

**IVI-IPO 2006 ATTORNEY GENERAL QUESTIONNAIRE – Section 1**

**DATE** July 10, 2006    **PARTY:** Republican

**NAME:** Stewart Umholtz

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**CAMPAIGN MANAGER:** MaryAlice Erickson

**NUMBER OF PETITION SIGNATURES FILED:** \_\_\_\_\_ **NUMBER REQUIRED:** \_\_\_\_\_

*Please use an additional sheet to complete the following background information:*

**A)** Elective or appointive public or party offices previously held including dates.

Tazewell County State's Attorney 1995 - present

**B)** Other elective offices for which you have been a candidate.

State Representative

**C)** What is your primary occupation? Attorney at law.

**D)** Briefly list your civic activities of the past ten years. Volunteer Coach: Pekin Metro Soccer, Shade Park Youth Baseball, Pekin Boy's and Girl's Club, Pekin Community High School; First United Methodist Church;

**E)** What subjects have you studied and what experience have you had which will be most helpful to you in the office you seek?

I have served as a prosecutor and legal advisor for over twenty years for Tazewell County. With experience in all branches of the criminal courts as well as civil litigation experience in both state and federal courts, I have the broadest experience of any candidate for Attorney General. I have a proven record of working as a team player to successfully address meth manufacturing matters. I have personally prosecuted criminal offenses from the mundane to murder.

I have a great interest in studying history, particularly the great leaders such as Washington, Franklin, Lincoln. I am proud to be a direct descendent of a patriot, Henry Umholtz, who came to this land and fought for our independence. I am equally proud of my Native American roots.

**F)** What candidates have you supported? Volunteer: John Anderson in his Presidential campaign; Congressman Bob Michel; State's Attorney Erik Blanc; Attorney General Jim Ryan; Delegate Candidate for John McCain in his 2000 Presidential Campaign.

**G)** Please list all endorsements you have received so far.

**H)** As concisely as possible, please state why you feel you should be endorsed over the other candidate(s). What goals for the office you seek are most important to you personally? I believe that we need to restore the public's confidence in their government and that the public officials that currently benefit from corruption and influence are unlikely to be leaders for change. I believe I represent the

best chance for change in the way we conduct the people's business and that my experience in prosecuting public officials clearly sets me apart from the current administration.

I) What is your campaign budget? How much have you raised to date?

J) How many people are on your campaign staff? How many volunteers are on your list?

## **IVI-IPO 2006 ATTORNEY GENERAL QUESTIONNAIRE – Section 2**

1. Will you accept or have you accepted campaign donations from current or potential suppliers, employees or outside contractors? I do not know how one would definitively determine whether someone might be a "potential" supplier, employee or outside contractor. I have returned donations that have been made by a company that does business with my County. I believe that we should adopt rules that would restrict or limit the amount that could be donated by those doing business with the State of Illinois.

2. Will you employ or have you employed staff in your office who hold other public sector jobs concurrently?  
NO

3. Will you employ or have you employed staff in your office who have either outside employment or contracts with entities which do business with the State of Illinois? NO

4. In what circumstances should the Attorney General contract for outside professional services and what criteria would you implement for letting contracts? Please comment on any existing abuses and how you would correct them.

I would apply the same criteria as I have as a State's Attorney. We try to provide services with in-house staff so long as we have the expertise to do so. Otherwise I select outside counsel based upon merit and cost considerations.

I believe that all outside professional service contracts for legal assistance should be subject to approval by the AG so that we do not unnecessarily hire outside counsel. In the situation of conflicts of interest then a Court could appoint a special AG.

5. Would you support contracting for outside services with companies located outside Illinois? Why or why not? If it was necessary in order to provide competent legal service then I would support it. For other services, I believe that the State ought to be allowed to consider in-state companies as a benefit to the public interest justifying a preference. However, if there is a lack of competition for such services within the State then it may be appropriate to consider an out of state competitor in order to maintain fairness in the contracting process.

6. Do you support patronage? There is no benefit to political patronage. I believe in hiring the best available person for the job.

7. Do you support Affirmative Action? As Attorney General I will follow the law and advise the same.

8. Do you favor restructuring the wage scale of state employees to correct disparities based on gender by instituting equal pay for jobs of comparable worth? I believe that disparities based upon gender should be corrected.

9. Do you favor

a. capital punishment? Yes, so long as the public has confidence in its administration. The legislature should decide whether we have a death penalty, adopt safeguards, and the Governor should follow the law. The Courts should determine whether the safeguards are adequate.

b. criminal prosecution of juveniles as adults? Only for the most serious offenses

c. mandatory sentencing? To a degree. I still have confidence that judges are in a better position than legislators to fashion a just disposition in a case. I believe we should give some flexibility to judges to fashion sentences within guidelines.

d. work release, home monitoring, other alternative sentencing? Yes. We have to exhaust all alternatives to incarceration.

e. wiretapping and surveillance of private persons? I do not believe we need to change current law.

f. roving wiretaps? I do not believe that we need to change current law.

g. "stop and frisk" laws? I do not believe that we need to change current law.

10. Is racial profiling a legitimate tool in law enforcement? Why or why not? I have not seen it as a beneficial tool in any investigation that I have been directly involved in. I think that law enforcement should consider any intelligence that will assist in apprehending criminal offenders.

11. Do you favor continuation of the current moratorium on capital punishment in Illinois? If not, how would you address the inequities enumerated in the report of the Commission on the Death Penalty?

I believe that the Governor does not have the power to pick and choose which laws to enforce. The legislature has shirked its responsibility to address this important issue. The legislature is the only branch of government, absent judicial intervention, to abolish the death penalty or to establish a moratorium.

I believe that allowing the status quo to continue will create unacceptable damage to the integrity of the criminal justice system. I would advocate that the Governor review each and every death penalty case to determine if any relief should be granted based upon the evidence in each case.

12. Do you support the provisions outlined in the Illinois Comprehensive Anti-Terrorism Act of 2001?

I support giving law enforcement the tools necessary to protect the public so long as we have adequate judicial oversight. We should maintain a sunset provision on these measures so that it requires periodic debate on the balancing of civil liberties and public safety.

13. Does the present Illinois prison system serve the long term needs of law enforcement and prisoner rehabilitation in Illinois? Why or why not? The present "Corrections System" lacks the resources to do any "correcting". It is in the best interest of the People to focus more resources on correcting behavior rather than simply incapacitating individuals.

14. Please outline the programs you would institute in the Attorney General's office, including any changes in the law that these programs require: a) Criminal Justice b) Gangs c) Drugs d) Consumer Protection e) Civil Rights.

I believe that restoring the People's confidence in their government is a foundation issue. I would create a division within the AG office to work closely with State's Attorneys and federal prosecutors to address the public's concern about public corruption. I believe the statewide grand jury should be expanded to include official misconduct investigations. Not only would I focus resources on investigation and prosecution of public corruption but I would expand the educational component to provide sound legal advice and guidelines to public officials.

I would create greater partnerships with State's Attorneys to provide greater coordination of resources toward criminal justice matters. I would apply my experience in investigating and prosecuting crimes toward establishing better assistance to State's Attorneys by targeting problem areas within the state.

I would favor creating more shared resources to combat identity theft and computer crime. I would also favor broadening the statewide grand jury for these crimes due to the multi-jurisdictional aspects of these crimes.

15. What should be the role of the Attorney General in enforcing state and local EPA laws and regulations? Please specify and rank your areas of major concern in environmental law enforcement.

The Attorney General is in the best position to assure the People that environmental laws are being enforced. It is in the best interest of the public, consumers and business, to protect our land, air and water from pollution in order to maintain a productive environment.

16. Will you establish a tenant ombudsman in your office to protect the rights of tenants throughout the state? I will enforce the law fairly. I have not formed an opinion on the need for an ombudsman.

17. What is your legislative agenda and how would you further your agenda for the Attorney General's office? I am running for Attorney General because I believe that we can conduct the People's business without influence and corruption. I believe that the legislature, along with the Governor, should be the primary policy makers. My job is to provide sound legal advise and enforce the law.

18. How will you prevent political and partisan concerns from influencing legal opinions emanating from the Attorney General's office? The same way that I have conducted myself as a State's Attorney – with independence. I have never allowed politics to interfere with my responsibilities to represent the people.

19. How would you balance your roles as attorney for state officials vs. attorney for the people of Illinois? The same way that I have balanced my responsibilities as a State's Attorney. I am a legal advisor for County officials and I will respresent them in matters that involve their official duties. However, if their conduct violates the law then I have a responsibility as a prosecutor to enforce the law. I have prosecuted many public officials who have violated their oath of office to uphold the law.