

Name: Karen Katz

Phone: N/A

Email: KarenKatzforJudge@gmail.com

Website: KarenKatzforJudge.com

Current line of work: Retired public defender

- 1) Why do you want to be a judge? What do you believe are the main priorities for a Superior Court Judge?

We are all safer when justice is administered fairly. The fair administration of justice starts at your local courthouse, with a level playing field regardless of race or economic status. In my thirty-year practice of law, I saw defendants penalized just because they were poor. For example, I saw them settle cases just to get out of jail because they couldn't afford bail. As a judge I'll be sensitive to this issue and to the issue of public safety. As an Alameda County public defender who served low-income clients from Livermore, to Fremont, to Albany, I know that both prosecution and defense have an important role to play. I will not favor either side. I will read the law and follow it, respect taxpayer dollars, be courteous to litigants and the public, and stand against racism, sexism, and homophobia in my courtroom. I have seen the effect a judge has on the lives and futures of litigants. I want to bring fairness, empathy and respect to the bench. Access to justice for poor and moderate income Californians is a priority for me.

- 2) Give a brief summary of your background and qualifications for the office of Superior Court Judge.

I was a public defender in Alameda County for thirty years. I was in court every day. I know how a courtroom is supposed to function, and what helps and hinders that function. After thirty years of working with the population most impacted by the criminal justice system, the poor and the outcasts of our society, I am deeply familiar with their struggles and will bring that knowledge to the bench.

My thirty years in the trenches gave me a broad perspective on the justice system. I was in court almost every day. The victims in my cases were often every bit as poor as my clients. I did jury trials, I know the stress involved for all the parties. I have empathy for everyone involved in the courts, from witnesses to jurors, victims to defendants, prosecutors, police and defense attorneys. As a veteran practitioner, I know that both sides have an important role to play.

I have lived in Oakland for twenty-five years and sent my kids to Oakland public schools. For the last ten years of his life my brother Matthew also lived in Oakland, in a Clausen House group home. He was developmentally disabled. I am a long time member of this community and I am aware of the pressures and the joys of living here.

3) Please identify any endorsements you have received thus far.
I am still gathering endorsements.

4) A. Describe the sources of the financial contributions received by your campaign.
I have collected financial contributions (usually \$500 or less) from friends and members of the bar. I have also contributed personal funds.

B. Please identify any sources from which (or whom) you would refuse to accept campaign contributions.

I would not accept contributions from any person or group that espouses bigotry, hate or violence.

C. How much money do you currently have for this race?
Approximately \$40,000.

D. How much money do you plan to raise?
As much as we can.

5) A. How would you assess the job performance of the previous Superior Court Judge who occupied Seat 11? See below.

B. Please cite specific strengths and/or weaknesses.

I voted for Judge Flanagan in 2012. Unfortunately, Judge Flanagan has not been the compassionate judge that Alameda County deserves. She has a history of comments and decisions that call her fairness into question. Please see "Why challenge Judge Flanagan" on my website:

<https://karenkatzforjudge.com/whyjudgeflanagan/>

6) A. Concretely and specifically, how will you make yourself accountable to the voters who elect you?

Court proceedings are open to the public, so that there is much more access available for voters in a judicial race than for voters for other offices.

B. How can the voters participate in holding you accountable if you are elected?

I take pride in our country for being outspoken and holding elected officials responsible. Any dissatisfied person can make a complaint to the Commission on Judicial Performance. Short of that, a dissatisfied person could write me a letter stating their grievance and I would respond.

7) A. When were you admitted to the California Bar? 1985

B. Have you ever the subject of any disciplinary actions by the State Bar or sanctions by any court? No

If so, describe the underlying circumstances which lead to such disciplinary actions and/or sanctions.

8) Describe, chronologically, your law practice and experience after your graduation from law school.

After graduation I went to work at the Office of the Alameda County Public Defender and remained there until I retired in June of 2016. I represented indigent people accused of crimes in all stages of the proceedings. I defended in approximately 35 jury trials and in hundreds of trials in juvenile court. I briefly supervised the juvenile division. When my children were young, I was fortunate to be able to work part time, which I did for nine years.

9) A. What has been the general nature of your legal practice?
Criminal defense for indigents.

B. Please describe your typical clients and mention the areas, if any, in which you have specialized, including any significant pro bono commitments or efforts.
My clients were diverse in age, sex, and race, but all were either low income, poor or destitute. I specialized in felony cases. Some of my clients seemed to have never received a quality service in their lives until I was appointed to be their lawyer. No one had paid any attention to some of them until it was time to try to lock them up. Many of my clients were not well educated.

10) A. Describe up to five of the most significant litigated matters which you personally handled and give the citations thereto, if the cases were reported.

B. Give a capsule summary of the substance of each case and a succinct statement of what you believe the particular significance of the case.

C. Identify the party or parties whom you represented; describe the nature of your participation in the litigation and the final disposition of the case.

Note: My clients in the following cases were African-American.

1. My first murder case was the defense of a battered woman for the murder of her husband. I litigated a bail motion that the prosecutor later told me was the best bail motion she had ever seen, and resulted in a bail of \$35,000. This was in 1988. My client's four siblings bailed her out after she had been in custody for 17 days and she never did another day in jail. She pled no contest to a voluntary manslaughter and received probation. As far as I know, she never re-offended. This case was an example of the battered woman's syndrome.
2. I was assigned a sale of heroin case that seemed routine until I read the file note, which went something like "swears he will attack his next public defender." My client had a prior conviction for murder. Luckily he was friends with a previous satisfied client of mine, and that smoothed things over. We went to trial and the judge decided that I had "opened the door" to character evidence and the jury was told about the prior murder conviction. I was upset, and my client patted me on the back. Ultimately, the case hung and was dismissed. The case was significant for those reasons as well as for demonstrating that a jury will not necessarily take police at their word.
3. I defended a young man who was accused by the Oakland Housing Authority Police of drug sales. I went to the crime scene and realized that the police could not have seen what they claimed they saw from where they were. It turns out that the prosecutor had been there about half an hour before me. The next morning she dismissed the case. Prosecutorial integrity is critical to the criminal justice system.
4. I defended a man who was accused of possession of a billy club. He told me that he hadn't known it was a billy club. It came with the car he had purchased as an accessory necessary to hold up the hood. I subpoenaed the seller to the jury trial. I had to threaten to have him arrested to get him to show up. My client was acquitted. This case was a demonstration of the nexus between race, poverty and the criminal justice system.

11) Have you ever held public office other than judicial office? If so, please provide the details, including the office involved, whether it was elected or appointed, and the length of your service, giving dates. No

12) A. Please list all bar associations and professional societies of which you are a member.

Current: Alameda County Bar Association

Women Lawyers of Alameda County
Previous: Alameda County Public Defender's Association
National Lawyers Guild

B. Do you serve on the board of any organization that provides direct legal services to indigent and/or underrepresented communities? No

13) List any personal charitable or community activities you in the past or are currently involved in.

My children attended Oakland public schools K-12, and I was an active parent volunteer. More recently I was a literacy tutor in East Oakland and a mock trial coach on the high school level. I am a member of the CORE and Crime and Safety committees in my neighborhood.

14) Please list all organizations and associations other than bar associations or professional societies of which you are (or have been) a member, including civic, charitable, religious, educational, social and fraternal organizations.

United Brotherhood of Carpenters and Joiners, Santa Cruz County.
IFPTE Local 21
Joaquin Miller, Montera, Skyline HS PTSA
Temple Sinai
ACLU
Sierra Club
NOW

15) What are your views on the prison industrial complex? Please describe what you think should be done to address the issue?

The increase in the incarcerated population and the growth of the private prison industry are related. It has been my view that the harsh sentencing that came into vogue in the last thirty years was spurred on by those who stood to profit as a result.

A. What are your views on addressing the problem of the high number of young people of color in prison or otherwise under the supervision of the criminal justice system?

Three things come to mind. One, training on implicit bias should be mandatory in our high schools, colleges, nursing and medical schools, law enforcement academies and other educational institutions. Two, attention needs to be paid to the ineffectiveness of pre-trial detention as a method of ensuring public safety. People who are unable to make bail may settle their case in order to be released from jail. Instead of fighting their case, they accept probation. Once on probation, people are

vulnerable to an allegation of a violation, which need only be proven to be more likely than not. Someone who is in jail is always in a weak bargaining position. Public safety rarely requires pre-trial detention. Three, the term of probation, normally five years for a felony in Alameda County, should be determined on a case by case basis and subject to termination sooner than is now the norm.

16) A. Give examples of how you have reacted to incidents of racism, sexism, homophobia, etc. directed to others in your professional life. I get upset. If possible, I get justice. Racism, sexism and homophobia are present in the criminal justice system in myriad ways. I did my best to humanize my clients so that others see them as they might see a member of their own family. When a judge made a statement about how “these people” aren’t like regular people, I took him on and recited all of the ways that “they” were indeed regular people. I have used social workers to promote cultural sensitivity in opposing counsel and on the bench to help them understand that the range of choices available to members of minority groups may not be as broad as they are for the privileged classes.

B. Have you ever asked something important to stand up for others? Give examples.

I have advocated for an African-American colleague who was passed over for promotion. I went to the boss directly.

I wrote a letter asking for an apology to a female colleague to a man in management who barreled into her while walking by her. She got the apology the next day.

I went to the boss about a supervisor who was bullying employees. After I broke the silence, others followed and the man was removed from a supervisorial assignment.

C. What do you do when confronted with an opinion that differs from your own? I listen, and try to put myself in the shoes of the person who is voicing the opinion. I ask questions. If I agree with them, I will change my opinion.

17) Anything you would like to add? Fighting for justice is a hard habit to break. Thank you for your interest in the campaign.