders to confront and solve their problems, to comply with rehabilitative programs, and to develop law-abiding coping skills. I will seek creative solutions to problems and treat court participants fairly and as individuals worthy of respect and attention. I would structure a sentence that requires ongoing judicial supervision, such as having defendants report back to court for treatment updates and judicial interaction. Ongoing supervision keeps judges informed and offenders accountable, and allows judges to tailor sentencing provisions according to an offender's progress or relapse.

Question 7

Conversely, what circumstances would make you lean toward the minimum allowable sentence?

As discussed above sentencing decisions are based on many factors. If a defendant had little to no criminal history and had committed an offense that was not violent in nature and did not cause a victim to suffer any losses, I would issue a sentence that was the minimum allowable sentence.

I would also encourage the Deputy Prosecutor who was handling the case to consider allowing the defendant to go through the Pre-trial Deferral Program. By Indiana statute, the prosecuting attorney may offer a diversion program for defendants charged with minor offenses in order to save judicial resources while providing accountability for offenders. The program is designed as an intervention aimed at addressing potential substance abuse issues and reducing offender recidivism. It provides a greater degree of accountability, through educational programming (alcohol/substance abuse education/treatment) and other sanctions (road crew/community service), than the typical sentence imposed by a judge under a traditional court conviction.

Question 8

Since 2012, the General Assembly of the state has enacted various laws to give convicted offenders a “Second Chance” by expunging their records for those who have committed misdemeanors or non-violent class D felonies. Some of these people have complained that they cannot get a job because potential employers discover these same criminal records (when they do background checks) on state run websites located on the internet; thereby, negating a second chance for employment. What will you do to help eliminate the problem that prevents these citizens from returning to the workforce?

The problem you raise can only be addressed by the Indiana General Assembly. It is the legislative body that determines how the statutes are written and they alone have the power to change laws to address such issues. Local judges have no role in this process. That being said, assuming the petition for reduction or elimination of criminal records meets the statutory requirements, I will grant the petition.