



From the Yellowstone County Republican Women's Forum

We had a great forum with questions from some local legal minds to help define judicial philosophy of these 4 candidates. Some of the responses gave a definite indication as to the more conservative vs more progressive candidates. I will share a few of the q & a that separated the candidates.

Q: If you were a U.S. Senator, would you vote to Judge Kavanaugh's appointment?

A: **Pardy:** In giving an explanation as to the process of senate confirmation, Pardy stated Kavanaugh should be confirmed due to his qualifications.

**Pierce:** The process has become politicized, but agreed that he should be confirmed.

**Harada:** Agreed that he should be confirmed.

**Davies:** Noted lack of civility in the process...did not answer the question.

Q: Would you consider the Constitution a living document? Explain

A: **Pardy:** Gave a great answer in detailing his belief that the original intent of the document was not open to judicial interpretation

**Pierce:** Admitted that the document is "living" which means that it should adjust to the changing times; Pierce stated that she would not be able to "be speaking to you if the Constitution was not "living" (*did not explain what she meant by that, but the Constitution does make allowances for change in the amendment process...Pierce admitted in a different forum that she believed that judges should be more active*)

**Harada:** Gave a very definitive answer that the Constitution is not a living document; there should not be activism from the bench; powers of the courts are defined.

**Davies:** Again did not give a clear answer, but posed her own question of activism from the bench, stating that she would uphold the U. S. & Montana Constitution

Q: In the civil law, the practicing bar tends to divide into those who mostly, but not always, represent plaintiffs, and those mostly, but not necessarily always representing defendants, often paid by insurance companies or large institutions. In which camp would your peers place you?

A: **Pardy, Pierce and Harada:** Both

**Davies:** Civil defense (insurance company) & individual and corporate clients. (*did not clarify if she had done plaintiff work*)

Q. We all know that the illegal production, sale and possession of meth is a scourge in our judicial district. Would you please describe your own general views on sentencing relating to drug offenses?

A: **Pardy:** Case by case: addiction vs possession; rehab component different for user vs distributor. Punitive "hard on crime". Good answer

**Pierce:** Accountability for distributors; punishment & rehab with restitution to victim. Had a good answer

**Harada:** Rehab & punitive component and coordination. Good answer.

**Davies:** Spent 1/2 of her time describing the problem to the community. Get to the root of the problem, then look at the risk vs needs of the offender; need to look at rehabilitative process (doesn't think WATCH program works). Spoke more to rehab process

This is just a sampling of the 7 questions asked. For those who returned their questionnaires for recording, all agreed that Thom Pardy gave the most concise, definitive answers with a knowledge of the rule of law. Ashley Harada gave concise answers with wide knowledge of the law; reiterating that she will follow the law and not legislate from the bench. Juli Pierce has a lot of prosecutorial experience however she definitely expresses her liberal view of judicial activism and constitutional philosophy. Colette Davies was very expressive yet failed to answer the questions as put forth. She made a point to list her endorsements then reminding us that this is not a political race!

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