

R. Michael Flory

DFMC Candidate Questionnaire

Monroe County Circuit Judge – Court 1

Name: R. Michael Flory

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1. Why are you running for Office?

I have unique skills and experiences from my work history—seven years in administration in the College of Arts and Sciences at Indiana University; 22 years’ experience as a government attorney—as an Assistant City Attorney for Bloomington, and as Attorney for the Monroe County Council. I understand town/gown relationships, broad areas of civil law, policy formation and budgeting—all areas that place great demands on Monroe County Judges. I feel like I’ve been training throughout my career – inadvertently--to serve my community as a Judge.

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

My major political experience has come from serving community elected officials, from Mayor Tomi Allison, to John Fernandez, and then Mark Kruzan in the City of Bloomington, and the County Council members who have served since 2007—current members, plus Warren Henegar, Vic Kelson, Alice Eads, Ryan Langley, Sophia Travis. I've been a first hand witness, and contributor in some small ways, to how good people have governed the City of Bloomington and Monroe County. I've had incredible mentors, beyond elected officials—primarily Linda Runkle who was the Corporation Council for the City of Bloomington, and the best mentor anyone could ever ask for.

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

I've seen first-hand the damaging effects of discrimination against gays, people of color, and women in our society. Particular sensitivity to homophobia increases sensitivity (or at least ideally it should) to other areas of discrimination. The damage is both individual and societal. I hope that on various active, public levels and on quieter individual levels I have helped steer social policies in a positive direction.

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

I have in-depth experience with the contributions citizens make to city and county boards and commissions. I have also seen the positive results of the County Council reaching out to community groups during the discussion over increasing the Food and Beverage Tax for expansion of the Convention Center—the Council held a meeting in a Stinesville lodge meeting room, an exciting first. I would like to expand on this one event, not solely by having travelling meetings, but by increasing the number of ad hoc committees set up to examine issues and advise elected officials.

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?

I want to answer this question very carefully, and I hope my answer is considered with similar care. I have voted Democratic since I first became eligible to vote, in every primary or regular election I have voted in. I have not always voted a straight ticket, but the vast majority of votes I have cast in my lifetime have been for Democrats. My personal life is immeasurably better because of the work and striving of Democratic and progressive elected officials—and grass roots activists. The other candidates in the primary for this Judge position are stellar persons, and the Democratic Party should be proud to produce such qualified candidates for a local position. However, my gut feeling is that, as a person seeking the office of Judge, I do not want to make a public statement that I will promise to support any eventual candidate of the Democratic Party, until that candidate is known, and any possible opponent is known. At that time I would not have any problem stating whom I would support. I think it is vital for any Judge to be seen as impartial vis-à-vis the politics of any person before the Court, and I think that it is vital for any Judge to reserve final judgment until all the evidence is presented. Should I have the honor of being elected Judge, I would not want anyone in my Court to feel that they were not viewed as equal before the law, or to feel that they had in any way been pre-judged.

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

While this judge position will not be handling criminal sentencing, I can answer the question by stating that I would review the controlling statutes and case law to make certain that I clearly understood the parameters set out and developed under judicial review for arriving at any maximum allowable sentence. Without careful review of the statutes and case law in order to answer this questions, I can nevertheless state that such elements as premeditated murder of a public safety officer or elected official, or brutal, random acts of terrorism or murder are especially egregious. Nevertheless, I can state that I think the death penalty should never be imposed, and that our society would be better served to simply rule out the death penalty, no matter what the crime. I just think administering the death penalty has coarsened our society.

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

I would give great weight to the recommendation of the court personnel who review case histories and make recommendations to the court—and I would strive to see that the quality of such court personnel is maintained at a high level. I would look for information regarding possible treatment or guidance for the offender. First-time offenses would generally merit extra work and support to avoid recidivism. I would keep in mind that the help a person needs to change direction in life is rarely found in prison. I would also look for evidence of family or church/social community support for the convicted person. I have personally witnessed a sentencing in Judge Todd's court where the mother in law of a young man being sentenced made a compelling plea that she wanted the chance to work with him to better his life (and the life of her daughter, by extension of course).

8. What will you do to help eliminate the problem that prevents these citizens [persons with expunged records, but whose past shows up on various state run websites on the internet] from returning to the workforce?

I am aware that this situation has been a problem, but I have not had time to investigate the specifics. I would begin by encouraging the state officials who are in charge of such websites, to take action to have any expungement carried over to other state informational internet sites. This could lead to a partial solution, but eliminating information from the internet is a concept that is boggling—though there are attempts in the European courts to order Google and other search engines to do such “scrubbing” I believe. I believe a corollary action would be to further educate the public that if our criminal justice system is to work properly, the concept of an individual having “paid their debt to society” should result in some understanding and acceptance (perhaps grudging) that successfully completing one's sentence (or ideally drug court or some other special remedial program) should be viewed as a sign of maturity and capability, rather than a black mark. Pointing to examples of successful reintegration of an individual(s) into society could be a powerful catalyst for change of public opinion. One has to recognize that most progress in society comes through education over an extended period of time.