



## **Nick Brown Urbanist Questionnaire 2024**

Washington State Attorney General

**The AG's office has many including both the defensive litigation necessary to divisions defending the state and the affirmative litigation the office pursues based on its policy priorities. Compared to what you see as the current balance between proactive and defensive litigation, are there any changes you would make in terms of resource allocation? If so, what?**

Attorney General Bob Ferguson has done an admirable job balancing defensive and affirmative litigation, ensuring that state agencies receive high-quality legal representation, while using affirmative cases to protect Washingtonians and advance key policy priorities. Building on this solid foundation, I believe there are opportunities to further enhance our proactive efforts, particularly in areas that address pressing environmental, social, and justice issues.

I would allocate more resources to the Environmental Protection Division. Expanding this division will allow us to more aggressively pursue cases against polluters and enforce environmental laws, ensuring that all communities, especially those historically marginalized, have access to clean air, water, and land. This is particularly important in order to help effectively implement recent legislation, including the Climate Commitment Act. Advancing environmental justice and combating the adverse effects of climate change requires a focused legal effort and robust resources, and I am committed to this work.

I will establish a new Labor and Worker Protection Division in the Attorney General's Office. AG Ferguson and his team have done outstanding work in this area, but a new, permanent division is needed to fully tackle wage theft, and address unsafe working conditions and other labor violations. When we dedicate resources to protecting vulnerable workers, we can ensure fair treatment and safer workplaces and promote economic justice.

The Attorney General's Office must be prepared to address the increasing threats to our democracy and individual liberties. This means, first and foremost, using every tool available to protect a person's right to abortion in Washington. We cannot be complacent on this issue. While Washington has fairly strong legal protections for abortion in state law, I believe the right should



be enshrined in our Constitution. I will ensure the Office is ready to litigate against any attempts to undermine these rights by other states or changes at the national level.

**Do you have a vision for how the AG could prevent and/or reduce housing instability and homelessness?**

The housing challenges Washington currently faces are at a crisis level, and will only grow worse with the tepid efforts we've seen in recent years. As such, I believe the next Attorney General must be prepared to act on this issue from day one and use their power to prevent and reduce housing instability and homelessness.

There is increasing evidence of price fixing schemes in Washington that must be investigated and stopped. While the Department of Justice is active in this work, I see no reason why the Attorney General's Office is not also fully engaged in stopping these practices.

My office will leverage the Civil Rights Division to enforce fair housing laws and protect against discrimination, ensuring everyone has access to housing without fear of bias or fraud. We will also work collaboratively with city and state agencies to ensure zoning laws are applied fairly and do not violate state or federal laws, providing legal guidance and support to promote equitable zoning practices.

I believe Washington law should be changed to allow the Residential Landlord-Tenant Act to be enforced through the Consumer Protection Act. This would allow the office to more fully prioritize actions against landlords who violate tenant laws and engage in illegal evictions. I will be a constant champion for the development of every type of housing in every community. This advocacy is needed from every state leader to truly address the housing challenges we face going forward. Through these measures, we can address the root causes of housing instability and work towards a future where all Washington residents have access to safe, stable, and affordable housing.

**Is there affirmative litigation that your office bring to secure more affordable housing? Given that violations of landlord-tenant law are generally not covered by the Consumer Protection Act, should a new unit be formed to address abusive practices by landlords?**

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Yes, affirmative litigation can be a powerful tool that my office will use to secure more affordable housing. We will pursue legal action against entities that engage in discriminatory practices, market manipulation, or other illegal activities that exacerbate the housing crisis. For example, my office will target unfair practices that restrict the development of affordable housing or artificially inflate housing prices.

While I have not yet fully thought through the creation of a new unit specifically dedicated to addressing abusive practices by landlords, I am interested in further exploring this possibility. I recognize the importance of addressing landlord-tenant law violations effectively, and forming such a unit could be a valuable tool in this effort. I am committed to investigating this option further and considering how best to implement it to ensure tenants are protected and landlords are held accountable. I also believe that Washington law should be amended to specifically allow for the enforcement through the Consumer Protection Act.

### **How would your office tackle issues of public safety, including reducing gun violence?**

Every Washingtonian has the right to be safe – from gun violence, from the dangers of deadly drugs like fentanyl, and from discrimination. As Attorney General, I'll work closely with communities and law enforcement agencies and use every tool at my disposal to make Washington safe for everyone – no matter your age, race, gender, where you live, or who you love.

This work has been a huge focus in my career. As an Assistant U.S. Attorney, I led multiple, complex investigations involving illegal firearms trafficking. This included multiple cases against people illegally selling firearms at gun shows, avoiding criminal background checks before the passage of Initiative 594. And one of my proudest accomplishments as an attorney was helping write Initiative 1639: Safe Schools and Safe Communities. This landmark legislation, approved by nearly 60% of Washington voters, regulates deadly weapons of war and ensures safe storage for all firearms. Measures like these save lives, and I will always fight for common-sense gun safety laws, including eliminating ghost guns and keeping high-capacity magazines off our streets.

As Attorney General, I will ensure my office implements and enforces our nation's-leading gun laws and holds accountable those violating them. I will also look for more opportunities to partner with the Alliance for Gun Responsibilities and other advocates to continue to make progress towards safer communities for all. We can expand funding for the Office of Firearm Safety and Violence Prevention and for community violence intervention programs that have



been shown to be effective at reducing the toll of gun violence, especially in disproportionately impacted communities. By supporting these programs, we can build safer communities and reduce gun violence across our state.

But I also recognize that true public safety only comes with building the foundations of strong communities—housing that provides everyone with a safe place to live; an education system that gives all of our children a chance at success; jobs that pay livable wages; and a safety net that helps people manage their mental health and drug addiction challenges.

**What plans do you have to further advance an agenda of economic justice? Do you have specific plans for certain divisions in that field, including the labor, consumer protection, or antitrust divisions?**

Ensuring fair treatment and opportunities for all Washingtonians, particularly those who have been historically marginalized, is essential to building a just and equitable society. My office's approach will focus on key areas such as labor rights, consumer protection, and promoting fair competition to drive this agenda forward.

Regarding labor rights, I will create a new division focused on labor and worker protections. This division will address wage theft, unsafe working conditions, and other labor violations through enforcement of existing laws. The office will also champion policies that lower barriers to unionization and collective bargaining, empowering workers to advocate for their rights and improve their working conditions.

Advancing the work of the Consumer Protection Division is also an economic justice priority. We will prioritize addressing predatory lending practices, fraud schemes, and other consumer protection violations by corporate actors that most often disproportionately affect low-income and vulnerable populations.

And I firmly believe that promoting fair competition is essential for a healthy economy. We've seen AG Ferguson make this a focus of their efforts and I will continue this work. My office will enforce antitrust laws to prevent anti-competitive practices and ensure fair competition in the marketplace. Supporting legislation to stop anti-competitive mergers and being vigilant against monopolistic practices will help create more opportunities for small businesses and ensure that consumers have access to a variety of goods and services at fair prices.



**What plans do you have to further advance an agenda of environmental justice? Do you have specific plans for certain divisions in that field, including the ecology and transit divisions?**

All communities deserve access to clean air, water, and land. As a veteran of the Inslee Administration, I know how important it is to be aggressive in this fight.

Stringent and thorough enforcement of our environmental protection laws is our first line of defense, and a deterrent against future abuses. I'm proud that Washington state has among the strongest Environmental Protection Divisions of any attorney general's office in the country. I will build on this work by dedicating more AAGs to this division, so we can successfully investigate and hold polluters accountable to protect our state's clean air, water and natural resources. We will work closely with the Department of Ecology and we will identify and address environmental violations promptly. Through targeted litigation, we can secure funds for remediation efforts and ensure that those responsible for pollution bear the costs of cleanup, not the impacted communities.

Toxic pollution disproportionately impacts low-income and BIPOC communities and I will look for new ways to use Washington's legal system to do more to protect those communities, and be an advocate for policies that will give us more tools to do so. I will also be a partner in efforts to pass policies like the CURB Act, will look to ensure affordable housing laws protect consumers from toxic building materials, and ensure corporations are held accountable for keeping all Washingtonians safe.

Throughout my career, I have also worked closely with Tribal Nations, always honoring their sovereignty and the unique history of each tribe. This includes supporting tribal governments and collaborating on environmental protections. As Attorney General, my office will continue to uphold treaty rights and ensure that environmental policies respect the sovereignty and needs of tribal nations, as well as the broader community.

I will also look to learn from and partner with Attorneys General in other states. North Carolina AG Josh Stein recently won a case involving PFAS contamination that ensures companies can be held accountable even if they have restructured and created a "new" company. At the start of this year Arizona AG Kris Mayes led a coalition of AGs in petitioning the EPA for stronger Safer Choices Standards. Vermont AG Charity Clark is suing Monsanto over PCB contamination in their



schools. Partnering with other states to address this national crisis will be a key component of my strategy as Attorney General.

Additionally, improving public transit systems is key to reducing pollution and enhancing mobility for all residents. While responsibility for direct implementation will fall under other agencies, the Attorney General's office can support this by advocating for investments in public transportation and ensuring compliance with environmental impact assessments. We will support policies that make public transit options accessible and affordable for low-income communities, contributing to a reduction in greenhouse gas emissions and improved air quality.