

Lorrie Masters for Attorney General

Responses to the DC for Democracy Questionnaire

1. What in your background qualifies and prepares you to serve as the first elected Attorney General of the District of Columbia?

As a practicing attorney in Washington, DC for more than 30 years, I am dedicated to public service and fighting for the best interests of District residents. In my private practice, I have represented individuals, families and businesses seeking fair treatment from insurance companies and protected the rights of policyholders. I have sued on behalf of the District government to ensure transparent elections and represented disenfranchised voters against discriminatory election practices. Committed to ending dishonest and unfair business practices, I helped Anacostia homeowners who bought redeveloped homes that turned out to have significant construction defects get much needed repairs and renegotiated high-interest loans for families who were taken advantage of by predatory lending. An advocate for women and children, I have fought for victims of human trafficking and secured justice for them.

Leadership on the Path to Statehood

I am proud of my contributions to the cause of Statehood. I have worked for years with DC Vote and DC Appleseed, providing pro bono advice on various legal issues, including employment, intellectual property and governance issues. I have served as a board member for both organizations, and have worked extensively to further their missions of obtaining full democracy for the District, including budget autonomy, voting representation in Congress and Statehood.

Extensive Trial, Litigation and Management Skills

I have significant trial and litigation experience, handling cases of all sizes, from pro bono cases and matters for individuals to complex cases worth millions of dollars. I have made law and defended law that protects insurance policyholders, working to advance these important consumer rights that affect everyone, from homeowners and drivers to companies of all sizes. I have also demonstrated executive leadership in my private practice, through pro bono work and in professional associations.

I served as the managing partner of the DC office of my law firm for four years, was president of the Women's Bar Association (WBA) of the District of Columbia and currently serve as an officer of the American Bar Association's (ABA) Section of Litigation. I chaired the DC Bar's Litigation Section and has served on committees and

programs for the Hispanic Bar Association of DC, American Pacific Bar Association of DC and Hispanic National Bar Association, among others.

Dedication to Fair and Honest Elections

I advised a Special Committee of the DC Council on issues relating to DC's election law and voting machine irregularities in DC's primaries held in February and September 2008. I then helped write a report, which was presented to the DC Council and was the basis for the Council's revision of DC's election law. I received a commendation from the DC Council for my work on this project.

In addition, I was lead counsel in a case challenging the Florida Secretary of State's efforts to remove "alleged noncitizens" from the state's voter-registration rolls. Representing individual voters and organizations whose members had been unfairly targeted, I challenged the state's unfair election practices. This led to an agreement by the state not to remove targeted voters from the polls before the 2012 elections and, on appeal, to the first decision in the country under the "90-day provision" of the National Voter Registration Act holding that the state cannot conduct a "systematic" "program" (a purge) within 90 days of a federal election.

Protecting Consumer Rights and Representing the Disenfranchised

I have devoted significant energy to work on pro bono matters, helping homeowners remedy construction defects and renegotiate a high-rate loan, representing policyholders denied health insurance coverage for experimental matters and helping victims of human trafficking secure justice.

I negotiated a favorable settlement for Anacostia homeowners, who bought redeveloped homes that turned out to have significant construction defects. After filing a lawsuit on the homeowners' behalf, I was able to obtain a monetary settlement, which the homeowners used to correct the defects to their homes. I also was able to renegotiate the draconian terms of a refinancing that a predatory subprime lender sold to a family of immigrants, helping them keep their home. When I became involved in the case, the lender agreed to revise the family's mortgage from an unaffordable adjustable rate, back to a fixed-rate mortgage at their original interest rate.

Working pro bono, I have been able to obtain health insurance for individuals diagnosed with cancer, multiple myeloma, and other life threatening diseases. In doing so, I have been able to guarantee that the clients get the insurance they need in order to proceed with the treatments recommended by their doctors.

I also worked on many cases in which I represented victims of human trafficking here in the United States. I filed groundbreaking federal lawsuits under the Trafficking Victims Protection Act seeking to recover back wages, statutory damages and other damages for her clients. My efforts have secured victims millions of dollars in judgments and settlements.

Commitment to Diversity and Access to Justice for All

In addition to pro bono cases, I have been very involved in increasing access to justice for people across DC. I have served on the Boards of the Legal Aid Society of DC, the DC Bar Foundation and the Women's Bar Association Foundation, groups that provide direct pro bono legal services or grant necessary funds to such organizations. While serving on the DC Bar Litigation Steering Committee, I also oversaw the Section's quarterly staffing and participated in the DC Bar's Legal Advice and Referral Clinic held at Bread for the City on Martin Luther King Avenue, SE. I also am committed to advancing diversity and inclusion in the workplace and ensuring that all employees have an equal chance to succeed.

As Women's Bar Association president, I did extensive work on the WBA's Initiative on Advancement and Retention of Women and spearheaded the planning and production of the WBA's Diversity Summit, which examined the combined effects of race and gender facing women of color in the legal profession. I also oversaw the writing and publication of the WBA's second Initiative report, *Creating Pathways to Success for All*. I continue to work on the WBA's Initiative task force today.

In addition, I chaired the Women of Color Research Initiative of the ABA Commission on Women in the Profession, and serves on the ABA's Gender Equity Task Force.

Work in DC Schools

I am committed to the District's youth, having served as an adviser for H.D. Wooden High School's mock trial team, helping for years to organize the DC Bar's Youth Law Fair and encouraging and advising talented high school and college students of all backgrounds to consider law as a career. I also was very active in Lafayette Elementary School's Home and School Association and chaired the HSA's auction for two years. At a time when the HSA considered canceling the auction, I stepped up, and led and revitalized the auction, creating one of the school's most successful ever in 2000.

Professional Awards

I have been recognized by the National Law Journal as a "Champion" for my work on voting rights, DC election law and diversity and inclusion issues, was named one of DC's "Top 10 Super Lawyers" by Law & Politics and one of Benchmark's "Top 250 Women in

Litigation” in the U.S. In addition, Law 360’s readership voted her one of the ten “most admired” insurance coverage lawyers in the country. I also have been included on Best Lawyers in America’s list for my work on insurance issues for the last six years and named a “Best Lawyer” by Washington Legal Times for the last five years.

The Right Choice for DC’s Attorney General

I am running for Attorney General because I believe that residents of the District deserve someone who will be an honest and fair voice for them in government and stand up for their rights. There is no other candidate in the District’s Attorney General race that has my combination of skills, experience and commitment.

If elected, I will fight relentlessly for DC voters, clean up corruption in our government and work to secure self-determination for the District. I am the right choice to be the first elected Attorney General of the District of Columbia.

2. Given the general belief that the District and elsewhere, that the political system is corrupt, does the Attorney General have a special role and responsibility to help transform the legal and political culture of the District? If so, how would you go about doing that?

In combatting District government fraud and abuse, the Attorney General shares responsibilities with the Office of the United States Attorney, the District of Columbia’s Office of the Inspector General and a host of regulatory and oversight entities including DC’s Board of Elections, Office of Campaign Finance, and Board of Ethics and Government Accountability.

I will make sure that the Office of the Attorney General establishes and maintains effective working relationships with each of these organizations. Furthermore, I will move to establish and help lead an ongoing interagency task force to

promote integrity,

prevent fraud and abuse,

discipline those who engage in fraud and abuse, and

intiate civil suits on behalf of the people of the District of Columbia and facilitate prosecutions.

In the criminal context, current law allows the Attorney General to prosecute cases containing offenses prosecutable by the U.S. Attorney when there are also offenses

prosecutable of the Attorney General; by maintaining a good and respectful working relationship with the U.S. Attorney, the Attorney General may be able to handle more of those cases — including ones involving fraud and abuse by District government employees. As a practicing lawyer with extensive experience in managing a large number of lawyers and complex litigation, I strongly feel that the Office of up to the challenge of handling a larger criminal caseload in such circumstances.

3. The Council has adopted a number of ethics provisions that apply government-wide. Are those provisions sufficient to address corruption and ensure good government? If not, what additional provisions do you consider important to build on those already adopted? Will additional resources be needed either in the Office of the Attorney General or elsewhere.

I am not satisfied with DC's current ethics provisions. The December 2011 legislation empowers the DC Attorney General to prosecute elected officials accused of ethical misconduct, and I will exercise that authority vigorously. In addition, I will seek additional Office of the Attorney General funding for the investigation and prosecution of ethics violations.

However, the 2011 legislation did not go far enough. For example, it failed to bar Council members from outside employment. Barring outside employment will help avoid conflicts of interest and apparent conflicts of interest that undermine public confidence. I will support such legislation.

Another necessary step is end the culture of Pay to Play. One way to do this is to enact legislation that accomplishes the goals of the unfortunately unsuccessful Ballot Initiative to ban corporate campaign contributions.

However, merely banning corporate contributions still allows contributions from individuals — including individuals who contribute large sums in hopes of gaining government contracts, grants or tax breaks. First Amendment protections give such individuals the right to PAY (make campaign contributions). However, we can protect the public's interest with legislation that, in effect, says

You can PAY; but if you do, then you can't PLAY.

In other words, I favor legislation that precludes campaign donors from receiving future government contracts, grants or tax breaks.

Another risk to integrity are Constituent Service Funds. Those who donate to these funds may be attempting to curry favor with elected officials and, then, obtain unfair and perhaps even illegal benefits from those officials. As an alternative I would support

either eliminating Constituent Service Funds entirely or using appropriations rather than politically motivated donations to pay for them.

Finally, public financing of elections will free candidates from the risk of soliciting and then being corrupted by large campaign contributions. I favor a system that encourages donations so small that they are within the means of virtually every DC resident. Such donations, in turn, should trigger significantly more campaign funding from the DC Government. We can accomplish this, for example, by matching a 20 dollar contribution from a DC resident with 100 dollars of public funding.

4. Previously, agency legal counsel have reported to the Attorney General. Effective October 1, they report to the Office of the Mayor. How do you feel about this recent decision of the Mayor and the Council to change the way in which agency counsel report? Do you think this is appropriate? Should the matter be revisited sometime after a newly elected Attorney General takes office?

Because the Office of the Attorney General is independent of the Mayor and the DC Council, I respect the right of the Mayor DC Council Members to secure legal counsel for themselves and for the agencies that report to them.

Nevertheless, the Office of the Attorney General must assert the principal role in coordinating and leading the District's legal affairs. To that end, I will establish an Office of Government Outreach to help maintain relationships with not only the Mayor and the Council but also with lawyers in the various District agencies.

I am mindful that the legislation creating the elected Attorney General will move oversight and reporting of such agency counsel from the Attorney General's Office back into the agencies. The existing structure pertained to the 1990s and was changed to prevent situations that took place when District agencies sometimes took one position on a legal issue, and the Attorney General's Office took another.

Given that change in reporting, it will be important for me as Attorney General to develop a good working relationship with the various agency counsel and department heads so as to ensure that the District speaks with one voice on legal issues and to ensure that agencies provide the witnesses, evidence and other assistance that will be necessary when the Office of Attorney General represents the agencies in court.

My work in the organized bar to create collegial organizations that foster communication and respectful working relationships provides a template for how I would proceed at Attorney General to develop and maintain good working relationships in this new era.

5. What are the strongest legal arguments against the New Columbia Admission Act, and how would you rebut those arguments?

I am confident that the New Columbia Admission Act will survive any and all legal, constitutional challenges. I look forward to joining in the legal defense of the legislation.

I have heard arguments that New Columbia could not be admitted because we did not first go through the stage of being a territory. However, the Constitution does not include any such requirement.

Another possible challenge to the New Columbia Admission Act is the Federal government's obligation to oversee the District of Columbia. We will readily dispatch this objection by pointing out that the District of Columbia remains under Federal control, albeit reduced in size to the Federal "core."

6. What are your top three priorities as Attorney General?

My first priority is to attack relentlessly corruption and unethical behavior within DC government, including elected and appointed officials, and rank-and-file employees.

My second priority is analyze and consider initiatives to address

predatory lending to ensure that District laws on fair lending practices are followed and so all borrowers are treated fairly and there is a level playing field for all businesses;

overtime abuse and "wage theft" to ensure that workers get what they deserve and can then spend to support the local economy and so that there is a level playing field for all businesses in the District;

scams by unscrupulous companies, especially schemes targeting the elderly;

poor enforcement of the city's minority/woman set-aside regulations and contracting requirements;

trafficking of women and girls, and lax pursuit of traffickers; and

poor protection of, and compensation for, victims of domestic violence.

My third priority is to initiate needed training for all staff, encompassing both continuing legal education and professional development programs for staff in the Office of Attorney General.