

MARK HERRING

DEMOCRATIC CANDIDATE FOR ATTORNEY GENERAL

Tell us briefly why you believe that your candidacy would be compelling particularly to NAKASEC Action Fund members:

I have long been a champion for immigrants, undocumented citizens, and minority communities around the commonwealth. Whether it is successfully defeating Trump's Muslim Ban in the supreme court, determining that DREAMers protected by DACA qualify for in-state tuition, or launching www.NoHateVA.com as a resource and continue to seek additional tools to protect those who are vulnerable from hate crimes and to hold perpetrators accountable, I have been and will continue to be the people's lawyer.

1. Economic Justice

While Virginia has a graduated personal income tax structure, the top rate starts at \$17,000. In other words, someone who earns \$17,001 pays the same effective tax rate as someone who earns \$250K. Those at the top received huge federal tax cuts under the Trump administration, at the same time that hundreds of thousands of Virginians lost their jobs and livelihoods. Recovering from COVID-19 will require additional funding. According to the Institute on Taxation and Economic Policy, Virginia has the 33rd most unfair state and local tax system in the country, meaning that lower-income households pay a higher share of their family income in state and local taxes than the top 20%.

Do you support adding income tax brackets above \$17,000?

Yes

No

Do you support a millionaire's tax?

Yes

No

Comments:

As the Attorney General, my Division of Consumer Counsel advocates for the interests of Virginians by supporting regulating rates to corporations so that they do not pass along fees to everyday Virginians. With that being said, I support the notion that every single person pays their fair share of taxes.

2. Language Access

Virginia is an increasingly linguistically diverse state. 20% of Asian American and Pacific Islander (AAPI) households identify as limited-English proficient (LEP). The LEP rate is higher depending on the specific ethnicity and/or language population. This issue is one that touches many people, including Black, Middle Eastern, and Central American immigrant, refugee, and indigenous communities as well. Yet multiple Virginia state agencies

continue to use machine translation, such as Google Translate, solely without appropriate human review which often results in serious inaccuracies and offer phone menu options only for English and Spanish speakers. With the creation of the Office of New Americans, it is time that the state expand meaningful language access beyond English and Spanish.

Do you support the following:

Increasing state funding for interpretation and translation services for programs funded and/or administered by the state, including hiring more bilingual/multilingual staff?

Yes No

Hiring a state-level language access director?

Yes No

Developing a coordinated and comprehensive plan that incorporates best practices, including the provision of real-time oral interpretation in any requested language, requiring ongoing staff training on policies and protocols, and ensuring accurate data analysis and collection?

Yes No

Comments:

Government must be accessible to ALL of the people it serves. A critical and necessary step to ensure that is allocating proper resources to address the growing diversity of languages spoken within the commonwealth.

3. Data Disaggregation

The Asian American, Native Hawaiian, and Pacific Islander (AANHPI) community is extremely diverse, composed of more than 50 ethnic groups with varying immigration histories, languages, and socioeconomic statuses. However, the "Asian" and "Native Hawaiian/Pacific Islander" groupings present a homogenous picture and obscures socioeconomic, social, physical, mental health, and civic participation disparities between ethnic groups, at substantial risk of those communities being underserved. In order to reveal the true state of AANHPI communities, disaggregated data should be collected on AANHPI ethnic groups, analyzed, and made publicly available.

Do you support data disaggregation for the AANHPI communities, starting with the Department of Health and Department of Education?

Yes

No

How would you implement it? Comments:

My office will do everything possible to support all underserved and underrepresented communities, particularly black and brown communities.

4. Healthcare

Undocumented residents typically seek care at emergency rooms, or through a patchwork of resources and organizations making exceptions to find creative solutions for patients, or not at all. All people should have access to health care services and should not suffer financial hardship when obtaining these services. In Virginia, 25% of undocumented immigrants come from Asian countries.

Do you support the expansion of healthcare for all undocumented residents across all age groups?

Yes

No

Comments:

I support universal healthcare for ALL. It is as simple as that.

5. Public Education

The debate surrounding admissions reform to governor's schools has highlighted the disparities faced by Black and Latinx students, and lower-income students, including Asian Americans. Reforming admission policy is a step in the right direction for education equity. However, the vast majority of students do not attend publicly funded Governor's schools. In order to better support low-income students and students of color, it is crucial to ensure funding is distributed to schools that need the resources the most. Public education is not a brand, like Governor's schools have become. Adequate funding for the public K-12 public education system is important in closing gaps in remote learning, providing students with mental, physical, and academic support, and creating a safe school environment for educators and students should schools reopen. Additionally, distribution of resources should prioritize the schools and students who need them most, and provide additional assistance to students who need specialized services and were at particular risk while schools were shut down, including students experiencing homelessness, students in foster care, English language learners, students with disabilities, Indigenous students, and students residing in juvenile justice facilities.

Do you support the following:

100% lottery admissions to Governor's school to increase access for Black, Latinx, and low-income students (including Asian Americans)

Yes No

Race and class conscious admission policies to increase access for Black, Latinx, and low-income students (including Asian Americans)

Yes No

Gradual closing of Governor's schools and re-distribution of those resources to the most high-need high schools in each region

Yes No

Continuing efforts to make curriculum and school environments more inclusive and reflective of Virginia's history and current demographics

Yes

No

Comments:

I believe our Commonwealth's diversity is one of its greatest strengths. I've had a front row seat as my hometown county of Loudoun has transformed itself and become more economically dynamic as it became more diverse and welcoming. I understand that immigration has been a source of economic and cultural benefit for Virginia for more than 400 years and is working each and every day to make sure that new Virginians are welcome here.

I fought former President Trump's unconstitutional Muslim ban, successfully arguing that the ban was unconstitutional and based on religious bigotry and winning the nation's first preliminary injunction against the ban.

In 2014, I determined that Virginia DREAMers who were protected by DACA could qualify for in-state tuition and pursue an affordable education in their home state. Since then, hundreds of Virginia students have been able to pursue an affordable education in their home state.

I am determined to continue working to strengthen the relationships between law enforcement agencies and the communities they serve, especially in communities of color, by providing additional training on 21st century policing skills like implicit bias, helping departments recruit more diverse officers, and encouraging positive interactions between officers and young people. I have worked to build a world class team of lawyers that reflects the diversity of the people they serve,

6. Marriage Equality

The Supreme Court has ruled that the U.S. Constitution guarantees same-sex couples the right to marry, but Virginia's constitution still defines marriage as a union between a man and a woman. Replacing the ban on marriage equality with an affirmation of rights will better reflect Virginia's values and would reaffirm that all Virginians are entitled to equality in every aspect of their lives and in their state's laws.

Do you support amending Virginia's constitution to affirm marriage equality for all adults, regardless of their gender identity?

Yes

No

Comments:

One of my first accomplishments when becoming attorney general in 2013 was deciding NOT to defend the unconstitutional suppression of LGBTQ Virginian's rights to marry whomever they choose. I am also proud to have partnered with Delegate Danica Roem to support a ban on the disgusting "LGBTQ/Trans Panic Defense".

7. Paid Sick and Paid Family Leave

In Virginia, unpaid leave under the federal Family and Medical Leave Act is inaccessible for 55 percent of working people, with evidence showing that many eligible employees do not take leave when they need it because they cannot afford it. As the COVID-19 pandemic made clear, the lack of paid sick and paid family leave has had devastating costs to Virginians and their families, public health and the economy.

Starting July 1, 2021, Virginia will mandate paid sick leave for home health workers, but it is crucial to extend paid sick leave and paid family medical leave to all employees in Virginia so no Virginian needs to pick between having a job and taking care of their family. The long-term consequences of the pandemic have emphasized the importance of ensuring a robust, equitable recovery for Virginians' health, caregiving needs and economic stability.

Do you support expanding paid sick leave and paid family medical leave to all employees in Virginia?

Yes

No

Comments:

Yes. Not only is paid sick and family leave good for business, but it is a critical healthcare initiative to help close the health gap between lower-income, typically minority communities and their wealthier neighbors.

8. Reproductive Rights

Since 2008, anti-choice politicians have introduced or passed more than 170 restrictions that limit access to abortion and reproductive health services in Virginia. AAPI women face various health disparities often due to immigration status, language barriers, and income level. AAPI women experience some of the highest rates of cervical cancer, and high rates of uninsurance. Additionally, there is evidence that AAPI women use hormonal birth control at lower rates and have high rates of unintended pregnancies. As a result, access to comprehensive health services is a key issue for AAPI women and the community as a whole. The Reproductive Health Equity Act (RHEA) would ensure that regardless of what happens to the federal Affordable Care Act, reproductive care will be fully covered and respected in Virginia. The RHEA would establish comprehensive coverage for the full spectrum of reproductive health services, including family planning, abortion, and postpartum care for all Virginians, regardless of gender identity, immigration status, employer, income, or type of insurance.

Do you support the Reproductive Health Equity Act?

Yes

No

Comments:

I have stood as a brick wall against repeated Republican attacks on women's reproductive rights and I'm a fierce advocate for women on issues of economic fairness, reproductive justice, and more. I eliminated Virginia's rape kit backlog, something only six states have been able to do. I joined with other AGs in filing a brief to stop attempts to defund Planned Parenthood. I fought in court to protect reproductive rights and a woman's right to choose, and we have to keep this progress in Virginia going.

9. Climate Change

There are many ways global warming as well as polluting industries and institutional policies' lax regulation of these industries disproportionately harm communities of color, from lack of access to clean drinking water to higher exposure to pollutant emissions from transportation, power generation, and other industrial and agricultural emissions. These environmental factors result in communities of color suffering greater rates of health problems. Virginia has taken steps to reduce emissions, such as passing the Clean Cars Act, but these commitments and actions still fall short of what is needed to limit the rise of global temperatures and avoid the worst effects of climate change. With global climate impacts that are already unfolding under today's warming, from devastating heat waves and more intense storms, it is becoming increasingly urgent and crucial to work toward net-zero emissions.

Do you acknowledge that human actions are a major contributor to climate change?

Yes

No

Will you support measures to transition Virginia to a net-zero carbon footprint by 2045, including the transportation and building sectors?

Yes

No

Comments:

I've been a consistent voice for progress in developing clean energy and addressing climate change -- particularly with Virginia's unique vulnerability to sea level rise. As part of the "Green 20," I'm working with a group of his fellow attorneys general to address climate change, protect progress made in recent years, and promote cleaner energy. Under the Trump administration, we defended President Obama's Clean Power Plan in court because it is an ambitious, achievable, and lawful roadmap for enjoying the health, environmental, and economic benefits of cleaner air. We opposed the Trump Administration's attempts to withdraw the Clean Power Plan and kill pending litigation regarding its lawfulness. In official opinions, I clarified and confirmed the ability of the Virginia Air Pollution Control Board to regulate carbon dioxide and other greenhouse gases and the authority of local governments to regulate

“fracking.” Working with former Gov. Terry McAuliffe, I helped grow the solar, wind, and renewable energy sectors in Virginia, including new solar projects that will power state government facilities.

What is one measure you would take to address environmental racism?

We must ensure that when restitution is paid by the large companies that have taken advantage of our environment, minority communities receive an equitable amount of the funds that is representative of the disproportional burden that they bore.