

Judicial / Magisterial offices:

- I. Privacy, openness, and accountability: Judicially, what tools are available to you to encourage a) greater openness in public information b) appropriate privacy of private information and c) professionalism and accountability of all city employees, most specifically police and emergency responders?*

Judges have discretion when it comes to the publication of information generated in cases before them relating to any individual in either their private and public capacities. This tool along with the laws of this Commonwealth prescribe what information relating to cases before a judge should be kept private or made public. Where judicial discretion is available and appropriate, it is important that a judge balances the privacy rights of the individual against the important rights that the public has to open and transparent government. In order to ensure the professionalism and accountability of all city employees, public servants should understand that their obligation to serve the public is paramount and that their conduct is subject to scrutiny as a result.

- II. Public-private partnerships: are there legal limits to a municipality or county's ability to sign away its public space via economic partnership agreements? How does one balance the legitimate desire of groups to protest and / or inform the public, vs. the public (or an individual's) right to not be bothered / harassed? Does it make sense to have a blanket ban on approaching people on the sidewalks in Schenley plaza, but not (e.g.) the sidewalks in the vicinity of certain medical providers?*

I have not researched the law relative to the legal limits of a municipality's or county's ability to sign away its public space via economic partnership agreements. However, there must always be a balance between what benefits the private citizen when consideration is given to signing away public space. The disparity between the power of the individual to control such conduct and the might of a municipality and/or county to force or manipulate such a transaction requires careful consideration of the courts when dealing with such issues.

- III. "Freedom from" vs. "freedom to": what legal issues do you expect to address in terms of Marcellus shale or other extractive industries? Are certain of these conflicting freedoms / protections more nearly absolute than others?*

I do not know what legal issues will come before me regarding Marcellus shale or other extractive industries. However, the power of government should never be allowed to trump the liberties of the individual – Marcellus shale is a significant emerging issue in Western Pennsylvania and courts will need to be vigilant in deciding issues relative thereto that pose a threat to an individual's right to the enjoyment and use of his/her community.

IV. Magistrates, common pleas judges and commonwealth court judges may all deal with family law issues. Insofar as it applies to your office, please address any / all of the following: a) What is your position on rights for minors with regard to issues like abuse, reproductive issues, and emancipation? b) What are your views on the court precedent of preferentially awarding majority custody to the mother? c) Do you feel step-parents should have any legal rights with regard to the step children they parent? Does this apply equally regardless of the gender of either / both parents?

As a judge, I am bound to follow the laws of this Commonwealth as well as the common law of our appellate courts. Having said that, judges do have significant discretion on certain issues outlined above. Where discretion is permitted, I would always consider the evidence of each particular case and cognizant always of what is in the best interests of the minor. Minors should always be protected from abuse, whatever its source. Reproductive issues and emancipation as they impact minors, again, should be decided bearing in mind what is in the best interests of that minor after careful consideration of all the evidence gathered after all parties have had an opportunity to be fully heard. (b) All cases relative to this issue will require a careful evaluation of all the evidence and majority custody is a product of what is in the best interest of the child. I do not believe that as a matter of course, the mother automatically qualifies for majority custody. (c) Yes and yes.

IV. Since 2007, we have been asking candidates whether the "for profit" incarceration model suffers from an intrinsic conflict of interest. (That is, the prison will do better, financially, by increasing sentence lengths and by increasing recidivism, rather than by rehabilitating inmates.) Given the highly publicized kickback scandal involving for-profit youth prisons, we are instead stating that this is an actual, not a potential problem. What do you pledge to do about it, both in office if elected, and personally? Also, are mandatory sentencing guidelines part of the solution, or part of the problem?

I pledge that where "for profit" detention centers are legally available for the incarceration of convicted defendants, I will always be cognizant of the conflict of interest issues and never direct incarceration to such a facility if avoidable. If unavoidable, transparency in any sentencing will be paramount and any and all sentencing procedures will be open to absolute scrutiny. I think that mandatory sentencing guidelines are part of the problem in this situation and not part of the solution.

I, Alex Bicket, am e-mailing these responses which are in their final form, and approved by me.