

THE VIRGINIA BAR ASSOCIATION

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2005 GUBERNATORIAL DEBATE

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JULY 16, 2005

10:30 a.m. - 12:07 p.m.

THE GREENBRIER

WHITE SULPHUR SPRINGS, WEST VIRGINIA

REPORTED BY: Caroline Lane, Court Reporter

1 PARTICIPANTS:

2 TIM KAINE, Democratic candidate for Governor of  
Virginia

3 JERRY KILGORE, Republican candidate for Governor of  
4 Virginia

5 MODERATOR:

6 PROFESSOR ROBERT D. HOLSWORTH, Director, Center for  
Public Policy, Virginia Commonwealth University

7 MEDIA PANELISTS:

8 MAY-LILY LEE, Community Idea Stations  
TYLER WHITLEY, Richmond Times-Dispatch  
JENNIFER WHISHON, WDBJ-TV 7

9

10 TIMEKEEPER:

11 DOUGLAS P. RUCKER, JR., VBA, Past President

12

13 PRESIDENT, VIRGINIA BAR ASSOCIATION:

14 JAMES V. MEATH

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1 (10:30 a.m., July 16, 2005)

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4 P R O C E E D I N G S

5 MR. MEATH: Ladies and gentlemen, please  
6 come in and take your seats.

7 I realized when I was walking up here  
8 that I am going have to stand sideways, lest I  
9 chose a podium to stand behind, so pardon me,  
10 if it gets a little awkward.

11 Good morning to everybody. My name is  
12 Jim Meath, and I am the president of the  
13 Virginia Bar Association. And I want to  
14 welcome everybody to the 115th summer meeting  
15 of this association.

16 We are very, very pleased to present what  
17 has now become the traditional opening debate  
18 for the gubernatorial election.

19 I want to extend to each and every one of  
20 you our invitation to attend a reception which  
21 follows this event. It will be held in the  
22 Chesapeake Room, which is down the hall to my  
23 right. This will afford everyone an  
24 opportunity to meet the candidates as well as  
25 our moderator and our distinguished panelists.

1 I want to take time now to do something  
2 which, unfortunately, I failed to do at the  
3 proceedings last night.

4 None of this would be possible were it  
5 not for the tremendous dedication and work of  
6 the staff of the Virginia Bar Association.

7 I will tell you, ladies and gentlemen,  
8 these people spent countless hours setting up  
9 the arrangements for this meeting -- and the  
10 meeting itself is enough work, but to put on  
11 the debate and all of the things that go along  
12 with that has really been incredible and they  
13 have done a tremendous job, and I would like to  
14 publicly recognize them and have you all help  
15 me do that.

16 (Applause.)

17 MR. MEATH: This morning's debate will be  
18 moderated by Professor Robert Holsworth. Bob  
19 Holsworth is a Professor of Political Science  
20 and Public Administration, and he is the  
21 director of the Center for Public Policy of  
22 Virginia Commonwealth University.

23 He is a regular political analyst for  
24 WTVR-TV. He received his PhD from the  
25 University of North Carolina at Chapel Hill.

1 He teaches courses in Virginia politics,  
2 American politics and political theory. He is  
3 extensively published. He comments regularly  
4 on Virginia politics and his observations and  
5 his comments have appeared in the Wall Street  
6 Journal, and the New York Times, the Washington  
7 Post, Time Magazine, and the U.S News and World  
8 Report and others.

9 In 1997, Bob received the State Counsel  
10 of Higher Education Outstanding Faculty award.

11 We are very, very pleased, and I will ask  
12 you to help me welcome Bob Holsworth.

13 (Applause.)

14 MR. HOLSWORTH: Good morning, and welcome  
15 everyone.

16 Let me begin by introducing our panel.  
17 First we have Jennifer Wishon, who is the  
18 Richmond Bureau Chief for WDBJ-TV in Roanoke.  
19 And this is Jennifer's first gubernatorial  
20 election.

21 The second panelist is cub reporter Tyler  
22 Whitley, from the Richmond Times-Dispatch.  
23 This is Tyler's eighth gubernatorial election.

24 And our third panelist is May-Lily Lee,  
25 who is host and senior producer of Virginia

1 Currents on the Community Idea Stations, and  
2 this is May-Lily's fifth gubernatorial  
3 election.

4 Our timekeeper this morning is past  
5 president of the BBA, Doug Rucker, and you will  
6 all see his -- see him from the back and the  
7 panelists -- the participants this morning will  
8 be seeing yellow, green, and red signs,  
9 depending upon where they are in their  
10 discussions.

11 So right now, what I would like to do is  
12 to introduce our two candidates for governor  
13 who are participating this morning from the  
14 Democratic and Republican parties of Virginia.

15 We are very fortunate this year to have  
16 candidates who have significant statewide  
17 experience.

18 So let me first introduce Lieutenant  
19 Governor, Tim Kaine.

20 (Applause.)

21 MR. HOLSWORTH: Secondly, let me  
22 introduce our former Attorney General,  
23 Republican candidate for governor, Jerry  
24 Kilgore.

25 (Applause.)

1                   MR. HOLSWORTH: I would like to spend  
2                   just a minute going over the groundrules of the  
3                   debate today. We're going to begin with  
4                   two-minute opening statements by each  
5                   candidate, and then we are going to go to a  
6                   three-phase question period during the heart of  
7                   the debate.

8                   The first phase will be questions put  
9                   forward by our panelists. We will have a  
10                  question, a response -- or a two-minute  
11                  response, a two-minute rebuttal, and a  
12                  one-minute surrebuttal. We will have six  
13                  questions asked that way.

14                 Then the candidates will each question  
15                 each other. There will be two questions that  
16                 they will address to each other for a total of  
17                 four questions during that period.

18                 Each candidate will have two minutes to  
19                 respond to the questions, and then there will  
20                 be a one-minute rebuttal.

21                 And then, finally, I will have a set of  
22                 questions that have been drawn primarily and  
23                 culled from questions that members of the Bar  
24                 Association put into the kitty yesterday, and  
25                 that we went over and tried to combine and kind



1 of tweak for the last set of questions here.

2 Then finally there will be two-minute  
3 closing statements by each candidate.

4 And all of this has taken place in terms  
5 of coin tosses that have determined the various  
6 orders of questioning, and the like.

7 So we're going to begin right away. But  
8 before that, let me just make one other comment  
9 here: The candidates have agreed to a set of  
10 rules. They have agreed to no props. We ask  
11 the audience to refrain from applause,  
12 demonstration, and other visible shows of  
13 support, disapproval, anxiety or concern.

14 And both Mr. Kaine and Mr. Kilgore -- I  
15 will try to enforce rules as best I can to be  
16 fair to both of you during the course of the  
17 debate.

18 So let's begin with a two-minute opening  
19 statement from Mr. Kaine.

20 MR. KAINE: Good morning to you-all. It  
21 is good to be here with the VBA, with the  
22 panel, with you, Jerry.

23 I hope this is the first of many  
24 opportunities we will have to stand before  
25 Virginians and share our visions for the

1 Commonwealth.

2 Virginia needs a strong leader to be its  
3 governor -- a strong leader who can bring  
4 Virginians together around the right priorities  
5 to move this Commonwealth forward.

6 I have been that kind of strong leader  
7 during my adult life -- values forged as a  
8 missionary when I took a year off from law  
9 school to work in Central America, values  
10 forged as an active leader in my community in  
11 church and civic affairs, values forged as a  
12 practicing lawyer.

13 I know many of you, and I have had cases  
14 with you as an award-winning lawyer and as the  
15 managing director of my law firm.

16 And then I went into public life in 1994,  
17 and led, in my community in a tough capacity,  
18 as a city councilman and mayor of our capital  
19 city, and now as Lieutenant Governor.

20 We have been proud to have a strong  
21 leader in the last three-and-a-half years in  
22 Governor Warner, and I have been a full partner  
23 in moving this Commonwealth forward.

24 You remember where we were when this  
25 debate last occurred, four years ago -- stalled

1 economies, bond rating about to be downgraded.  
2 Budget -- the budget problems between the  
3 legislature and the governor -- couldn't agree  
4 on a budget.

5 Bitter partisanship on Capital Square  
6 that made the simple things hard, and the hard  
7 things nearly impossible.

8 Four years later here is where we are:  
9 Second fastest job growth in the United States,  
10 third lowest unemployment rate, restored AAA  
11 bond rating, historic bipartisan investments in  
12 education and other priorities.

13 I want to make sure as governor that we  
14 keep moving Virginia forward. I'll use my  
15 leadership experiences to help local  
16 governments have resources and tools to target  
17 property tax relief to homeowners. I'll tackle  
18 the transportation challenges using the  
19 experiences I gained as a mayor in a city that  
20 had huge transportation needs.

21 I'll fight for an education system that  
22 is world class in a world economy, and I'll  
23 keep our economy moving forward.

24 Virginia needs to go forward -- not  
25 backwards.

1 Thank you very much.

2 MR. HOLSWORTH: Two minutes for Mr.  
3 Kilgore.

4 MR. KILGORE: Good morning. I want to  
5 thank the Virginia Bar Association for hosting  
6 this third debate between my opponent and me.

7 Today I ask for the privilege to serve as  
8 your governor -- to serve as your governor to  
9 bring a Commonwealth of opportunity through  
10 honest reform.

11 Honest with reforming our education  
12 system so that we do have better pay for better  
13 teachers, so that our children do get a better  
14 education, bringing more dollars to the  
15 transportation system, but trusting the people  
16 in the region to set their own regional  
17 priority needs, creating jobs and opportunity,  
18 by keeping our taxes low and our regulatory  
19 regulations even lower, to make Virginia the  
20 place businesses want to locate and expand.

21 I am glad to be on stage with my  
22 opponents today. And, yes, I said "my  
23 opponents," because, just like you, I am  
24 anxious to see which Tim Kaine has shown up  
25 today -- the Tim Kaine that says he is a

1 liberal and proud of it, or the Tim Kaine that  
2 is masquerading as a conservative all around  
3 Virginia.

4 The Tim Kaine that proudly supported an  
5 increase in the gas tax, or the Tim Kaine that  
6 says, "We'll wait and see."

7 The Tim Kaine that has a long time of  
8 activism against death penalty, even calling  
9 for a moratorium, or the Tim Kaine today that  
10 says, "I can carry it out."

11 The Tim Kaine whose crowning achievement  
12 as Lieutenant Governor was supporting the  
13 largest tax increase in Virginia history, or  
14 the Tim Kaine today who says, "I'm going to be  
15 a tax-cutting governor.

16 Folks, Virginia wants a governor they can  
17 trust. Virginians want a work horse, not a  
18 show horse.

19 I am ready to go to work.

20 \* \* \* \* \*

21 PHASE ONE

22 \* \* \* \* \*

23 MR. HOLSWORTH: Our first question is  
24 from Jennifer Wishon to Mr. Kilgore.

25 MS. WISHON: Mr. Kilgore, there is

1           national debate about whether or not  
2           creationism or intelligent design should be  
3           taught alongside the evolution theory in public  
4           schools.

5                     Do you think intelligent design should  
6           become part of Virginia's curriculum?

7                     MR. KILGORE: I support Virginia's  
8           standards of learning. And in Virginia's  
9           standards of learning, we focus on the science,  
10          and I continue to support the standards of  
11          learning, because the standards were created  
12          during Governor Allen's tenure as governor.  
13          And those standards have brought great quality  
14          to Virginia's public education system.

15                    I will plan to improve education in our  
16          Commonwealth. My "better pay for better  
17          teachers" plan will bring performance pay into  
18          the public education system.

19                    I believe that if we reward those impact  
20          teachers in our school systems, we will deliver  
21          a better education system for our children.

22                    I am committed to giving parents tax  
23          credits -- up to \$500 per child -- to empower  
24          them to purchase tutoring or other educational  
25          supplies. I want Virginians to have a world

1 class education.

2 And that stands in stark difference with  
3 my opponent. When he was in charge of the  
4 Richmond Public School System, he oversaw the  
5 second-worst performing school system in the  
6 entire Commonwealth. That is not what Virginia  
7 needs.

8 When he served as mayor of the City of  
9 Richmond, we saw budget overruns. We have yet  
10 to see an education plan that will make a  
11 difference in the lives of all of our children  
12 and our parents.

13 He equates spending more money with  
14 raising the standards.

15 That is not the way it works. And it is  
16 certainly not the way it worked in the City of  
17 Richmond -- more money per student than almost  
18 any locality in the entire state, yet they had  
19 the second lowest performing school district in  
20 the entire state.

21 I will move Virginia forward. I will  
22 move Virginia forward, because I believe better  
23 pay for better teachers.

24 MR. HOLSWORTH: Two minutes for Mr.  
25 Kaine.

1           MR. Kaine: Jerry, I am glad to hear you  
2 say you support public education because your  
3 record as Attorney General, and as a public  
4 servant has been consistently to fight against  
5 public education at every turn.

6           When we fought for budget reform in 2004,  
7 at the very heart of budget reform was two  
8 needs: the need to save the state's bond rate,  
9 which you opposed, and the need to invest and  
10 catch up with unmet obligations in our public  
11 schools.

12           By the end of the Gilmore administration,  
13 the state was down nearly a billion dollars a  
14 year in funding the public schools of the  
15 Commonwealth. That is nearly \$800 per child.

16           And I'm selfish about this one, Jerry,  
17 because I have got two kids, who are here with  
18 me, who are in the public schools -- who are in  
19 the public schools of Richmond.

20           I saw as you fought against budget reform  
21 for school funding. Thank God, budget reform  
22 ended up passing with your twin brother's  
23 support, because the Scott County schools that  
24 educated you received 5 million dollars more in  
25 state funding because your point of view was



1 not listened to.

2 You have said you wanted to roll back  
3 budget reform, which would hurt education  
4 funding. You have said you want to repeal the  
5 state lottery, which would pull 400 million  
6 dollars a year out of education funding.

7 And you have even said, directly with me,  
8 in a place like this a couple of years ago,  
9 that fully phasing out the car tax is a more  
10 important priority for Virginia's future than  
11 fully funding the educational needs of  
12 Virginia's kids.

13 I know this: In a world economy where we  
14 are not competing against North Carolina and  
15 Maryland, but we are now competing against  
16 Maryland -- against India, against China,  
17 against nations all over the world, we can't  
18 afford to put the educational leadership of  
19 this Commonwealth in the hands of one of the  
20 most persistent foes of education funding there  
21 is.

22 I believe not just in funding, but in  
23 accountability. That's why I visited schools  
24 in 118 of the 134 school districts of Virginia.  
25 That is why I have promoted comprehensive

1           evaluations of teachers -- something that is  
2           lacking now.

3           You have to be honest about the funding.  
4           You have to be honest about accountability.  
5           That is the way to take us forward.

6           MR. HOLSWORTH: One minute for Mr.  
7           Kilgore.

8           MR. KILGORE: Let me be clear: Raising  
9           taxes does not equal leadership. I worked with  
10          Governor George Allen. I watched as Governor  
11          Gilmore -- both governors raised, and increased  
12          funding for K through 12 education without  
13          raising taxes. In fact, they put more money  
14          into K through 12 education than this  
15          administration has. More dollars went in  
16          without raising taxes. That is the type of  
17          leader I am going to be. That is the type of  
18          governor I am going to be. I am going to make  
19          public education a priority in our state  
20          budget. I'm going to bring a "better pay for  
21          better teachers" plan so that our children do  
22          get a better education.

23          I am just not going to grade our  
24          teachers. I am going to reward our teachers  
25          with bonuses, and improve the quality of

1 education for Virginia.

2 I don't think we want someone serving as  
3 governor who oversaw the second-worst  
4 performing school district in the entire  
5 Commonwealth.

6 MR. HOLSWORTH: A question from Tyler  
7 Whitley to Mr. Kaine.

8 MR. WHITLEY: Mr. Kaine, let's get on the  
9 subject of transportation here.

10 You say you would veto a tax increase for  
11 transportation, unless you were sure the  
12 Transportation Trust Fund is not violated.

13 If the General Assembly sends you a plan  
14 with a tax increase that does not raid the  
15 trust fund, would you sign it?

16 MR. KAINE: I will veto any tax increase  
17 that is sent to me from the General Assembly  
18 unless the Transportation Trust Fund is locked  
19 up. I will veto any such increase.

20 And the General Assembly has not proposed  
21 and has not shown me any indication that they  
22 are yet willing to lock up the Transportation  
23 Trust Fund.

24 Let me explain why this is so important.

25 When I was the mayor of Richmond, I had

1           this as part of my supervision. I had city  
2           roads; I had regional roads. I had a port  
3           system. I had airport authority.

4           We restored rail service to downtown  
5           Richmond. We had the port of Richmond and  
6           other transportation venues. I know how to  
7           have transportation work together to succeed.

8           But we have a Transportation Trust Fund  
9           in Virginia. And the legislature has put trust  
10          into that fund for a reason. We are guaranteed  
11          that when money is paid at the gas tank, when  
12          we pay our seventeen-and-a-half cents a gallon,  
13          or the other transportation revenues, that  
14          those monies will only be used for  
15          transportation.

16          I was outraged when I was elected as  
17          Lieutenant Governor and found that through  
18          backdoor language in the budget bill, the  
19          legislature could pull money out of the  
20          Transportation Trust Fund and use it for other  
21          priorities. And that has happened. That has  
22          happened over the last decade.

23          And so I have been on a mission starting  
24          a few years ago -- and it has been lonely at  
25          times -- but the mission has been to lock up

1 the Transportation Trust Fund, and to make sure  
2 that the legislature will never pull money out  
3 to use for non-transportation purposes.

4 And so I have said, with respect to  
5 transportation: We need to do some things. We  
6 need to be urgent in expressing interest in the  
7 challenge of this problem. We need to make  
8 sure we plan land use and transportation  
9 better.

10 There's no way to tax and pave our way  
11 out of the transportation problems that we now  
12 have. We need to recognize the multiple modes  
13 of transportation.

14 But as far as financing goes: Unless and  
15 until the Transportation Trust Fund is locked  
16 up, I will not entertain requests for new  
17 revenue.

18 I will use surplus funds as we did last  
19 year to draw down more federal dollars and  
20 expand transportation investments. I'll  
21 earmark the auto insurance premiums that you  
22 pay, that the legislature has earmarked for  
23 transportation, and make sure those funds are  
24 used as advertised.

25 MR. HOLSWORTH: Two minutes for Mr.

1 Kilgore.

2 MR. KILGORE: Let me be clear.

3 I will veto any budget the General  
4 Assembly sends to me that raids the  
5 Commonwealth Transportation Trust Fund.

6 Likewise, I will veto any legislation  
7 sent to me by the General Assembly that  
8 attempts to raise taxes without asking the  
9 people first.

10 I trust the people. I always have. I  
11 always will. I trust the people in the regions  
12 of this Commonwealth to work with us to set  
13 their own regional priority needs.

14 I have a transportation plan that will  
15 work, will bring more dollars into the  
16 transportation system by using general fund  
17 dollars -- those dollars that come from your  
18 income and sales tax.

19 We have seen 2.2 billion dollars in new  
20 growth. I would rather build roads and  
21 bridges, fund my "better pay for better  
22 teachers" plan. Let's see something for that  
23 revenue, rather than create new programs.

24 I'll make sure that we are innovative in  
25 the area of transportation. And I'll make sure

1           that people are involved in making these  
2           decisions.

3           My opponent's plan is a wait-and-see  
4           plan. He is going to wait and see if the  
5           General Assembly and the voters lock up the  
6           Commonwealth's Transportation Trust Fund.

7           I have told you what I'll do. I'll veto  
8           legislation that comes to me that raids that  
9           Commonwealth Transportation Trust Fund.

10          His plan can be summed up with one  
11          phrase: Stuck in traffic, get used to it.

12          There is going to be no dollars coming  
13          into transportation under his plan.

14          My plan is a plan that works, because my  
15          plan involves the people, my plan involves the  
16          regions. We are going to get transportation  
17          moving again in Virginia.

18          MR. HOLSWORTH: One minute for Mr. Kaine.

19          MR. KAINE: Jerry, I am glad to hear that  
20          you now support transportation and your  
21          transportation plan has two elements to it.

22          First, you say that you would like to let  
23          regions have regional referenda to raise their  
24          own taxes for transportation.

25          But as you and others in this room

1           remember, the regions did just that in 2002.  
2           And you opposed the referendum.

3                   I have heard of voting for something  
4           before you vote against it, but I've never  
5           heard of proposing as the centerpiece of your  
6           transportation plan, something that you oppose.  
7           And you have continued to say even recently  
8           that you will oppose the regional referenda for  
9           transportation that you are making the  
10          centerpiece of your transportation plan.

11                   The second thing you talk about is  
12          vetoing any increase in any revenues unless  
13          there is a referendum requirement.

14                   I don't know why you would want to trade  
15          out a budgetary system that was designed by  
16          Jefferson and Madison and trade it for a  
17          California system of referendum -- government  
18          by referendum that has failed miserably.

19                   If you like California, visit California.  
20          But don't turn Virginia into California.

21                   MR. HOLSWORTH: Question by May-Lily Lee  
22          for Mr. Kilgore.

23                   MS. LEE: Mr. Kilgore, you have said on  
24          many issues that you may be in more agreement  
25          with Democrat Mark Warner than Mr. Kaine is.



1           What are some of those issues?

2                   And, if elected, how would Governor  
3           Kilgore be similar to or different from  
4           Governor Warner?

5                   MR. KILGORE: Thank you for your  
6           question.

7                   I have worked with Governor Warner over  
8           the last three years on issues that we could  
9           agree upon. And we have agreed upon many  
10          issues that affect the Commonwealth -- from  
11          making sure that we go out and champion the  
12          Higher Education Bond Referendum that will  
13          bring more buildings, more structures to our  
14          colleges and universities as well as our  
15          museums around the Commonwealth -- to work with  
16          him on battling gangs in Virginia.

17                  I appeared at a press conference with him  
18          to recognize the growing problem of gangs --to  
19          not only champion the increased penalties, but  
20          to champion community involvement --getting the  
21          federal, state and local authorities to work  
22          together.

23                  Working with his administration on our  
24          innovative Meth-Watch program that controls  
25          methamphetamine, and its use -- a program that

1           was lauded by the Virginia State Police  
2           Superintendent just months ago.

3                 We have worked with the governor on some  
4           very important issues. I disagreed with him  
5           from time to time, but we have worked with him.

6                 Now, my opponent has a history of having  
7           the governor disagree with him. Appearing at a  
8           joint press conference in 2001, the Governor  
9           felt obliged to distance himself from my  
10          opponent on the issues of my opponent's  
11          opposition to Second Amendment rights, his  
12          opposition to the death penalty -- he even  
13          called for a moratorium -- and his support of  
14          civil unions.

15                Mark Warner felt the need to distance  
16          himself from my opponent then.

17                I worked to move Virginia forward. I'll  
18          continue to work in a bipartisan method to move  
19          our Commonwealth forward, agree on issues on  
20          which we can agree upon, and disagree when we  
21          cannot.

22                MR. HOLSWORTH: Two minutes for Mr.  
23          Kaine.

24                MR. Kaine: Jerry, you really need to be  
25          straight with Virginia voters when you stand

1           here and say that you worked with Governor  
2           Warner. Because there has been no more  
3           persistent and vigorous opponent -- and even  
4           sort of extreme in your language in the way you  
5           characterize Governor Warner -- than you.

6                     I remember a letter that you sent out to  
7           thousands of people that you signed, saying  
8           Governor Warner was a liar, and attacking  
9           Governor Warner in a whole series of different  
10          ways.

11                    And so now here at the end, when you see  
12          this administration has gotten Virginia moving  
13          forward -- we have the second-fastest job  
14          growth in America, and a AAA bond rating -- you  
15          have opposed all of those things. Suddenly you  
16          say you have worked closely with Governor  
17          Warner. Well, the facts would tell otherwise.

18                    The key event of the Warner  
19          Administration was the budget reform in 2004.  
20          That was a bipartisan budget reform.

21                    We were faced with losing our AAA bond  
22          rating. We had unmet obligations to our public  
23          schools that were nearly a billion dollars a  
24          year. And the legislature, in a bipartisan  
25          way -- Democrats and Republicans alike -- came

1           together to solve Virginia's budget problems  
2           under the leadership of Governor Warner.

3           Jerry, where were you in 2004? Where  
4           were you when Governor Warner stood up to do  
5           the right thing with many of us in this room.

6           You first said that there was no budget  
7           problem. You next said that if there was a  
8           budget problem, maybe we should borrow a lot of  
9           money to fill the hole.

10          You encouraged legislators to back away  
11          from the table of bipartisan compromise and  
12          throw the budget out to a public referendum for  
13          the first time since Jamestown.

14          You then encouraged legislators not to  
15          support the ultimate budget deal, and you  
16          couldn't even convince your identical twin  
17          brother, who serves in the legislature, and  
18          voted for the bipartisan budget.

19          Since the budget deal that is the  
20          centerpiece of the Warner Administration, you  
21          said you want to roll it back when you're  
22          governor.

23          You have stood against us in all of the  
24          reforms that we have made to turn Virginia  
25          around and be fiscally responsible, to be

1 pro-business, and to move this state forward.

2 And I cannot believe that you would stand  
3 here now and claim that you are Mark Warner's  
4 friend and supporter.

5 MR. HOLSWORTH: One minute for Mr.  
6 Kilgore.

7 MR. KILGORE: I have to wonder if he even  
8 believes, sometimes, what he says.

9 I have worked with the Governor. He  
10 knows that to be the case. I have worked with  
11 him on very important issues in a bipartisan  
12 manner that does move Virginia forward.

13 I didn't support the largest tax increase  
14 in Virginia history. And I am proud for not  
15 supporting that tax increase, because I wanted  
16 to trust the people. I have been proven right  
17 that the tax increase wasn't necessary. I  
18 think we need to trust the people before we ask  
19 them to pay the bill.

20 On the gang issue that I worked with  
21 Governor Warner on, you went AWOL -- Absent  
22 Without Leadership.

23 You haven't stepped up to the plate and  
24 offered any solutions. We have offered  
25 solutions. We have increased penalties. We

1           have taken the steps to bring after-school  
2           programs for our children. We have even  
3           proposed expanding the death penalty, so that  
4           those gang leaders that order gang members to  
5           commit murder will be subjected to the same  
6           penalties as the trigger man.

7                     That is our leadership. That is how we  
8           work together.

9                     MR. HOLSWORTH: Our next question is by  
10          Jennifer Wishon, for Mr. Kaine.

11                    MS. WISHON: Mr. Kaine, you say that you  
12          are personally against the death penalty and  
13          abortion, but that your beliefs would not  
14          affect your policy decisions and that you would  
15          uphold Virginia law.

16                    In thinking about leadership, how can  
17          Virginians determine when your beliefs will  
18          count for them?

19                    MR. KAINE: Thank you, Jennifer. It is a  
20          very important question.

21                    I had an experience when I was a young  
22          man, and it was a transformative experience in  
23          my life. When I was 21 years old, I decided to  
24          take a year off of law school and go work with  
25          missionaries in Honduras.

1                   And I worked with a guy by the name of  
2                   Jim O'Leary, who became my life hero. He gave  
3                   40 years of his life to serving the poorest of  
4                   the poor. He taught me about faith and about  
5                   faith in action. And that made a public  
6                   servant out of me.

7                   I came back from Honduras, having worked  
8                   with poor kids with a renewed respect for the  
9                   sanctity of life. And not because my church  
10                  teaches it -- but because I have come to  
11                  believe the teachings of my church through my  
12                  adult life, I believe life is sacred.

13                  And I haven't hesitated to state  
14                  consistently over the years that I am against  
15                  abortion and the death penalty.

16                  And I have stated since I first got into  
17                  public life: I am not going to change my  
18                  religious view to get elected to public office.

19                  And I won't let anybody push me around  
20                  for my religious views or question them.

21                  But beginning in 1994, I have taken on  
22                  the role of public servant. And I have had to  
23                  put my hand on a Bible, affirming everything I  
24                  believe, and raise my right hand and swear that  
25                  I will uphold the laws of the Commonwealth and

1 of the United States.

2 And I view that oath like my wedding  
3 oath. I view it as an oath that I am not going  
4 to break, and I wouldn't take it unless I could  
5 carry it out.

6 So I am not shy about saying what my  
7 positions are. I am a crime fighter who has  
8 come up with programs like Project Exile, and a  
9 whole series of things to cut crime.

10 I believe there are very common-sensible  
11 thing that we can do to reduce abortion. For  
12 example, enforce the restrictions we have, pass  
13 a ban on partial-birth abortion, insure that  
14 women having access to health care, including  
15 contraception.

16 I don't believe we should criminalize  
17 women's health care choices. But I believe  
18 that you can do things that are consistent with  
19 my views. But at the end of the day, I'm going  
20 to carry out my oath of office. I will protect  
21 women's rights to make their reproductive  
22 choices. I will carry out a death sentence  
23 handed down by a Virginia jury, and I will not  
24 use the clemency powers of the governor in any  
25 way other than those that other governors have



1           seen fit to use.

2                   MR. HOLSWORTH: Two minutes for Mr.  
3           Kilgore.

4                   MR. KILGORE: I support the death  
5           penalty. I always have. I always will.

6                   I have seen the deterrent effect a death  
7           penalty can have on a criminal justice  
8           system. You see, I served as a federal and  
9           state prosecutor, as Secretary of Public Safety  
10          and as your Attorney General.

11                  I understand how to carry out the fair  
12          and equitable death penalty sentences handed  
13          down by juries for the most heinous of all  
14          crimes committed in our Commonwealth.

15                  My opponent has a lot of time of activism  
16          against the death penalty. He asks us today to  
17          trust him that he can carry it out. But he has  
18          argued for a moratorium on the death penalty  
19          because he believes it is unfair. He is  
20          represented -- and every death row inmate is  
21          entitled to representation -- but he has  
22          volunteered to represent -- on a pro bono  
23          basis, death row inmates arguing again that the  
24          system was unfair.

25                  We only have to look to Illinois to

1 understand what a governor can do, given the  
2 power, to commute sentences.

3 At that point, Governor Ryan had nothing  
4 in his past to indicate that he was against the  
5 death penalty, yet he commuted the sentence of  
6 everyone on death row. And the voters and the  
7 public in Illinois could do nothing about it.

8 So he stands before you today and says,  
9 "I'll carry out the law."

10 But let me clue you in on what the law  
11 says. The law says in Virginia that a  
12 governor, for any reason or no reason at all,  
13 can commute the sentence of a death row inmate.

14 I have been solidly in favor of the death  
15 penalty, because I recognize the deterrent  
16 effect.

17 And on the abortion issue, I fought for  
18 reasonable safeguards.

19 My opponent claimed he was pro-choice in  
20 2001, and yet is running ads in western  
21 Virginia today claiming to be pro-life. You  
22 can't trust him on either of these important  
23 issues.

24 MR. HOLSWORTH: One minute for Mr. Kaine.

25 MR. KAINE: Jerry's point is simply this:

1           You can't trust a person of faith to follow  
2           their oath of office.

3                   I have a religious opposition to abortion  
4           and the death penalty. I follow my oath of  
5           office. And I will.

6                   And yet again and again what Jerry tries  
7           to do is suggest that, well, because he has a  
8           religious belief, you can't trust him to follow  
9           an oath of office.

10                   People of faith take oaths of office all  
11           the time. People of faith can be trusted to  
12           follow their oaths of office, and my career in  
13           public service will show that I follow my oath  
14           of office.

15                   It is interesting to stand here with  
16           somebody who was Attorney General and who wants  
17           to be governor, and have him attack me for  
18           twice in 18 years accepting court appointments  
19           to represent people on death row -- accepting  
20           court appointments. That is what Jerry Kilgore  
21           is attacking me for.

22                   Just like he is running ads on radio  
23           stations in rural Virginia, attacking me for  
24           representing African-American families who are  
25           seeking fair housing rights.

1                   This is something that Jerry Kilgore  
2                   rejects and doesn't believe in.

3                   Now, I have been a crime fighter --  
4                   Project Exile -- we cut our homicide rate by 55  
5                   percent -- and I will be a crime fighter.

6                   But I am not going to change my religious  
7                   view because a political opponent wants to beat  
8                   me up about it.

9                   MR. HOLSWORTH: Our next question is by  
10                  Tyler Whitley for Mr. Kilgore.

11                  MR. WHITLEY: Mr. Kilgore, if the people  
12                  you trust so much put a referendum on the  
13                  ballot, will you urge the people to vote "yes"  
14                  or "no," and if they vote "yes," would you  
15                  approve it?

16                  MR. KILGORE: Tyler, thank you for your  
17                  question.

18                  My philosophy is that I trust the people.  
19                  I trust the people when it comes to taxes. The  
20                  most important relationship between a citizen  
21                  and its government -- I don't consider that it  
22                  is government's money; I consider it is your  
23                  money.

24                  That's why I'm going to trust the people  
25                  on taxes. And before any tax can be

1           increased -- the sales, income, or gas tax --  
2           I'm going to demand that the General Assembly  
3           put that to a vote.

4                     Let's be honest: No politician running  
5           for office says that they are going to run for  
6           office and raise taxes.

7                     My opponent sure didn't in 2001. And  
8           many others didn't. But yet they take office  
9           and they raise taxes.

10                    That is why I am going to get the people  
11           involved, because it is their money. And when  
12           a referendum comes to me on taxes, I think the  
13           people understand my view on taxes -- that I  
14           believe that we ought to be about growing our  
15           economy. We ought to be about creating jobs  
16           and opportunity. They will understand where  
17           their governor is when it comes to raising  
18           taxes.

19                    But at the end of the day, I will trust  
20           the people to cast their vote.

21                    This stands in stark contrast to my  
22           opponent's view of today. He called anyone  
23           that opposed the regional referendum, the right  
24           to vote by the public, in 2001, "arrogant."

25                    Yet, today, in the tax debate, two

1 sessions ago, he compared the public to an  
2 angry mob.

3 I trust the people. I always have. I  
4 always will. The people will make the right  
5 choices for Virginia.

6 MR. HOLSWORTH: Two minutes for Mr.  
7 Kaine.

8 MR. KAINE: Jerry, I know you can say you  
9 trust the people.

10 The question for this election is why  
11 they should trust you? Why they should trust  
12 you?

13 You fought against education funding at  
14 every turn, and now you are going around saying  
15 you want to fully fund education.

16 You say you're against all taxes, and  
17 want to yoke all taxes to a referendum reform.  
18 But just on stage in the first twenty minutes,  
19 you have talked about expensive tax credit  
20 programs and fully funding education. You want  
21 to run up the expense side of government, while  
22 claiming to be an anti-taxer.

23 You say you're for transportation, but  
24 you proposed regional referendums that you  
25 yourself have opposed in the past and said

1 recently you would continue to oppose.

2 And, Jerry, if you trusted the people,  
3 you wouldn't have been afraid to stand on a  
4 stage and debate your primary opponent, George  
5 Fitch. You wouldn't have been afraid to stand  
6 on the stage, between now and election day, and  
7 debate the third candidate, Republican Senator  
8 Russell Potts.

9 And you wouldn't be afraid to stand on  
10 the stage with me in a televised debate.

11 This very debate, VBA members -- this  
12 very debate -- we walked into the session to  
13 talk about the rules and said: Let's allow  
14 both sides to videotape the debate and show the  
15 answers and show the candidates to anybody they  
16 want to.

17 Because no Virginian can be here -- or  
18 very few Virginians can be here in West  
19 Virginia at 10:30 on a Saturday morning in  
20 July.

21 The response of the Kilgore camp was: If  
22 this debate is videoed, and the tape is  
23 distributed, it's a deal breaker. We will not  
24 participate.

25 That doesn't sound like trusting the

1 people, Jerry. Leaders don't hide. Leaders  
2 don't duck. Leaders don't hand off tough  
3 decisions to referendums. They have the  
4 backbone to make the decisions themselves, and  
5 then stand before the electorate and justify  
6 what they have done.

7 Again, I believe that your proposal to  
8 yoke every revenue source in Virginia -- except  
9 the property tax -- to a referendum requirement  
10 is radical, and it would undo the progress that  
11 Virginia has made.

12 Why are you fighting against Jefferson  
13 and Madison, Jerry?

14 MR. HOLSWORTH: One minute for Mr.  
15 Kilgore.

16 MR. KILGORE: I am so excited to take  
17 this to the voters. I trust the people; he  
18 doesn't. I want them involved. He thinks they  
19 are an angry mob.

20 And it is unbelievable that we are still  
21 talking about debates today when I'm here  
22 standing before you. When I talk about my  
23 "better pay for better teachers" plan, he wants  
24 to lecture me on debates.

25 When I talk about bringing more money



1           into the transportation system, he says, "Let's  
2           build in more debates."

3           When I talk about bringing affordable and  
4           accessible health care, he says, "A good dose  
5           of debates will solve that."

6           I am a candidate with a vision. I'm a  
7           candidate that is going to be about honestly  
8           reforming the Commonwealth. I'm ready to go to  
9           work for Virginians.

10          MR. HOLSWORTH: A question from May-Lily  
11          Lee to Mr. Kaine.

12          MS. LEE: I have a gun control question.

13          Mr. Kaine, when you were mayor of  
14          Richmond, you were an active supporter of gun  
15          law reform.

16          As a gubernatorial candidate, you seem to  
17          be saying that Virginia doesn't need any new  
18          gun laws.

19          Could you explain your views and how they  
20          have evolved, and if the Assembly were to pass  
21          a bill closing the so-called "gun show  
22          loophole," would you sign it?

23          MR. KAINE: May-Lily, I'll take the  
24          series of questions there.

25          My position on guns haven't changed. I'm

1 a strong supporter of the Second Amendment.  
2 I've never done anything that anybody has  
3 brought any lawsuit or claimed was the Second  
4 Amendment. I am a constitutional lawyer. And  
5 that is what I do. And the Second Amendment is  
6 extremely important.

7 As you may know, I participated in the  
8 effort to amend Virginia's constitution to  
9 guarantee Virginians the right to hunt and  
10 fish, which is a rare right that Virginians  
11 have. I was the legal counsel to make sure  
12 that that effort stayed on the ballot when it  
13 was legally attacked in 2000.

14 I learned, and was a leader in a very  
15 significant proposal -- Project Exile, which  
16 has been copied by cities and states around the  
17 country, supported by the NRA and Handgun  
18 Control, Inc. -- supported by President Clinton  
19 and President Bush.

20 That is bridge-building. That is  
21 bringing people together.

22 And it was a gun law, yes. It was about  
23 using existing gun laws, and targeting them at  
24 people who commit crimes. And that is what I  
25 think we need to do in the area of guns.

1           The one instance cited by my opponents --  
2           and they try to create a big cloth out of  
3           this -- is that when family members of homicide  
4           victims came to me and wanted to go to the  
5           Million Mile March in Washington, I supported  
6           them to do it with city buses.

7           When my counsel colleagues complained, I  
8           raised funds to reimburse the city.

9           My heart went out to those who have been  
10          victimized by crime, just as they do, but I  
11          don't think Virginia needs new gun laws.

12          What Project Exile has taught me is we  
13          need to enforce our existing laws better -- the  
14          gun show loop hole. Closing that loophole  
15          would enforce existing Virginia gun laws.

16          Existing Virginia gun laws say a felon  
17          shouldn't have a gun. Existing Virginia gun  
18          laws say that a terrorist shouldn't have a gun.

19          And so, yes, if there is a proposal that  
20          comes forth to close the gun show loophole,  
21          that would be enforcing the current laws of  
22          Virginia that felons should not have guns, and  
23          I would be favorable. I would want to read the  
24          bill.

25          The only difference between Jerry Kilgore

1           and I on guns is this: He wants to roll back  
2           existing laws. He wants to roll back the  
3           bipartisan "one handgun a month" rule in  
4           Virginia. He has pledged to do that. And he  
5           wants to roll back the law that says you can't  
6           bring a weapon into a bar.

7                       Guns and alcohol don't mix.

8                       MR. HOLSWORTH: Two minutes for Mr.  
9           Kilgore.

10                      MR. KILGORE: I think Virginians  
11           understand. I trust law-abiding citizens. I  
12           always have. I always will.

13                      The NRA endorsed my candidacy when I was  
14           running for Attorney General. They endorsed me  
15           in my race for Republican nomination. They  
16           gave me an "A" rating.

17                      I worked with Governor Warner this past  
18           session to make it legal for concealed carry  
19           permit holders -- those individuals that go  
20           under criminal background checks -- those  
21           individuals that prove their proficiency with  
22           firearms -- to be exempted from Virginia's "one  
23           gun per month" law.

24                      I have worked for reasonable legislation  
25           that targets criminals, not law-abiding

1 citizens.

2 And my opponent, on the other hand, got  
3 an "F" rating from the NRA, and was called by  
4 the NRA -- their words not mine -- "an enemy of  
5 gun rights."

6 He has used taxpayer dollars to send  
7 anti-gun marchers to an anti-gun rally, and  
8 only paid them back after questions were raised  
9 by the press.

10 When on the radio -- on the NRA radio a  
11 few weeks ago, he was asked: Would you rather  
12 have the support of the NRA or Handgun Control?

13 He said he would like to have both of  
14 their support -- didn't want to make anybody  
15 mad. And then he acted like he didn't  
16 understand what handgun control stood for.

17 Let me help my Harvard-educated friend  
18 here today. Handgun control probably means  
19 they want to control handguns.

20 Now, let's be serious about Project  
21 Exile. Project Exile -- I have supported time  
22 and time again -- assigned a prosecutor to  
23 prosecute Exile cases. But it has amounted to  
24 a federal takeover of Richmond's crime problem  
25 because you couldn't control it.

1 MR. HOLSWORTH: One minute for Mr. Kaine.

2 MR. Kaine: Project Exile is the most  
3 copied law enforcement program in the last  
4 decade. I have the award from the  
5 International Association of Chiefs of Police  
6 sitting on my desk at home that they gave to  
7 Richmond.

8 Because we created a program that is  
9 unique -- Handgun Control, Inc. and the NRA  
10 came together to say, this was a model for the  
11 rest of the nation -- President Bush, President  
12 Clinton, cities around the country have adopted  
13 it.

14 Jerry, I look at your record as Secretary  
15 of Public Safety. I look at your record as  
16 Attorney General. I don't see anything like  
17 Project Exile that is celebrated by the NRA or  
18 others as having done a significant thing to  
19 reduce gun violence.

20 And so that's my record. The record is I  
21 am a crime fighter.

22 Yes, I was on the NRA radio. They  
23 actually asked you and I if we would come on  
24 together and debate me on issues. And I  
25 accepted. And you turned down an opportunity

1 to debate me on NRA Radio.

2 And they asked me: Who would you rather  
3 have the NRA or Handgun Control, Inc.

4 And what I said then was, "You know, when  
5 I was mayor of Richmond, I got the NRA and  
6 Handgun Control, Inc. to agree for the first  
7 time ever that Project Exile was good.

8 I think leadership is about bringing  
9 people together, and even people who may seem  
10 like they may have very little --

11 MR. HOLSWORTH: Let's move to the next  
12 set of questions.

13 \* \* \* \* \*

14 PHASE TWO

15 \* \* \* \* \*

16 MR. HOLSWORTH: We are moving to the  
17 second part of the debate. Now the candidates  
18 question each other.

19 Mr. Kaine to Mr. Kilgore.

20 MR. KAINE: Jerry, in the 2004 budget  
21 reform, as I mentioned earlier -- you fought  
22 against the reform. You said that we didn't  
23 need to save our state's bond rating. You said  
24 we need to borrow money if there was a hole.  
25 You tried to get the legislature to move away

1 from the table of compromise and bipartisanship  
2 and throw the budget out to a referendum for  
3 the first time since Jamestown.

4 You encouraged legislators to oppose the  
5 bipartisan budget deal.

6 In the aftermath of that budget deal,  
7 with Virginia's economy the second strongest in  
8 the nation, despite your claim that it would  
9 harm Virginia's economy, with Virginia named  
10 the best managed state in America, with our AAA  
11 bond rating restored, and with your own twin  
12 brother, who supported the budget deal, going  
13 around the state, saying it was a good thing,  
14 and now Virginia is a well-managed state with a  
15 AAA bond rating, will you admit here today that  
16 you were wrong in 2004?

17 MR. KILGORE: Absolutely not. I was  
18 right to stand up for the people. I always  
19 will stand up for the people.

20 The tax increase has proven to be  
21 unnecessary, and it was gone about in the wrong  
22 manner. I trust the people. I think you  
23 should ask the people before you pass on to  
24 them the largest tax increase in Virginia  
25 history. We have seen growth since that



1           time -- absent the tax increase -- of 2.2  
2           billion dollars in new revenue. We have  
3           revenue forecasts that say we are going to grow  
4           at a rate of 10 percent on a budget of 66  
5           billion dollars.

6                   We can live within our means, and we can  
7           spend more dollars on our "better pay for  
8           better teachers" plan, put more money into  
9           transportation. We can move Virginia forward  
10          in the future without raising taxes.

11                   So I'm proud to have stood on the side of  
12          people to stand with former Governor Wilder, to  
13          stand with Senator George Allen and ask for the  
14          people to be involved before we pass on to them  
15          the largest tax increase in history.

16                   And I am glad you brought up the  
17          management of this state, because for the past  
18          four years you have spent your time being  
19          Lieutenant Governor, breaking a few ties in the  
20          state senate, and running for governor.

21                   When Governing Magazine could rate your  
22          performance, your management style, as mayor of  
23          the City of Richmond, they gave the city a  
24          C-plus -- recognizing the mediocre management.

25                   We certainly don't need a mediocre mayor

1 serving as our governor.

2 MR. HOLSWORTH: One minute for Mr. Kaine.

3 MR. KAINE: Jerry, I know you like to  
4 avoid getting into tough leadership situations,  
5 but let's come back to this question of budget.

6 It is a question about budget, "Were you  
7 wrong in 2004," but it is really a question  
8 about leadership.

9 We had a fundamental decision that we had  
10 to make. We are going to lose our bond rating,  
11 which would make it more expensive to do  
12 business, harder to attract new business. We  
13 had unmet obligations to public schools. And  
14 on a bipartisan basis, so many of us stood  
15 together to change that, and yet you opposed  
16 it.

17 You were wrong then. You stand here  
18 today in 2005 and repeat your firm opposition  
19 to what was done. You're wrong today. But  
20 most importantly, that demonstrates that you'll  
21 take the wrong direction as governor.

22 Again and again you say that budget  
23 reform wasn't needed and that you want to roll  
24 it back.

25 Okay, Jerry. Budget reform produced 700

1 million dollars of new revenue each year. How  
2 would you take away the 700 million dollars  
3 that we put into the budget reform of '04 -- 5  
4 million into the Scott County Schools?

5 Would you cut deputy sheriffs? Would you  
6 cut schools? Would you cut health care?

7 You have never said a mumbling word about  
8 any of those things.

9 MR. HOLSWORTH: Our next question is from  
10 Mr. Kilgore to Mr. Kaine.

11 MR. KILGORE: The Washington Post  
12 recently reported that you have compared  
13 Virginia's criminal justice system to the  
14 Gulag -- Soviet Union camps that murdered and  
15 brutalized individuals, not for crimes that  
16 they had committed, but for thoughts in their  
17 head.

18 I ask you today, as Senator Durbin has  
19 recently apologized, if you will apologize to  
20 Virginia's law enforcement officials for using  
21 the word "Gulag" to compare our criminal  
22 justice system to.

23 MR. KAINE: Jerry, as you often do, you  
24 kind of misstate or obscure key facts.

25 Jerry is referring to something that I

1           stated in 1987 -- 18 years ago -- where I said,  
2           "Murder is murder whether it happens in the  
3           Spring Street Penitentiary, the Gulag, a  
4           neighborhood in Richmond, South Africa."

5                   Life is life. And I believe that.

6                   And so, once again, there is an effort to  
7           come back at me because of my religious belief  
8           that life is sacred, and try to attack me for  
9           that.

10                  Jerry -- I'll state it again, and I'll  
11           state it clearly: I am not going to apologize  
12           to you for my religious belief that life is  
13           sacred.

14                  Because I had a formative experience as a  
15           young man. I don't know what your formative  
16           experiences have been. But I set aside what I  
17           was doing in law school, and I went to work  
18           with the poorest of the poor in Central  
19           America. And I learned about faith, and I  
20           learned about the value of life -- even the  
21           poorest, most impoverished life.

22                  And I came back in my 20s, very much of  
23           the belief -- of the belief that life is  
24           sacred. I think life is sacred. If you have a  
25           problem with that, fine. If you want to attack

1 me politically for it, as you have, it is a  
2 free country.

3 But I am not going to apologize to you or  
4 anyone else for my religious beliefs.

5 All I can do is, as I said, is put my  
6 hand on a Bible, affirming everything I  
7 believe, and swear that I will uphold the laws  
8 of Virginia and the laws of the Commonwealth.

9 With respect to clemency, I have made it  
10 very plain: I would only use the clemency  
11 power in the narrow circumstances that other  
12 governors have used it -- circumstances  
13 generally involving grave doubt about someone's  
14 guilt or innocence.

15 That is the way Governor Wilder, Governor  
16 Allen, Governor Gilmore and Governor Warner  
17 have looked at clemency, and that is the way I  
18 will.

19 But I am not going to change my religious  
20 view to get elected no matter how much you try  
21 to make that an issue in this campaign.

22 You have sent out letters attacking me on  
23 my faith, attacking my supporters as the  
24 enemies of faith. That is an outrageous and  
25 demagogic stunt, and Virginians deserve better.

1 MR. HOLSWORTH: One minute for Mr.  
2 Kilgore.

3 MR. KILGORE: I wonder, again, if he even  
4 believes what he is saying about the letters I  
5 have sent.

6 Today's debate is about public policy  
7 positions the two of us have taken throughout  
8 our public career. He has a lifetime of  
9 activism against the death penalty -- saying  
10 that the system was unfair, saying that the  
11 death penalty was carried out in an unjust  
12 manner throughout Virginia.

13 He will finally be given the power, if he  
14 is elected governor to commute every sentence  
15 on death row without the public's involvement.

16 Governor Ryan did it. The governor of  
17 New Mexico did it. He will finally have the  
18 ability to put into practice, into public  
19 policy practice, an issue he has championed  
20 throughout his legal career.

21 MR. HOLSWORTH: A question for Mr. Kaine  
22 to Mr. Kilgore.

23 MR. Kaine: Jerry, a question about  
24 education.

25 You stated now that you want to fully

1 fund Virginia's schools, but your record  
2 demonstrates otherwise. The budget reform of  
3 2004 tried to go into a system where the state  
4 had underfunded its education obligations for  
5 nearly a decade.

6 And the principal beneficiary of budget  
7 reform was school funding. As I said, 700  
8 million dollars a year, new revenues for  
9 schools, nearly 5 million dollars for the Scott  
10 County schools where you were educated.

11 You fought against that.

12 You have stated since budget reform that  
13 you want to roll that back. You just stated  
14 now that we didn't need those revenues.  
15 Apparently schools didn't need those revenues.

16 You proposed a property tax assessment  
17 cap that would drastically limit the ability of  
18 local governments to raise funds for their own  
19 schools.

20 And you even said, standing with me, that  
21 it was a more important priority for the future  
22 of Virginia that Virginia fully phase out the  
23 car tax, and that we simply meet our  
24 constitutional obligations to our kids in the  
25 public school system.

1                   Why should Virginians trust you with our  
2                   education system?

3                   MR. HOLSWORTH: Two minutes for Mr.  
4                   Kilgore.

5                   MR. KILGORE: Because Virginians realize  
6                   that the only person on this stage that trusts  
7                   them is Jerry Kilgore. I trust the people of  
8                   Virginia. I always have. I always will.

9                   I believe that we can lower our taxes and  
10                  fulfill our promise to fully phase out the car  
11                  tax and increase funding to education.

12                  Governor Allen was able to bring tax  
13                  relief and increase funds to education.  
14                  Governor Gilmore, the same way.

15                  I'll be a governor that sets  
16                  priorities -- that sets priorities based upon  
17                  our standards of learning that went into effect  
18                  within Governor George Allen.

19                  I was a Standards of Learning parent this  
20                  year, having a third-grader and a fifth-grader.  
21                  And I was happy with the high standards and  
22                  accountability that we bring into Virginia's  
23                  Public Education System.

24                  I'll champion impact teachers in  
25                  Virginia, because I would not be standing on



1           this stage, running for governor, but for the  
2           impact teachers in my life in the Scott County  
3           School System.

4                   We didn't spend as much per pupil as the  
5           City of Richmond, but we had dedicated impact  
6           teachers that took an interest in me, and  
7           believed that I could go on to college, and  
8           with my twin brother, Terry, become the first  
9           in our family to ever graduate from college.

10                   I want this "better pay for better  
11           teachers" plan, because I am convinced our  
12           children will get a better education.

13                   And back to the point where he was in  
14           charge of a school district -- second worst  
15           performing school district in the entire  
16           Commonwealth.

17                   We don't want our test scores to go down.  
18           We want our test scores to increase all around  
19           Virginia.

20                   Money is not always the answer, but good  
21           teachers -- high standards, high  
22           accountability, that is the answer. And that's  
23           the answer I am going to bring as your  
24           governor.

25                   MR. HOLSWORTH: One minute for Mr. Kaine.

1                   MR. Kaine: Jerry, your actions are  
2                   drowning out your words -- fighting against  
3                   budget reform for school funding, wanting to  
4                   repeal state lottery and take 400 million  
5                   dollars away from the schools, capping property  
6                   taxes, saying the car tax is more important  
7                   than school funding.

8                   It is great to stand on stage now and be  
9                   a friend of education. But you fought against  
10                  funding to your own schools, the schools of  
11                  Scott County that educated you.

12                  Meanwhile, I tackled the tough challenge  
13                  in Richmond, and you point out that the system  
14                  was in a problematic state when I started, and  
15                  it was.

16                  Do you know that more than two-thirds of  
17                  the schools in Richmond are fully accredited  
18                  now?

19                  Do you know that when I was mayor, I  
20                  built four brand-new schools, the first schools  
21                  that had been built in Richmond in more than a  
22                  generation, and took a historic  
23                  African-American high school that had been  
24                  closed and vandalized, re-opened it as a  
25                  Governor's School that is now one of the best

1 public high schools in the United States?

2 I have had a track record of doing  
3 something about education, and fighting for  
4 education funding and fighting successfully for  
5 educational improvements.

6 It is not just talk. You have to have  
7 deeds that match your talk if you want to be a  
8 leader.

9 MR. HOLSWORTH: Question from Mr. Kilgore  
10 to Mr. Kaine.

11 MR. KILGORE: During this past General  
12 Assembly session, Delegate Dave Albo and I  
13 supported expanding Virginia's death penalty to  
14 say that gang leaders who order gang members to  
15 carry out murders should get the same penalty  
16 as that trigger man or the gang member that  
17 actually carries it out.

18 The state crime commission is currently  
19 studying this legislation and will provide the  
20 legislation to the General Assembly next  
21 session.

22 Will you support expanding Virginia's  
23 death penalty to include those gang leaders who  
24 order murders by gang members?

25 MR. KAINE: I'll see what the legislative

1 commission reports, but I generally don't  
2 believe that expansion of the death penalty is  
3 a way to fight crime.

4 Unlike you, Jerry, I have fought crime.  
5 I have cut crime. And you do it by taking  
6 existing laws and enforcing it in a very  
7 vigorous way.

8 Project Exile -- many of you know the  
9 Project Exile story, but let me just  
10 mention --the key was using creative  
11 partnerships between the local prosecutors and  
12 the state and the federal government, to make  
13 sure that anybody who used a gun in a  
14 commission of a felony went away for hard  
15 federal time for five years.

16 We were able to cut Richmond's homicide  
17 rate by 55 percent with Project Exile.

18 I am a crime fighter. That is the way to  
19 reduce crime. I fought for funding, Jerry,  
20 when you were against it in the budget reform  
21 of 2004.

22 I was fighting for funding for  
23 prosecutors, for deputy sheriffs, for state  
24 police.

25 You were against that funding and remain

1           against it today, based on your answer. You  
2           can't be tough on crime and cheap on crime.  
3           You can't talk tough, and then not fund the  
4           professionals who are going to help you stop  
5           crime.

6                     And so as I look for ways to fight  
7           crime -- and I've have got a track record of  
8           doing it. And I'm going to keep doing it by  
9           bringing our resources to bear in creative ways  
10          to drive crime down.

11                    I think that is ultimately the most  
12          effective way for us to fight crime and make  
13          Virginia safer.

14                   MR. HOLSWORTH: One minute for Mr.  
15          Kilgore.

16                   MR. KILGORE: What matters to me is that  
17          law enforcement officials all around Virginia  
18          recognize that I have been the crime fighter on  
19          this stage. I have been Secretary of Public  
20          Safety. I have been a federal prosecutor. I  
21          have been Virginia's Attorney General.

22                   On July 4th, when I was busy attending  
23          parades, festivals, and fairs, a police officer  
24          walked up to me, and he said, "Mr. Kilgore, I  
25          am a member of the Fairfax County Gang Unit.

1 And I just want to thank you. Thank you for  
2 getting tough on gang members, for giving us  
3 the tools we need to further our fight against  
4 gangs."

5 That is all that matters to me. I want  
6 to help law enforcement officials like I always  
7 have.

8 Of course you didn't get an answer to the  
9 question I just posed, because he has a life  
10 time of activism opposing the death penalty.  
11 The death penalty would be a deterrent,  
12 stopping gang leaders from ordering these gang  
13 members to carry out murders, just like they  
14 have a green light on all law enforcement  
15 officers in the Hampton Roads area, saying to  
16 those gang members, "Find a police officer and  
17 shoot him."

18 I want to impose the death penalty on  
19 those gang leaders.

20 \* \* \* \* \*

21 PHASE THREE

22 \* \* \* \* \*

23 MR. HOLSWORTH: Okay. We are going to go  
24 to the next round of question. And I am going  
25 to begin with a question for Mr. Kaine.

1           Mr. Kaine, you proudly describe yourself  
2           as a civil rights attorney, while your opponent  
3           has less positively described you as an ACLU  
4           attorney.

5           Gay and lesbian civil rights groups claim  
6           that Virginia is one of the worst states in  
7           protecting their rights.

8           Could you tell us whether, A, you agree  
9           with this assessment, where you agree or  
10          disagree with the former Attorney General on  
11          this issue, and what changes, if any, would you  
12          institute in Virginia to further protect gay  
13          and lesbian civil rights?

14          MR. KAINE: Sure, Bob. First a word  
15          about the label. I was a proud civil rights  
16          attorney for 18 years. I was a managing  
17          director of an international law firm with  
18          offices in Richmond, Paris and Guangzhou. I  
19          did a lot of business-related cases. I  
20          represented local governments.

21          But I never shirked -- I never shirked  
22          from a case where somebody's civil rights were  
23          being trampled, particularly people who are  
24          seeking to buy or rent housing, and were turned  
25          away because of their race or because of their

1           disability.

2                   And that's a huge difference between  
3           Jerry Kilgore and me, because he is running  
4           attack ads right now, attacking me for  
5           accepting referrals from the ACLU twice in an  
6           18-year career -- one for a black family who  
7           got turned away when they tried to buy a house,  
8           and one for a woman who spoke at a Board of  
9           Supervisors meeting, and said something the  
10          Board of Supervisors didn't like, and so they  
11          trumped up criminal charges against her.

12                   We have a former attorney general and a  
13          guy who wants to be governor who would attack  
14          someone for representing people like that. And  
15          I am proud that I did. The Richmond Bar  
16          Association gave me their pro bono award in  
17          1996 because of my service to the community.

18                   On gay and lesbian rights, Bob, my  
19          position is this: I think gays and lesbians  
20          should be protected from discrimination. I  
21          have said that in the area of hate crimes and  
22          employment and housing they should be  
23          protected. I supported legal changes that were  
24          made this year to allow businesses to be able  
25          to offer insurance as they saw fit without the



1 government getting in and telling them that  
2 they couldn't offer insurance to gay and  
3 lesbian partners.

4 I do not support any change in the  
5 institution of marriage. I do not support the  
6 creation of civil unions, but I do believe that  
7 gays and lesbians should be able to contract  
8 with one another, and we should respect those  
9 contracts in Virginia law, just as we respect  
10 any contracts.

11 And finally in the area of adoption.  
12 Virginia has adoption laws right now that I  
13 agree with. The adoption laws say the only  
14 couple that is allowed to adopt is a married  
15 couple.

16 But an individual can adopt, if that  
17 individual goes through a search and review and  
18 a court determines that adoption is in the best  
19 interest of the child.

20 I oppose legislation to change that,  
21 because the best interest of the child is the  
22 right standard.

23 MR. HOLSWORTH: Two minutes for Mr.  
24 Kilgore.

25 MR. KILGORE: I believe as Virginians we

1 do need to respect every individual, but I  
2 believe marriage ought to be that as defined  
3 between a man and a woman. And I support a  
4 constitutional amendment making that the law of  
5 our Commonwealth.

6 I have opposed civil unions. I have  
7 opposed gay adoption.

8 My opponent has been on the other sides  
9 of those issues.

10 This civil union issue -- Governor  
11 Warner, back in June of 2001 had to distance  
12 himself from my opponent because of his support  
13 for civil unions.

14 My opponent has been quoted as saying  
15 that he supports the same benefits for same-sex  
16 couples as married couples currently have in  
17 the Commonwealth.

18 Folks, that is civil union.

19 He talks about the right to enter  
20 contracts and have visitation. They already  
21 have those rights.

22 I support Virginia's public policy that  
23 defines marriage as that between a man and a  
24 woman. I do not support civil union for  
25 same-sex couples.

1           Likewise, in the arena of gay adoption, I  
2           support Virginia's law that allows judges to  
3           determine the best interests of the child, to  
4           look at the home environment, look at lifestyle  
5           in determining that child's interests.

6           I believe that we ought to make adoption  
7           easier for couples throughout Virginia. Marty  
8           and I have so many married couples that have  
9           had to go overseas simply to adopt a child.  
10          They are loving parents.

11          I believe in Virginia we ought to strive  
12          for the ideal -- the ideal being that a child  
13          ought to have a loving mother and a loving  
14          father. That is not always the case. There  
15          are many single parents out here doing a great  
16          job raising their children every day.

17          But when you're setting the public policy  
18          of the Commonwealth, let's strive for the  
19          ideal.

20          MR. HOLSWORTH: One minute for Mr. Kaine.

21          MR. KAINE: Jerry and I agree on the  
22          marriage question. Jerry and I agree on the  
23          civil union question. I have never supported  
24          civil unions.

25          But I do support the rights and abilities

1 of gays and lesbians to contract with each  
2 other, just as we all do.

3 Jerry Kilgore, last year, in the  
4 legislative session of 2004, gave a legal  
5 opinion supporting a bill that invalidated  
6 contractual rights between gays and lesbians.

7 The Constitution of Virginia says that  
8 the General Assembly shall make no law  
9 impairing the obligations of contracts. But  
10 the attorney general said it was fine to  
11 invalidate contracts of people that were  
12 unpopular people that some don't like.

13 And that was his position.

14 And in the area of adoption, I think  
15 current Virginia law is fine, but Jerry has  
16 supported an effort that would change the  
17 standard from best interest of the child, to a  
18 standard that would require a litmus test and a  
19 searching governmental review of somebody's  
20 sexual identity, and the prohibition that  
21 anybody who is gay or lesbian be able to adopt.  
22 That is wrong, and it is mean-spirited.

23 MR. HOLSWORTH: Mr. Kilgore, the group  
24 that we're in front of today, the Virginia Bar  
25 Association, has described Virginia's funding

1           commitment to insuring the rights of indigent  
2           defendants as one of the worst in the nation.

3           Do you agree with this assessment, and  
4           what specific steps would you take to remedy  
5           it, and what priority would you give this  
6           issue?

7           MR. KILGORE: I agree that we need to do  
8           more in the Commonwealth to deal with those --  
9           to deal with individuals who provide indigent  
10          defense.

11          I would submit that I'll work as Governor  
12          with the Supreme Court, with other lawyers, the  
13          Virginia Bar Association, to increase training  
14          for those individuals who agree to represent  
15          indigent defendants.

16          I'll work with the Bar and the Supreme  
17          Court to increase funding, the hourly rate that  
18          we do pay those who represent indigent  
19          defendants -- I think that is an important step  
20          forward for our future.

21          I will be a governor that courts can  
22          count on, because I have come up through the  
23          court system as a state and federal prosecutor.  
24          I know that the surest way to get your case  
25          upheld on appeal for the various courts above

1           you is to have good defense provided to that  
2           defendant during the trial session.

3                   That is the surest way to insure a  
4           conviction.

5                   I want to be a governor that promotes  
6           public safety by giving our prosecutors the  
7           tools to convict and prosecute their cases, but  
8           making sure that those indigent defendants also  
9           have the ability to defend themselves in our  
10          Virginia courts.

11                   MR. HOLSWORTH: Two minutes for Mr.  
12          Kaine.

13                   MR. KAINE: Jerry, you will be a  
14          candidate who will promise to fund everything  
15          and promise to cut every tax at the same time.

16                   I am glad to hear that you think it is  
17          important that indigent defense be funded and  
18          that funding increase.

19                   I am happy to hear that because since you  
20          have been running ads attacking me for doing  
21          court-appointed court work, I had some doubts  
22          about your understanding about the importance  
23          of indigent defense.

24                   But you can't stand here and say that tax  
25          reform is wrong and that we should cut every

1 tax, and that we should yoke every revenue  
2 source to a referendum reform.

3 But just tote up -- we will spend more  
4 for indigent defense. We will spend more for  
5 transportation. We will spend more for  
6 education. We will spend more and give tax  
7 credits to folks.

8 You want to cut every tax, and you want  
9 to say you will fund every priority.

10 We have seen that in Virginia. We have  
11 seen it in the administration that preceded  
12 Mark Warner's, an administration that nearly  
13 drove us into a fiscal ditch, an administration  
14 that was about free lunch, an administration  
15 headed by the co-chair of your campaign  
16 committee.

17 I don't think Virginia needs to go  
18 backward. We don't need to go backward to a  
19 time when we promised free lunches to everyone,  
20 and then fight against funding and priorities  
21 that matter to Virginians.

22 I think the Virginia Bar Association has  
23 made a very strong case that indigent defense  
24 is underfunded. And you have made the case not  
25 simply in the abstract, but you have made it by

1 comparing what Virginia does to other states,  
2 which is a sound and business-like way to  
3 benchmark what we do.

4 One of the reasons I supported budget  
5 reform in 2004 is that I knew that we needed  
6 revenue to accomplish ends like this. We were  
7 able to do a little bit better in indigent  
8 defense because of that budget reform.

9 We were even able to do better in funding  
10 prosecutors because of that budget reform. I  
11 stood for it because a hard decision had to be  
12 made. Jerry Kilgore stood against it, and now  
13 wants you to believe that he will fund every  
14 priority.

15 There is no such things as magic beans.  
16 We are not going to strike gold or strike an  
17 oil well. Leaders have to make decisions and  
18 fund priorities that matter to Virginians.

19 And that is what I will do.

20 MR. HOLSWORTH: One minute for Mr.  
21 Kilgore.

22 MR. KILGORE: Once again, raising taxes  
23 does not equal leadership. The fact that he  
24 believed in it so strongly -- he wouldn't have  
25 run the first ad in his campaign to say, "I am



1           going to be a tax-cutting governor."

2           He understands, like I do, that  
3           Virginians want their government to live within  
4           its means, just like they have to live within  
5           their means.

6           I am leading for the people today, and I  
7           am the only one on stage that will lead for the  
8           people. I have a record of leadership that  
9           worked with the General Assembly to get 104  
10          pieces of legislation passed into law.

11          Every time my opponent has held a  
12          position of leadership, he has raised taxes --  
13          as Lieutenant Governor and as mayor of the City  
14          of Richmond where he presided over what  
15          Governor Wilder terms "a cesspool of  
16          corruption."

17          I will lead for the people. He has  
18          always lead to raise taxes.

19          MR. HOLSWORTH: Mr. Kaine, as you have  
20          noted today, you were a strong supporter of the  
21          tax package of 2004.

22          Many of the same individuals and groups  
23          who supported that effort are now saying that  
24          without permanently putting forward new sources  
25          of revenue -- namely increasing the gas tax --

1           it is practically impossible to do anything  
2           serious on a long term for transportation.

3           If you're elected Governor and keep your  
4           pledge not to raise taxes, what specific  
5           improvements in transportation can people hope  
6           to see?

7           MR. KAINÉ: First, if Virginians want to  
8           see improvements in transportation, they should  
9           go with somebody who has some experience in  
10          transportation leadership.

11          When I was mayor of Richmond, we had  
12          roads and regional roads. We re-opened rail  
13          services to downtown Richmond. We had a port,  
14          we had an airport, we had a bus service.

15          I have worked in the third largest  
16          metropolitan area of the state to see that our  
17          transportation venues and modes worked  
18          together.

19          As part of this administration, we took a  
20          VDOT that had been left in shambles by the  
21          Gilmore administration with an on-time and  
22          on-budget percentage that was abysmal, and we  
23          turned it around.

24          Because of the budget reform of 2004, we  
25          were able to use surplus dollars this year and

1           make an 850 million dollar investment in  
2           transportation. Those who stood against budget  
3           reform -- like my opponent -- were against the  
4           investments in transportation that we made this  
5           year because of the budget reform.

6                     And so the first thing I'll say is that I  
7           understand the sense of urgency, and I've  
8           tackled it as a local leader, and as a state  
9           leader.

10                    I have pledged, Bob, as you said, that I  
11           will not support any increase in transportation  
12           taxes or revenues so long as the Transportation  
13           Trust Fund is unlocked.

14                    I don't think I can look voters in the  
15           face and ask them for more money for  
16           transportation if there is a hole in the bucket  
17           and the money is going to drain out.

18                    But what I would do until such time as we  
19           can lock up a trust fund -- what I will do is  
20           this: I will go around the state to convince  
21           folks of the urgency of this problem. I will  
22           convene the legislature and try to do a better  
23           job of harmonizing land use and transportation  
24           planning.

25                    The better we do that, the more efficient

1 we will be in spending our money.

2 I will continue the improvements that we  
3 made in on-time on-budget percentages in this  
4 administration so that we will get the most  
5 value out of your dollars.

6 I will earmark the auto insurance  
7 premiums that you pay that are supposed to be  
8 used for transportation -- 160 million dollars  
9 a year directly for transportation.

10 And then I will do what we did last year.  
11 I will use surplus dollars and place a high  
12 priority in using those surplus dollars to draw  
13 down more federal money so that we can invest  
14 in transportation.

15 MR. HOLSWORTH: Two minutes for Mr.  
16 Kilgore.

17 MR. KILGORE: For those of you keeping  
18 score, he has spent that tax increase 100 times  
19 over just today.

20 I'll be the decisive leader Virginians  
21 want. I'll be the decisive leader because I  
22 will go in and set priorities for our  
23 transportation system. I'll form a watchdog  
24 commission that will look for wastes and  
25 inefficiencies in government.

1           I'll commit to spending general fund  
2           dollars -- those dollars that come from your  
3           income and sales tax, through targeting  
4           budgeting -- targeting the growth in our budget  
5           on things we need -- things we can see, like  
6           roads and bridges.

7           I'll trust the people in the regions to  
8           set their own regional priority needs, because  
9           at the end of the day, I trust the people  
10          driving on the road in northern Virginia more  
11          than I trust the bureaucrat staring at the map  
12          down in Richmond.

13          When a politician like Tim Kaine uses the  
14          words "so long as" in front of the word "tax,"  
15          you can take it to the bank what he is going to  
16          do. He is going to raise your taxes -- so long  
17          as you're not involved in the process. I'm  
18          going to get you involved in the process,  
19          because I trust the people.

20          I trust the people of Virginia to be  
21          trusted with important decisions like whether  
22          we should increase their taxes. That is the  
23          type of leader I am going to be.

24          Every time he has had a leadership  
25          position -- as mayor of City of Richmond

1           overseeing that cesspool of corruption -- he  
2           raised taxes. His own real estate property  
3           taxes went up 40 percent.

4           Richmond lost its population and  
5           unemployment went up.

6           Governing Magazine gave him a C-plus  
7           rating, called the management "mediocre."

8           I am ready to get Virginia an "A."

9           MR. HOLSWORTH: One minute for Mr. Kaine.

10          MR. Kaine: Like so much about his  
11          answers, he is not giving you the full story.

12          Richmond, one of the most  
13          business-friendly cities in the United States  
14          according to Forbes Magazine, built new  
15          schools, cut homicide rate by 55 percent,  
16          positioned the city to get a bond rating  
17          upgrade. Business is coming back into our  
18          city, test scores are rising.

19          You won't hear Jerry Kilgore be honest  
20          about the facts, because he is more interested  
21          in the partisanship of trying to smear the  
22          capital city of the Commonwealth.

23          Transportation, Jerry -- you're not about  
24          trusting the people. You are not about  
25          trusting the people. What you are about is

1           this: Handing off every hard decision to  
2           someone else. That is what you're about.

3           You want to stake every revenue  
4           requirement in the state -- and change a system  
5           that has worked since Jefferson and Madison --  
6           to a referendum requirement so that you won't  
7           have to make the decision.

8           You want to tell regions: Look, we are  
9           not going to have leadership from the top at  
10          the state level. You can just make your own  
11          decisions. I'll oppose your regional  
12          referendums like I did in 2002, but I'll let  
13          you make your own decisions.

14          You are afraid to make a decision.  
15          Handing off hard decisions to others is not  
16          leadership; it is failure of leadership.

17          MR. HOLSWORTH: Mr. Kilgore, some  
18          conservative interest groups have said that  
19          Virginia colleges and universities have taken  
20          affirmative action much too far, and now  
21          discriminate against white males in admissions.

22          Thinking about affirmative action in  
23          Virginia, can you tell us where you stand? Do  
24          you think Virginia has about the right amount?  
25          Have we gone too far in some places? Or are

1           there some places where we need even more  
2           affirmative action?

3                   MR. KILGORE: I think it is important  
4           that Virginians create a Commonwealth of  
5           opportunity -- a Commonwealth of opportunity  
6           for all Virginians to compete and succeed, for  
7           all Virginians to have the ability to attend a  
8           public college and University.

9                   I had that ability, being educated in the  
10          Scott County Public School System, to go to the  
11          University of Virginia's College of Law and  
12          then on to William and Mary.

13                  The opportunities that education opened  
14          up for me is a door that is still providing  
15          even greater opportunity until today.

16                  I want Virginia's public colleges and  
17          universities in the future to look at  
18          individuals based upon their ability to  
19          succeed, and the ability to get that  
20          Commonwealth of opportunity in their lives.

21                  I think it is important that when our  
22          colleges and universities are looking at  
23          admissions requirements, they look for  
24          diversity -- diversity from rural to urban  
25          schools. Diversity to suburban schools, that



1           we have a diverse student body in all of our  
2           colleges and universities. And you can  
3           accomplish that without looking at the color of  
4           our skin or whether we are male or female. You  
5           can be a leader.

6                     Because I think all Virginians want this  
7           Commonwealth of opportunity where we have a  
8           better education system, where our streets and  
9           communities are safe, where we lead in Virginia  
10          by building a better transportation system and  
11          creating more jobs and opportunities.

12                    That is the type of governor I want to  
13          be -- a governor that is committed to standing  
14          up for public housing projects before the  
15          United States Supreme Court, and saying that  
16          we're going to give you the same rights as any  
17          gated community to keep your community safe --  
18          or battling to make sure that cross burning is  
19          a crime.

20                    I want to create this Commonwealth of  
21          opportunity where our streets are safe.

22                    MR. HOLSWORTH: Two minutes for Mr.  
23          Kaine.

24                    MR. Kaine: Jerry, the question was about  
25          diversity in higher education and you have

1 ignored the elephant in the room.

2 The elephant in the room is this: That  
3 there was a United States Supreme Court case  
4 when you were Attorney General about how  
5 diversity should be factored in to programs and  
6 admissions in state universities.

7 And rather than wait for that case to be  
8 resolved, and then give advice to the College  
9 Boards of Visitors, around the Commonwealth,  
10 you had one of your chief lieutenants in the  
11 Attorney General's office write a letter to  
12 every board member of every state college and  
13 university and tell them that they would be  
14 personally liable -- they would be personally  
15 liable if any diversity program at their  
16 institution was overseen.

17 That was an intimidation factor. You  
18 were trying to muscle the colleges to drop  
19 their diversity programs.

20 And in the case of Virginia Tech, it  
21 worked. The board caved to your personal  
22 liability letter. The board dropped their  
23 diversity programs.

24 But then the board sat around and  
25 realized: Wait a minute. We were given bad

1 legal advice. The U.S. Supreme Court is about  
2 to give us guidance. The guidance that the  
3 Attorney General's office gave us was wrong.

4 The Supreme Court decided the Michigan  
5 affirmative action case about two months after  
6 the Virginia Tech action.

7 And they claimed that under certain  
8 circumstances, sure, diversity, and encouraging  
9 people to apply, and conditions in programs at  
10 universities was a good thing. We want our  
11 institutions to look like who Virginia is.

12 After the Supreme Court's ruling, you  
13 still took the position, no, that you were  
14 right, and they should abandon what they were  
15 doing.

16 A Virginia editorial page had this very  
17 memorable comment. They said that: If we were  
18 back in times of massive resistance, Jerry  
19 Kilgore would be leading the parade because of  
20 your obstinate refusal to allow Boards of  
21 Visitors to do what was right to make sure that  
22 their student bodies look like Virginia looks.

23 I support equality. I support the right  
24 of all Virginians to a higher education. I  
25 think our higher ed institutions should look

1           like Virginia looks. And I would never try to  
2           muscle Boards of Visitors who believe that that  
3           is an important Virginia value.

4                   MR. HOLSWORTH: One minute for Mr.  
5           Kilgore.

6                   MR. KILGORE: I support diversity in  
7           higher education. It is a very important goal  
8           of our higher education system.

9                   But I think Virginians want a fair  
10          system -- a system where good qualified  
11          students can get admitted into a Virginia  
12          public college and university.

13                   It is the number one complaint I hear  
14          when I am traveling in northern Virginia or  
15          Hampton Roads, when a parent comes up to me and  
16          says: My good student cannot get admitted into  
17          a Virginia college or university.

18                   I want to work with programs like Access  
19          UVA to reach out to all Virginians and make  
20          education the opportunity available to students  
21          that otherwise couldn't afford educational  
22          opportunities.

23                   My opponent admitted after he was mayor  
24          that he had witnessed the Richmond Public  
25          School System become segregated again.

1                   840 murders occurred while he was serving  
2                   on counsel and as mayor -- mostly African-  
3                   Americans.

4                   I want to bring a safe Virginia, a  
5                   productive Virginia for all.

6                   MR. HOLSWORTH: Mr. Kaine, President Bush  
7                   is now in the process of appointing a new  
8                   Supreme Court Justice, and there is much  
9                   speculation that there may be more to come.

10                  This could eventually have an impact on  
11                  state politics here in Virginia.

12                  If the new Supreme Court allowed more  
13                  restrictions to be put on Roe V. Wade, and the  
14                  legislature presented you with bills that could  
15                  further restrict Roe V. Wade, would you be  
16                  willing to sign them?

17                  MR. KAINE: Let me first just add a point  
18                  to what Jerry said, and then Bob, I am going to  
19                  answer your question.

20                  When he came back on diversity, he said  
21                  he supports diversity, but he wants to make  
22                  sure that quote: Good, qualified students  
23                  could get in to the state's colleges and  
24                  universities.

25                  I don't believe that the state's

1           diversity programs are accepting unqualified  
2           students. You can have diversity and have  
3           qualified students there. So I would just  
4           point that out.

5                     That's a common myth of diversity  
6           programs, that it keeps qualified students out  
7           by letting unqualified students in. And I do  
8           not believe that that is what is going on in  
9           the Commonwealth.

10                    With respect to the Supreme Court  
11           question, Bob, there are some hypotheticals,  
12           but it deals ultimately with the question of  
13           abortion and abortion rights.

14                    My belief is this -- as I've indicated  
15           earlier in the discussion with Jennifer: I  
16           oppose abortion.

17                    And I think that there is a common ground  
18           in this area because Virginians want to reduce  
19           abortions. I have not met a single person in  
20           Virginia who wants to increase abortion. Every  
21           one I know wants to reduce abortion.

22                    I think there are tried and tested ways  
23           to reduce abortion.

24                    First, enforce the current restrictions  
25           that we have, the restrictions that demonstrate

1           that abortion isn't an appendectomy or  
2           something minor; that it is a serious moral  
3           issue.

4           Second, pass an enforceable partial-birth  
5           ban in Virginia. I have long supported a ban  
6           on partial-birth abortions, but I have insisted  
7           that we follow the wording and the teaching of  
8           the U.S. Supreme Court so that it would be  
9           enforceable, unlike my opponent, who has again  
10          and again pushed and supported unconstitutional  
11          legislation.

12          Third, we need to make sure that women  
13          have access to health care, including legal  
14          contraception, because that will reduce  
15          abortion in Virginia.

16          Fourth, we need to have  
17          abstinence-focused education of our kids, and  
18          we need to promote adoption alternatives in a  
19          very very aggressive way.

20          If we do these things, we will reduce  
21          abortion in Virginia. But what we don't need  
22          to do -- we don't need to criminalize the  
23          health care decisions of women and their  
24          doctors. That would be wrong. It is not the  
25          way we reduce abortion.

1                   We have common ground and we can work  
2                   together to achieve the goal.

3                   MR. HOLSWORTH: Two minutes for Mr.  
4                   Kilgore.

5                   MR. KILGORE: Thank you. I support a  
6                   culture of life. I always have. I always  
7                   will.

8                   I supported reasonable safeguards in this  
9                   arena, including getting parents involved in  
10                  one of the most critical health care decisions  
11                  a teenage daughter can make. Getting parents  
12                  involved by working to make sure parental  
13                  notification and parental consent became the  
14                  law of the Commonwealth. Working to rid  
15                  Virginia of this barbaric practice we call  
16                  "partial-birth abortion."

17                  Agreeing with the American Medical  
18                  Association that there is no medically  
19                  necessary reason to take the life of a child  
20                  just moments before it takes its first breath.

21                  I am fighting for that legislation,  
22                  absolutely, because I agree with the American  
23                  Medical Association.

24                  My opponent can't be trusted on this  
25                  important issue. He claimed in 2001 that he



1           was pro-choice, yet he is running ads in  
2           Western Virginia claiming to be pro-life.

3                   In 2001, he opposed parental consent, yet  
4           in 2005 he says he favors parental consent.

5                   When appearing before the Family  
6           Foundation this past January before their Board  
7           of Directors, my opponent was asked the  
8           question: You say tonight you are pro-life,  
9           but back then you said you were pro-choice.

10                   His response: I would have said that  
11           then.

12                   He can't be trusted on this very  
13           important decision. I support reasonable  
14           safeguards and will promote a culture of life  
15           in Virginia.

16                   MR. HOLSWORTH: One minute for Mr. Kaine.

17                   MR. Kaine: Jerry, you should answer the  
18           question.

19                   You were asked what restrictions that you  
20           would support. You said that abortion should  
21           be criminalized in Virginia except in the  
22           interest of life of the mother, rape, or  
23           incest.

24                   You said that you would only allow an  
25           abortion in the instance of rape or incest if

1           the victim -- the victim of domestic violence  
2           reports the rape or incest within seven days.

3           If a youngster raped by a stepfather or  
4           uncle wants to seek an abortion after seven  
5           days, they would be criminalized because  
6           abortion would be illegal and you would  
7           criminalize the health care decisions of women  
8           and their doctors.

9           That's not the kind of leadership that  
10          Virginia needs. That's not the kind of  
11          leadership Virginia needs. I do believe in the  
12          sanctity of life. I am pro-life.

13          But I believe that there are  
14          tried-and-true ways to reduce abortion other  
15          than criminalizing women's health care  
16          decisions. I trust women to make their health  
17          care decisions. I don't think government needs  
18          to make health care decisions for women, but we  
19          can reduce abortion if we stop making this a  
20          political game and do the things that are  
21          tested and tried.

22          MR. HOLSWORTH: Mr. Kilgore, a person in  
23          this organization came up to me asked me to ask  
24          this question.

25          Anyone who knows both of you thinks that

1           you are two of the finest people that they have  
2           met, and people absolutely committed to the  
3           good of Virginia.

4                   But when they look at this campaign, they  
5           see a lot of personal attacks, petty sniping  
6           between the staff, and to some degree, ignoring  
7           some of the real critical issues that face  
8           Virginia.

9                   Do you agree with that assessment, and  
10          what steps do you think the candidates can take  
11          to insure that over the next few months this  
12          campaign addresses the key issues that are  
13          critical to the future of the Commonwealth?

14                   MR. KILGORE: I want to thank my opponent  
15          today for being in this arena. This arena that  
16          we call "seeking public office."

17                   Because it is a tough life. It is tough  
18          going to all those fairs, festivals and  
19          parades, making all these speeches.

20                   And I appreciate his commitment to our  
21          Commonwealth.

22                   But let's be honest. The two major  
23          political parties have nominated the two most  
24          different candidates for governor from a  
25          philosophical standpoint.

1           We disagree on the role of government.  
2           He believes leadership is raising taxes. I  
3           support the people, trust the people.

4           He doesn't support the Second Amendment  
5           rights -- got an "F" rating from the NRA. I  
6           got an "A" rating.

7           He has opposed the death penalty -- even  
8           called for a moratorium. And I've supported  
9           the carrying out of Virginia's death penalty.

10          He has supported an increase in the gas  
11          tax. He is saying today that he is pro-life,  
12          yet he is pro-choice.

13          We are very different candidates running  
14          for governor.

15          I think Virginians deserve this change.  
16          Virginians want to learn the differences  
17          between these two campaigns.

18          And there are many ways to accomplish  
19          that. I have been traveling Virginia, talking  
20          about my ten weeks of honest reform, which I  
21          kicked off a week after I announced for  
22          governor -- to bring better pay for better  
23          teachers, to make sure that we are committed to  
24          bringing more dollars into the transportation  
25          system and trusting the people in the regions,

1 to get commerce moving again by keeping our  
2 taxes lower and our regulatory burden even  
3 lower, to bring greater research opportunities  
4 to our colleges and universities so that we  
5 create economic growth right on or around our  
6 colleges and universities.

7 I have been leading on important issues  
8 that affect Virginia. I invite you to visit my  
9 web site -- jerrykilgore.com -- and read about  
10 my ten weeks of honest reform, and many, many  
11 more.

12 Thank you.

13 MR. HOLSWORTH: Two minutes for Mr.  
14 Kaine.

15 MR. KAINE: Well, so much for positive  
16 campaigning.

17 We started noticing about a year ago that  
18 letters signed by Jerry Kilgore were going out  
19 to thousands of Virginians.

20 And in one of the letters it said, "Tim  
21 Kaine and his supporters are the enemies of  
22 faith, family, and freedom."

23 He signed that letter.

24 Another letter said, "Tim Kaine and his  
25 supporters would take away your right to

1           worship freely."

2                     In an interview that Jerry gave to a  
3           newspaper on Good Friday, he said that, "Tim  
4           Kaine never cared about his Catholicism until  
5           it was politically important for him to do so."

6                     This is a negative campaign. We started  
7           advertising in March with positive ads, telling  
8           my story.

9                     The first radio ads that Jerry Kilgore  
10          put out were not talking about Jerry Kilgore.  
11          They were attacking me.

12                    We went on the air in May with television  
13          ads that were purely positive, not even  
14          mentioning his name. Within two weeks, he had  
15          very negative TV ads up against us.

16                    It is a negative campaign because Jerry  
17          Kilgore has fought against all the reforms that  
18          we have made. And he knows that if we look at  
19          the record of the last few years, Virginia  
20          voters who feel good about the direction of the  
21          Commonwealth will reject his candidacy.

22                    And so he is running a negative campaign  
23          and it is just going to get more negative.

24                    But I am going to stay on the high road.  
25          I am going to stay on the high road. Because

1 we have led Virginia to a AAA bond rating and  
2 the second-fastest job growth in American and  
3 status as the best managed state in the  
4 country, with Jerry fighting against us every  
5 step of the way.

6 I have built schools. I have cut crime.  
7 I have actually cut taxes.

8 Jerry talks about me raising taxes. Do  
9 you know Jerry Kilgore has never cut a tax in  
10 his life?

11 I have cut property taxes. I have cut  
12 utility taxes. I have cut business license  
13 taxes in the tax reform of '04.

14 You are paying less sales tax on food.  
15 You are not paying a marriage penalty on your  
16 income tax any more.

17 But it's about balance. Leaders know  
18 about balance. We don't rely on gimmicks.

19 So I would say to you that this should be  
20 a positive campaign and we will stay on the  
21 high road. But I know what Jerry and his team  
22 will do to win.

23 MR. HOLSWORTH: One minute for Mr.  
24 Kilgore.

25 MR. KILGORE: I know exactly what my

1           opponent did do.

2           He ran the first negative campaign ad on  
3           his website. It is there -- it was there for  
4           your viewing -- and sent it out to all of his  
5           supporters. That is what my opponent did in  
6           this race.

7           While I was out leading for honest  
8           reform, better pay for better teachers, more  
9           money into the transportation system, creating  
10          jobs and opportunities, bringing greater  
11          research opportunities to Virginia's colleges  
12          and universities, he was just saying no. Just  
13          saying no to all my issues of honest reform.

14          Saying no to better pay for better  
15          teachers, saying no to my plan to pump more  
16          money into transportation by using general fund  
17          dollars, saying no to trusting the people.

18          His campaign has been a campaign of no.

19          My campaign is a positive vision for  
20          Virginia.

21          MR. HOLSWORTH: Our first closing  
22          statement, two minutes for Mr. Kaine.

23          MR. Kaine: Why go backward? Why go  
24          backward? You remember where we were four  
25          years ago. You remember the fiscal mess that



1 we were in. You remember the lack of  
2 investments in education. You remember a  
3 legislature that couldn't even agree with the  
4 governor on a budget. And that is why you  
5 changed out the leadership team in this  
6 Commonwealth.

7 And you put in the Warner-Kaine  
8 administration, the leadership team that has  
9 brought this state a long, long way.

10 We have reformed our budget. We have  
11 created a bipartisan coalition. We have got  
12 the second-fastest job growth in America. We  
13 have the best-managed state in America.

14 And in all of those instances -- budget  
15 reform, investments in education, investments  
16 in transportation, management reforms, Jerry  
17 Kilgore has stood against every one of our  
18 achievements. Every one of our achievements.

19 He has been the one standing, saying no,  
20 urging partisanship, urging division, fighting  
21 against progress.

22 I am running for governor for a lot of  
23 reasons. I am running for governor because I  
24 have a heart for public service that was formed  
25 in that experience I had with Jim O'Leary in

1 Honduras 25 years ago.

2 I am running for governor because I care  
3 deeply about this Commonwealth and the things  
4 that we have done and the things that we can  
5 do.

6 But I am running for governor in some  
7 ways most passionately, because I believe we  
8 cannot take the progress that we have made in  
9 the last four years and put it into the hands  
10 of the most persistent and vigorous opponent of  
11 that progress.

12 We have come a long way in education --  
13 higher standards, better funding, even for the  
14 Scott County schools. But we have got a long  
15 way to go.

16 We have come a long way in  
17 transportation, turning around a VDOT that was  
18 riddled with problems, investing money from our  
19 surplus. But we have a long way to go.

20 We have come a long way in health care,  
21 putting our kids, our low income kids into a  
22 health insurance program. But we have a long  
23 way to go.

24 And the only way we will get there is by  
25 having a leader who knows which way to go, who

1 knows not to go backward, and who isn't afraid  
2 to make a decision rather than handing off  
3 decisions to everyone else.

4 MR. HOLSWORTH: Two minutes for Mr.  
5 Kilgore.

6 MR. KILGORE: I want to thank the VBA for  
7 hosting this third debate between my opponent  
8 and me. Today I ask for your vote and I ask  
9 for the privilege to serve as the next governor  
10 of the Commonwealth of Virginia.

11 I want to honestly reform our state,  
12 create a Commonwealth of opportunity by  
13 bringing better pay for better teachers so that  
14 our children do get a better education. I want  
15 to bring more dollars into the transportation  
16 system. But I want to trust the people in the  
17 regions to set their own regional priority  
18 needs.

19 I want to create jobs and opportunities,  
20 so that Virginia, at the end of the decision  
21 making process, is the only place that a  
22 business wants to expand or locate.

23 You have seen two very different  
24 candidates for Governor on this stage.

25 One candidate, my opponent, equates

1 leadership with raising taxes. That's the type  
2 of leadership he is going to provide to  
3 Virginia.

4 He wants to raise the gas tax. He raised  
5 taxes time and time again as mayor of the City  
6 of Richmond.

7 So my opponent is opposed to the death  
8 penalty, even opposed to expanding the death  
9 penalty for gang leaders who have a hit out for  
10 a law enforcement officer as we speak.

11 He got an "F" rating from the NRA because  
12 he is an enemy of gun rights. He got a C-plus  
13 grade from Governing Magazine, who termed the  
14 management of the city "mediocre."

15 Folks, Virginia needs a governor that can  
16 get an "A." I am ready to go to work for you.

17 Thank you.

18 MR. HOLSWORTH: I want to thank our  
19 panelists and in particular thank our  
20 candidates for a lively exchange of views this  
21 morning.

22 Thank you very much.

23 (Applause.)

24 (Whereupon, the proceedings concluded at  
25 12:07 p.m.)

1 STATE OF VIRGINIA )

2 COUNTY OF ROANOKE )

3

4

5 C E R T I F I C A T E

6

7 I, CAROLINE LANE, Notary Public at Large,  
8 do hereby certify that the above and foregoing  
9 proceeding was taken down by me in machine shorthand  
10 and was reduced to typewriting under my personal  
11 supervision, and that the foregoing represents a  
12 true and correct transcript of the proceeding given.

13

14 I further certify that I am neither of  
15 counsel nor of kin to the parties to the action, nor  
16 am I in any way interested in the result of said  
17 cause.

18

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22

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CAROLINE LANE  
Notary Public

23

24

25

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