



## ACLU of Texas Senate Candidate Questionnaire

Congratulations on your candidacy for State Senator!

The ACLU of Texas will be engaging our members and other voters in State Senate District 27 to provide them with information about the March primary elections on important civil rights and liberties issues. The ACLU of Texas is a nonpartisan organization and does not endorse candidates for political office.

We would like to invite you to participate in this process by providing responses to the questions asked on the next page.

**Please help educate voters about your position on the issues by responding to this questionnaire by Friday, January 3, 2020.**

We ask you to provide a short candidate statement highlighting your reasons for seeking office in this district and a brief listing of your top 3 priorities in the next legislative session.

Please limit your candidate statement to 500-words and limit top priorities to 250-words per priority.

This questionnaire has been divided into 5 categories: -

- Border Issues: positions on immigration and issues related to the border;
- Advancing Justice: positions on criminal justice reform;
- Reproductive Freedom: positions on reproductive rights and reproductive freedom;
- Ending Discrimination: positions on LGBTQ+ equality;
- Voting Rights: positions on access to voting and fair redistricting.

By submitting this questionnaire, you give permission for your responses to be made available to the public online. Should a candidate choose not to participate, the site will note that as well.

We also want to remind candidates about our Senate District Candidate Forum for SD27, scheduled for Wednesday, January 15<sup>th</sup> at 6:30pm held at Brownsville Public Library: 2600 Central Blvd. Brownsville, TX 78520. We will provide an official invite with forum details during the last week of December.

Please direct any questions to Brad Pritchett at [BPritchett@aclutx.org](mailto:BPritchett@aclutx.org) or call 346-299-6810.

Respectfully,  
ACLU of Texas Campaign Team



### **About Your Campaign**

*(For Public Use: Will Be Posted Along with Candidates Responses to Questionnaire)*

Campaign Website: [www.RubenForTexas.com](http://www.RubenForTexas.com)

Campaign Email Address: [Ruben@RubenForTexas.com](mailto:Ruben@RubenForTexas.com)

Please provide a link to or attachment of candidate photo. *(Headshot preferred)*

### **Candidate Statement**

*(Please limit your answer to no more than 500-words)*

Please provide a brief biography, including why you are running for office and your qualifications for the office sought.

The foremost public education leader in South Texas, Ruben Cortez didn't grow up thinking he'd be in elected office.

Ruben was born in Brownsville, where he was raised by two migrant parents. His father's struggles with alcohol abuse led Ruben to struggle in school, and by his senior year in high school Ruben believed he was on the road to ruin.

Yet instead of watching him fail, Ruben's teachers gave up their personal time to help him graduate on time. They lifted him up and taught him he was worthy of respect, even when he didn't believe he deserved it. He'd later credit those teachers and his mother's prayers for saving his life.

Ruben promised his own children that he would fight so that every child grows up in a community that values and respects them, no matter their background.

Ruben's career in public office began as a member of the Brownsville ISD Board of Trustees. Cortez was elected in 2012 to the State Board of Education, where he has advocated fiercely as the voice of the Rio Grande Valley. Fueled by his personal experience, he has continuously worked to improve public schools for all Texans. As one of the board's few Democrats, Cortez captured national headlines by successfully fighting to establish Texas's first statewide course on Mexican-American studies. He has worked to include South Texas educators in the review of school curriculum and textbooks and to ensure the Valley has a voice in every area of education policymaking.

As the progressive candidate for Texas Senate District 27, Ruben has promised to fight to keep families safe from gun violence, safe from unaffordable health care costs, and safe from attacks on their civil and reproductive rights. This includes requiring universal background checks for gun purchases, expanding Medicaid, and opposing politically motivated attacks on the LGBTQ community and a woman's right to make her own health care and reproductive decisions.

Cortez has also served on the Council of Urban Boards of Education, the national prekindergarten legislative committee for the National School Board Association, as chair of the Federal Relations Network Stipend Committee for the Texas Association of School Boards' Board of Directors and on the



TASB legislative committee. He current serves as chair of the Region One Education Service Center Board of Directors.

### **Top Priorities**

*(Please limit your answer to no more than 250-words per issue)*

Please list your top 3 priorities during the next legislative session.

Keeping families safe from gun violence, safe from unaffordable health care costs, and safe from attacks on their civil and reproductive rights.

### **Survey**

For the purposes of this candidate survey, we are asking your position on key civil rights and civil liberties issues so we can provide our membership with a comparison between all of the candidates.

The issues have been divided into 5 categories:

- Border Issues
- Advancing Justice
- Reproductive Freedom
- Ending Discrimination
- Voting Rights

To respond just select Yes, No, or Unsure for each question to reflect your position on the issue. Your answers will be used to create an overall score on your position on ACLU of Texas key issues, issues that impact the civil rights and liberties of Texans.

### **Section I – Border Issues**

#### **Description - Positions pertaining to immigration and border issues.**

Current Federal policies on immigration and border issues negatively impact the residents of your district in every aspect of their lives. While ultimately set in D.C., we need a local voice to remind Washington of the implications to real people caused by federal immigration policy.

#### **Question 1**

This Administration's policies on asylum and immigration have separated families, made asylum nearly impossible to seek and forced people to live in deplorable and unsafe conditions in Mexico while they wait for their immigration case to proceed. At the same time, officials in immigration detention facilities continue to treat immigrants inhumanely and the increasing militarization of the border creates a climate of fear for communities throughout the region. These policies violate the constitutional rights of people seeking legal entry into our country and residents of the border.

Will you vocally oppose further expansion of immigration detention centers, both operated by the government and by private companies, in your District and in Texas? Will you vocally oppose the constitutionally problematic tent courts, or port courts, being used to hear immigration cases (*make-shift tent courts at Ports of Entry in which immigrants' cases are being heard and to which counsel has limited access*)?



YES

**Question 2**

The federal government is building a border wall through the Rio Grande Valley that will impact landowners and members of the community, as well as cause migratory and environmental issues.

Will you vocally oppose the expansion of a border wall?

YES

**Question 3**

During the 86th legislative session, the Senate considered a measure to allow the state Department of Public Safety (DPS) to create a volunteer force of local law enforcement officers to patrol the border. Crime rates in border communities in Texas remain low, yet over the past six years the state has spent over two billion in taxpayer dollars to militarize our border by placing DPS and the state National Guard in the Rio Grande Valley. Adding local law enforcement from across the state who may not speak Spanish, have no cultural competency, and no direct accountability will only exacerbate problems caused by the militarization of the border.

Will you oppose creation of a volunteer border force comprised of local law enforcement?

YES

Will you oppose state funding to ramp up DPS and National Guard presence at the border?

YES

Will you support clear reporting requirements for DPS and State National Guard funds spent in the RGV and our border generally?

YES

**Question 4**

In 2017, the state of Texas passed SB 4, barring police chiefs and sheriffs from preventing cooperation between police and immigration officers--for example by requiring that individual officers are allowed to interrogate Texans about their immigration status. SB 4 also requires that jails comply with all federal immigration detainer requests, even if such compliance would violate the constitution. Ultimately, the harm to our communities caused by the erosion of trust between local law enforcement and the communities they police makes us all less safe. SB 4 should be repealed.

Do you support efforts to repeal SB 4 and legislation that limits SB 4's reach and impact?

YES

**Question 5**



In the past decade, Texas has made it more and more difficult to get a driver's license or a state identification. This means that people currently legally present in the US cannot receive a Texas license. States like Utah have created drivers permits to allow more state residents to drive legally, with insurance, increasing motor vehicle safety for all. Driver's permits would be distinct from any document used to vote.

Do you support legislation that allows a greater number of Texas residents who currently cannot receive a license or identification to receive this documentation from the state?

YES

## **Section II – Advancing Justice**

**Description – Legislation pertaining to reforming our criminal justice system.**

### **Question 1**

Women in jails and prisons have unique rehabilitative needs but most jails and prisons are designed for the predominantly male population.

Do you support adapting programs and policies in jails and prisons to meet the needs of women who are incarcerated? (*By, for example, ensuring visitation and other forms of connection to family and programs keeping newly born children with their incarcerated mother*)

YES

Do you support diversion for properly vetted parents who, if diverted from prison or jail, would be able to remain in their community on supervision, enabling them to support their children or engage in programs to address the underlying causes of criminality (*e.g., drug use*)?

YES

### **Question 2**

The lowest level offense for drug possession other than possessing marijuana is a felony. For possessing less than a sugar packet of a non-marijuana drug, a person can be saddled with a felony criminal record that will complicate securing employment and finding housing when that person returns from prison. Unnecessarily harsh penalties undermine success for people returning from prison and do not improve public safety—we need better approaches than criminalizing drug use. Treating drug use as a public health issue more effectively reduces harm and promotes stability and safety for the community.

Do you support reducing the current, inappropriately harsh penalties for possession of small amounts of drugs?

YES

### **Question 3**

Probation revocations fuel mass incarceration in Texas, in part because excessive community supervision increases the likelihood that people who are at low risk of being rearrested will end up incarcerated for



petty technical violations untethered to public safety. For example, people are re-incarcerated for failing to pay fines or fees or other acts that do not threaten public safety. The majority of violations occur within the first year, suggesting that lengthy supervision serves little to no rehabilitative purpose.

Would you support legislation ensuring people on probation are not needlessly revoked to prison for acts that do not threaten public safety?

YES

#### **Question 4**

Texas' continued use of secured money bail policies (*upfront payment of cash for release from prison*) contributes to mass incarceration and unfair punishment by detaining people simply because they cannot afford to pay bail. This wealth-based detention denies most people a fair chance at justice and disproportionately affects Black people and other people of color. Moreover, secured money bail is no more effective than a personal bond or unsecured money bail, which does not require cash upfront to pay for release.

Will you support legislation ending secured cash bail?

YES

#### **Question 5**

The aggressive enforcement of marijuana possession laws needlessly ensnares thousands of people, disproportionately people of color, into the criminal justice system and wastes millions of taxpayers' dollars. Ending arrest and conviction for small amounts of marijuana for personal use will free public safety resources for use toward more serious crime.

Will you support legislation legalizing the possession of marijuana?

YES

Will you support making the punishment for possession of a small amount of marijuana a ticket and a fine?

YES

Will you support expanding marijuana diversion programs at the local level?

YES

### **Section III - Reproductive Freedom**

#### **Description - Legislation pertaining to Reproductive Freedom and Reproductive Justice**

#### **Question 1**

Do you believe that people should have the right to receive an abortion as a part of comprehensive reproductive healthcare?

YES



**Question 2**

Texas has some of the most restrictive abortion laws in the country which make it extremely difficult, if not impossible, for individuals to access abortion services and reproductive healthcare.

Would you oppose legislation that makes abortion and other reproductive healthcare harder to access?  
Would you publicly speak out against a ban on abortion?

YES

**Question 3**

State law currently requires doctors to provide information that is medically inaccurate to patients seeking abortion care. For example, this mandatory information includes false claims that abortion increases the risk of breast cancer.

Would you sponsor legislation to repeal this requirement?

YES

**Question 4**

State law requires that people seeking abortion care wait 24-hours before they are able to receive the care they seek. The 24-hour waiting period is medically unnecessary and is a high barrier for many individuals to access abortion by, for example, requiring individuals take more time off work and increasing travel costs for an abortion.

Would you support legislation to repeal the 24-hour waiting period?

YES

**Question 5**

The Texas budget includes \$38 million for the “Alternatives to Abortion” program which funds organizations that provide purposefully misleading and inaccurate information to pregnant individuals to prevent or dissuade them from obtaining an abortion.

Would you vote to defund the Alternatives to Abortion program? Would you actively oppose any budget item that seeks to continue funding?

YES

**Section IV: Ending Discrimination**

**Description – Legislation pertaining to LGBTQ equality**

**Question 1**

Texas Penal Code 21.06 criminalizes “homosexual conduct.” The United States Supreme Court decisions in *Lawrence v. Texas* and *Garner v. Texas* found Code 21.06 unconstitutional in 2001, but that section remains on Texas’ books. Will you support legislation to update the penal code to remove this unconstitutional language?



YES

**Question 2**

In the 2015 and 2017 legislative session, legislation such as SB6 was introduced to limit the access of transgender and non-binary people to places of public accommodation, including public restrooms. Would you oppose any similar legislation that limits transgender and non-binary people from using public accommodations?

YES

**Question 3**

In 2015 the Supreme Court ruled that the right of same-sex couples to marry is constitutionally protected. Since then, Texas lawmakers have repeatedly introduced legislation to allow or require cities, counties and elected officials to treat the marriages of same-sex couples as legally distinct from opposite-sex couple's marriages. Would you oppose any similar legislation that treats the marriages of opposite-sex couples different from same-sex couples?

YES

**Question 4**

State and federal elected officials seized upon a 2019 Dallas-area custody case involving a transgender child to spread misinformation regarding gender affirming care, including puberty inhibitors, for children who identify as transgender. Would you oppose any legislation banning access to puberty inhibitors for transgender children even when parents and licensed physicians and/or therapists consent to and approve of this care?

YES

**Question 5**

Texas enjoys one of the strongest Religious Freedom Restoration Acts in the country, providing protections for religious freedom and expression in addition to the protection offered by the federal constitution. Yet legislation is repeatedly introduced that supposedly protects religious freedom but, in actuality, permits discrimination under the guise of religion. Would you oppose any legislation that provides a legal defense for individuals and business owners to discriminate against LGBTQ+ people by citing their religious beliefs as a justification?

YES

**Section V - Voting Rights**

**Description - Legislation pertaining to access to voting and fair redistricting.**

**Question 1**

Texas has enacted some of the most restrictive voting laws in the country, resulting in Texas having one of the worst voter turnout rates in the country.





Would you support measures to make registering to vote and voting easier for eligible voters?

YES

**Question 2**

During the 86th legislative session, the Senate considered a measure that would have subjected people to criminal investigation based on whether they declined to serve on a jury because they had moved counties. This proposal would have exposed innocent Texans to criminal investigation and potential prosecution unless they thought to notify their prior voter registrar that they moved.

Will you oppose legislation that cross references jury service data to subject innocent individuals who move counties to criminal investigation?

YES

Similarly, the state has left open the practice of cross checking voting data with Department of Public Safety (DPS) information in an attempt to remove alleged non-citizens from the voting rolls. Although cross referencing databases may sound simple, in practice, attempts to use DPS data have resulted in tens of thousands of eligible citizens being threatened with removal from voting rolls.

Will you oppose cross referencing voting information with other data that could cause eligible voters to be removed from the voting rolls?

YES

**Question 3**

The 2021 legislative session will be the state's next chance to redraw political boundaries. Too often redistricting is used as an opportunity to shore up incumbents in safe districts and to dilute the power of minority voters.

Will you support measures to stop gerrymandering, such as through the creation of an independent redistricting commission for the state of Texas?

YES

**Question 4**

Currently, someone incarcerated for a felony must wait until their full parole term has run before they can vote. Many people may remain on parole while working, paying taxes, and supporting their families - and most importantly engaging in public life. Once a person is no longer incarcerated, they should be allowed to vote.

Will you support proposals to allow people to vote upon release from prison?

YES



Candidate Name: Ruben Cortez\_\_\_\_\_

Candidate Signature: Ruben Cortez\_\_\_\_\_

Date Submitted: 12-12-19\_\_\_\_\_