

# Bruce V. Spiva

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## Q1

Contact information

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## Q2

**District's lawyer**

In your view, is the attorney general more appropriately thought of as the District's lawyer or the fourth branch of government?

## Q3

Please explain your choice, resisting the urge to say you would balance the two. We would like to know why you believe your selection is the attorney general's primary mandate.

While I do not believe that the Office of the Attorney General is technically the fourth branch of government, I view the AG as the lawyer for the DC government and the people of DC. By creating an independent, elected Attorney General position, the Council and District voters ensured that the Office of the Attorney General can protect the public interest first and foremost, even when carrying out its statutory duty to defend District agencies and officials. I do not view the AG's position as counsel to the Administration; to the contrary, in those instances when the Administration is failing to comply with the law or the Constitution, the AG must do everything in its power to ensure that the Administration is acting lawfully and in the public interest.

Indeed, overall, I ran for Attorney General because I consider it to be the largest public interest law firm in the District of Columbia, something that accords well with my experience and skill set. I've spent the last thirty years as a public interest lawyer fighting for people whose voices are often not heard in areas ranging from voting rights, consumer protection, antitrust enforcement, civil rights, and criminal justice reform. These are issues critical to the lives of Washingtonians, and I will utilize my experience and passion for seeking justice as DC's next Attorney General.

## Q4

**Yes**

Do you think the District should build more housing?

**Q5**

The attorney general’s office announced last year its plans to advocate for the public interest in zoning and development cases in the District. The current attorney general’s interpretation of the public interest in land use has not been defined or, if it has, it has not been shared with the public. How do you define the public interest in land use?

Increasing the supply and accessibility of affordable housing and protecting the rights of current tenants are in the public interest. This is work I have done on behalf of tenants in cases against the District government and will continue as the next Attorney General. I led teams of lawyers fighting for Black residents of public housing, and obtained compensation for Black, Asian, and Latino residents of Columbia Heights who had been pushed out of their housing by developers and the District under the guise of “housing code enforcement,” but in reality to make room for high-end condos and apartments. As Attorney General, I will fight the efforts of slumlords to drive low-income tenants out of the city.

I also will hold developers to their promises to build affordable units in exchange for District dollars and enforce those promises when developers break them. Similarly, owners and developers should be held to promises they make to current tenants in redevelopment proposals, including relocation plans and the right to return. I will continue to battle housing discrimination, including more subtle methods of rejecting tenants on the basis of race, gender, sexual orientation, disability, marital status or source of income. I am also the only candidate in the race who has pledged to not accept any contributions from developers to my campaign.

The Office of the Attorney General should partner with community-based organizations that work with tenants and other tenants’ rights groups to monitor landlord compliance with a new tenant screening bill that will come into effect this week. Finally, I will advocate for real solutions for those experiencing homelessness, such as offering housing subsidies and service intervention outreach.

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**Q6**

The attorney general’s office also announced its plans to support ANCs, in particular, in development decisions made by the zoning commission or Board of Zoning Adjustment. When would you defend the District, and when would you support ANCs?

I do not believe the actions of defending the District and supporting ANCs are mutually exclusive. I would plan on seeking input from community leaders such as ANCs on development decisions. The OAG’s Land Use Section has the specific goal of working with ANCs to understand and address local housing issues, and receive feedback from these officials on the zoning and development process, including seeking to help empower ANCs to work through the zoning and development process to voice their concerns with specific projects and represent residents’ interests. As Attorney General, I will seek to achieve these goals.

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**Q7**

**Yes**

Mayor Muriel Bowser has established a housing-production target for the District (12,000 units by 2025) and broken that target down into, most notably, publicly subsidized, means-tested housing units that need to be produced per planning area. However, there are no consequences for the District if it fails to reach this target or for residents who stymie, through protest or lawsuit, the ability of the District to reach this target. Are you committed to the production of the fair share of publicly subsidized units per planning area?

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**Q8**

If you are committed to the production of the fair share of publicly subsidized, means-tested housing units per planning area, how will you enforce that? If there are currently no legal mechanisms by which production targets can be enforced, what will you attempt to implement to do so? If you are not committed to the production of the fair share of publicly subsidized housing units per planning area, please write, "I am not committed to the production of the fair share of publicly subsidized, means-tested housing units per planning area."

Developers who fail to keep their promises to build affordable units should be held accountable and should not receive future District funding or contracts. I will partner with community-based organizations that work with tenants and tenants' rights groups to uncover and take action against developers who fail to comply with affordable housing promises in their buildings. I also would support strengthening reporting requirements and publicly-available data on whether developers meet affordable housing targets, including to aid with enforcement.

I also would continue the current work of the Office of the Attorney General to recommend changes to the Zoning Regulations to protect tenants' rights in the redevelopment process. While it is important to protect current tenants' rights in the redevelopment process, I would seek quick resolutions to lawsuits that seek to stymie the production of new affordable housing. Bringing greater transparency to affordable housing production by planning area across the District and enforcing developers' broken promises can help to ensure that targets are met.

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**Q9**

**Yes**

The Home Rule Act specifies that municipal planning is the duty of the mayor, not the D.C. Council (page 13). Some zoning commissioners have expressed so much interest in hearing on-the-record support from councilmembers for planned unit developments, however, that the commission's approval of PUDs that are not in conflict with the Comprehensive Plan is now perceived as contingent on support from councilmembers. Do you believe this to be a problem?

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**Q10**

If you do believe that it is a problem that the zoning commission's approval of PUDs that are not in conflict with the Comprehensive Plan is now perceived as contingent on support from councilmembers, what will you do to remediate that? If you do not believe this is a problem, please write, "I do not believe this is a problem."

I believe that no one party should have veto power over the approval of PUDs. Overall, although I would certainly want to study this issue further, I am generally supportive of OAG's Proposed Text Amendment to the Zoning Commission regarding displacement prevention and tenant protection filed in February. I support efforts to ensure that impacted residents' voices are heard in the proceedings, both individually and through their ANCs. In addition, owners and developers should have to provide detailed plans regarding such issues as the efforts taken to support the relocation of the existing residents during the property's redevelopment, including the size and proximity of any temporary housing; and detailing the right of return offered to the existing residents, with an estimated redevelopment timeline.

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**Q11**

**Yes**

Do you think inducing residents and visitors to drive less should be an explicit policy goal of the District?

**Q12**

**Yes**

In 2018, the D.C. Council voted to decriminalize fare evasion in the District over objections from Mayor Bowser, the Washington Metropolitan Area Transit Authority, Metro Transit Police Department, and the Amalgamated Transit Union Local 689. Should fare evasion be decriminalized?

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**Q13**

**No**

Should the WMATA Board of Directors to abolish its penalties for fare evasion?

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**Q14**

**Yes**

Will you work to ensure the attorneys general in Maryland and Virginia, and their subordinates, suspend prosecution of fare evasion offenses?

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**Q15**

What powers does the attorney general have to reduce dangerous behavior by drivers on the District's roads? What will you do to ensure that no one is killed by a driver, especially by a driver who has demonstrated their failure to comply with traffic laws through unpaid parking and driving violations?

The Attorney General does not have broad jurisdiction over improving public transportation and traffic safety in D.C. However, as Attorney General, I will act as an independent advocate for increasing safe and affordable transportation options and a watchdog to ensure the D.C. government upholds the commitments it makes to Washingtonians.

I support a proactive approach to pedestrian safety. While not directly under the purview of the OAG, I support efforts to increase the presence of curb extensions and bump-outs, speed tables, and reasonable speed limits to protect Washingtonians.

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**Q16**

Delivery companies notoriously violate the District's parking laws, treating tickets as a business expense and negotiating batch discounts with the District, thereby ensuring that poor and unsafe behavior on their employees' parts will be excused. As attorney general, what will you do to force delivery companies to ensure that their drivers obey traffic laws?

The violation of DC's parking laws, especially those that cause the blockage of bicycle and vehicle lanes should continue to be punished. For businesses with a track record of parking law violations, I would consider increased enforcement to discourage poor and unsafe driving.

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**Q17**

The District's automated traffic enforcement program cannot meaningfully enforce consequences for unsafe driving upon Maryland and Virginia residents, as the District does not have any reciprocity agreement with those states. As attorney general, what will you do to facilitate those agreements, and what will you do to implement them?

I support creating a reciprocity agreement with Maryland and Virginia to ensure drivers from those states who violate DC's traffic laws are punished. I would consider trying to move forward with a plan similar to the one recommended by the National Capital Region Transportation Planning Board late last year. This would include partnering with DC's mayor and the governors of each state to create a safety task force with the goal of creating an agreement. This plan should prioritize enforcement for road safety violation.

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**Q18**

Fines and fees for unsafe driving disproportionately harm low-income drivers and drivers of color. GGWash has, in the past, proposed that the District switch from fines to points on a drivers' license to emphasize that automated enforcement is not about revenue or surveillance, but about ensuring that drivers are behaving safely and responsibly. Do you support changing the consequences of an automated ticket program from fines to points and, if so, how would you make that change law?

I share GGWash's concern about any policy which disproportionately harms low-income drivers and drivers of color. For instance, suspending driver's licenses for unpaid traffic tickets is bad public policy and could harm DC residents' efforts to obtain or maintain employment.

I would be open to working with the Council to explore a similar change with respect to automated tickets, with greater emphasis on public safety than on revenue enhancement.

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**Q19**

The District's goal to be carbon-free by 2050 requires most of the reduction of its transportation emissions to come from residents turning existing single-occupancy vehicle trips into transit, walking, and biking trips. Please describe at least one trip you currently take by car that you can commit to taking on foot, by bus, by train, or by bike instead.

With work from home in full force, I don't have a daily commute (besides the daily walk around my neighborhood I take with my dog, Rondo). However, I walk to recreation facilities that are about a mile from my home, and restaurants and shops in adjacent neighborhoods (my neighborhood does not have any shops or restaurants in it), and I could commit to doing that in all but the most extreme instances of weather. I am proudly endorsed by the Sierra Club and committed to the District's goal of being carbon-free by 2050.

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