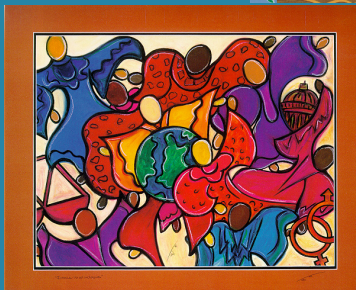


Washington State Minority and Justice Commission



2011 Annual Report

2011 Annual Report

of the

WASHINGTON STATE MINORITY AND JUSTICE COMMISSION

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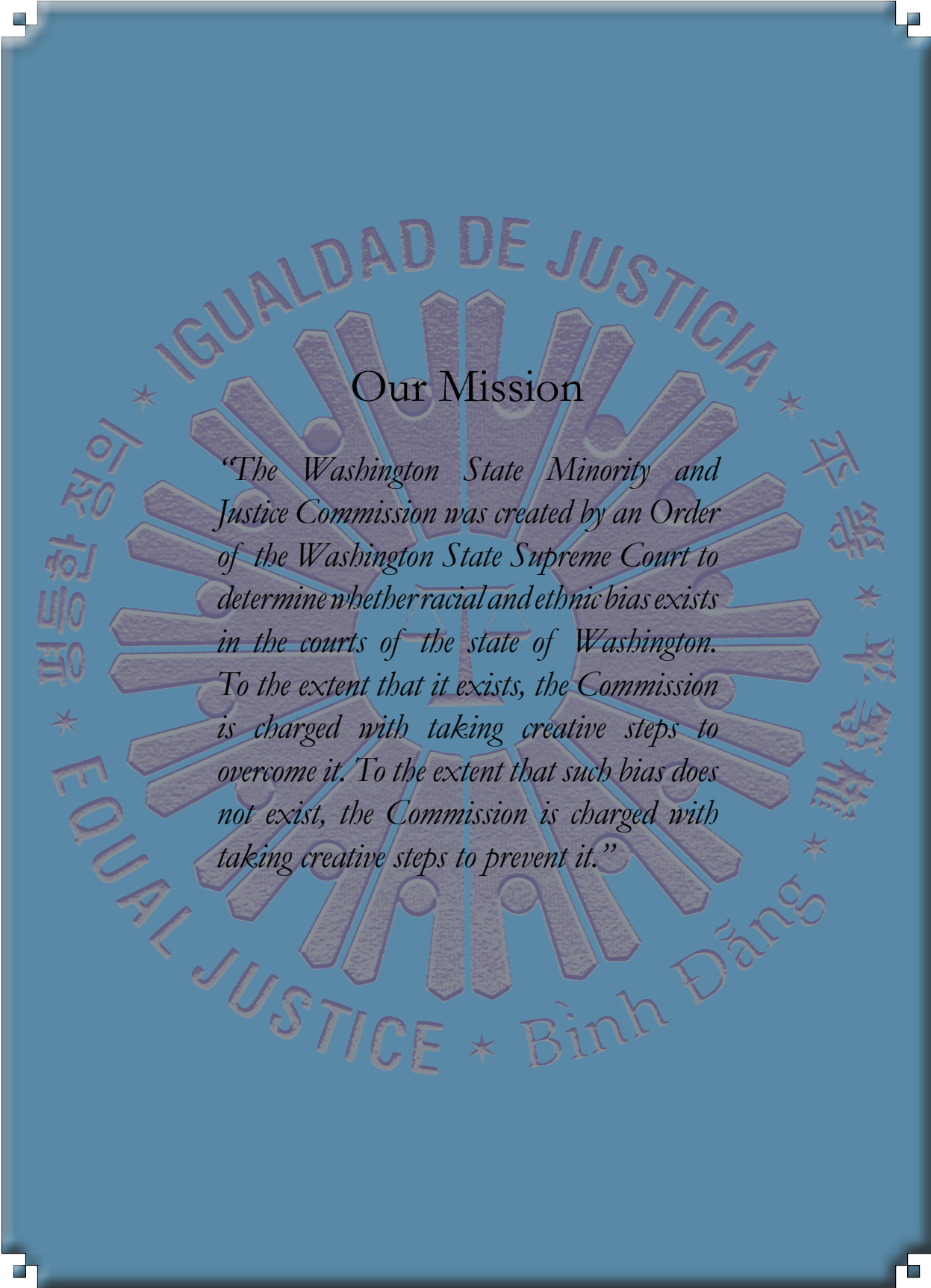
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The 2011 Annual Report of the Washington State Minority and Justice Commission is an electronically published document and is posted at http://www.courts.wa.gov/programs_orgs/index.cfm. All contents copyright 2011. Questions and comments may be directed to Monto Shan Morton, Executive Director, by email at montomorton@courts.wa.gov, by mail at Administrative Office of the Courts, Post Office Box 41170 Olympia, Washington 98504-1170; or by phone at (360) 705-5327.



Our Mission

“The Washington State Minority and Justice Commission was created by an Order of the Washington State Supreme Court to determine whether racial and ethnic bias exists in the courts of the state of Washington. To the extent that it exists, the Commission is charged with taking creative steps to overcome it. To the extent that such bias does not exist, the Commission is charged with taking creative steps to prevent it.”

Commission Members

Justice Charles W. Johnson
Commission Co-Chair
Washington State Supreme Court

Jeffrey A. Beaver
Attorney at Law
Graham and Dunn

Professor Robert C. Boruchowitz
Attorney at Law
Seattle University School of Law

Judge Deborah D. Fleck
King County Superior Court

Bonnie J. Glenn
Special Assistant to Secretary
Models for Change, DSHS

Jeffrey E. Hall
Administrator
Administrative Office of the Courts

Judge Kenneth H. Kato, Retired
Washington Court of Appeals, Div. III

Sandra E. Madrid, Ph.D.
Senior Advisor to the Dean
University of Washington School of Law

Judge Mary I. Yu
Commission Co-Chair
King County Superior Court

Judge LeRoy McCullough
King County Superior Court

Judge Richard F. McDermott, Jr.
King County Superior Court

Judge Vance W. Peterson
Spokane County District Court

Professor Ada Shen-Jaffe
Attorney at Law
Seattle University School of Law

Jeffrey C. Sullivan
Attorney at Law

Judge Greg D. Sypolt
Spokane County Superior Court

Judge Dennis D. Yule, Retired
Benton/Franklin Counties Superior Court

Technical Support Members

*Ann E. Benson
Attorney at Law
Washington Defender Association*

*Professor Robert S. Chang
Director
Fred T. Korematsu Center for
Law and Equality*

*Kim M. Eaton
Yakima County Superior Court Clerk*

*Judge Donald J. Horowitz, Retired
King County Superior Court*

*Uriel Iniguez
Executive Director
State of Washington Commission on
Hispanic Affairs*

*Yemi Fleming Jackson
Attorney at Law
T-Mobile*

*Eric A. Jones
Attorney at Law
Emmaus Consulting PLLC*

*Judge Douglas W. Luna (deceased)
Central Council Tlingit and
Haida Indian Tribes of Alaska*

*Frank Maiocco
Administrator
Kitsap County Superior Court*

*Commissioner Joyce J. McCown
Washington Court of Appeals, Div. III*

*Rosa M. Melendez
Regional Director
Community Relations Service
United States Department of Justice*

*Karen W. Murray
Attorney at Law
Associated Counsel for the Accused*

*Carlene M. Placide
Attorney at Law
Dorsey & Whitney LLP*

*P. Diane Schneider
Washington State President
National Latino Peace Officers
Association*

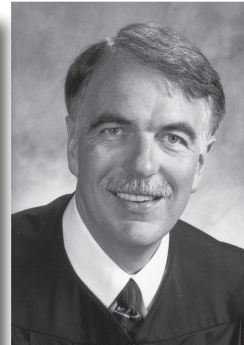
*Judge Mariane C. Spearman
King County Superior Court*

*Judge Vicki J. Toyohara, Retired
Washington Administrative Law Judge*

Letter from the Co-Chairs

*To: Governor Christine Gregoire
Chief Justice Barbara Madsen
Members of the Washington State Judiciary
Members of the Washington State Legislature
Citizens of Washington State*

*From: Honorable Charles W. Johnson
Washington State Supreme Court
Honorable Mary I. Yu
King County Superior Court*



On behalf of the Washington State Minority and Justice Commission, we are pleased to present the 2011 Annual Report. The past year provided several unique opportunities for the Commission to fulfill its mandate of eliminating bias in our courts. In particular, we were reinvigorated by the good work of the Task Force on Race in the Criminal Justice System and their call for us to do more on the problem of racial and ethnic disproportionality in our criminal justice system. In collaboration with other entities, we accepted the challenge and outlined a plan for implementation of the Task Force recommendations and have included the plan in this report.

We continue to develop and present educational programs for judicial officers and court personnel, support empirical research on disproportionality, and sponsor initiatives to increase diversity in our court workforce. While we celebrate the accomplishments of 2011, we recognize there remains much to be done to ensure awareness of the issues affecting persons of color in our justice system. We remain optimistic and believe that together we can make improvements because of the goodwill expressed by community organizations and by our partners in the justice system. Each has expressed the same concern and commitment to eradicating bias wherever it exists.

We move forward with the hope of reconfiguring the structure and staffing of the Commission so that we remain an effective voice for justice and fairness within budgetary constraints. We pledge to serve you in an efficient and transparent manner.

Finally, we wish to thank our members and friends who have worked with us this past year; nothing is possible without support from our law schools, the bar, and the bench. We look forward to the future as we work to help build a truly outstanding justice system in Washington.

We welcome your support of the Commission's efforts. Please contact us if you have any questions regarding this report.

Executive Summary

The year 2011 was a banner year for the Washington State Minority and Justice Commission and the judicial branch of Washington State in addressing race and social justice.

In January 2011, Judge Mary Yu, King County Superior Court, was elected as Co-Chair of the Commission by its members. Judge Yu brings eleven-years of experience as a superior court judge, and a record of scholarship focusing upon the relationship of race, ethnicity, and culture with the justice system.

On March 2, 2011, the Task Force on Race and the Criminal Justice System reported to the Washington State Supreme Court with a presentation of its research, findings and recommendations for action. The Minority and Justice Commission created the Sub-Committee on Task Force Recommendations to address recommendations made by the Task Force to the Court and submitted a report on September 7, 2011.

In March 2011, the Commission released the “Diversifying the Bench Guidebook: How to Become a Judicial Officer,” which demystifies and explains the process of becoming a judge.

In July 2011, the Board for Judicial Administration (BJA) unanimously adopted a resolution relating to race and the justice system. The Resolution reflects the BJA’s strong commitment to ensuring that all people are treated fairly and impartially in Washington courts and that all people perceive that they have received equal justice under the law.

On November 4, 2011, the Commission met with minority bar and commission leaders to discuss shared interests, missions and objectives and explore enhanced communication and collaboration in pursuing common goals.

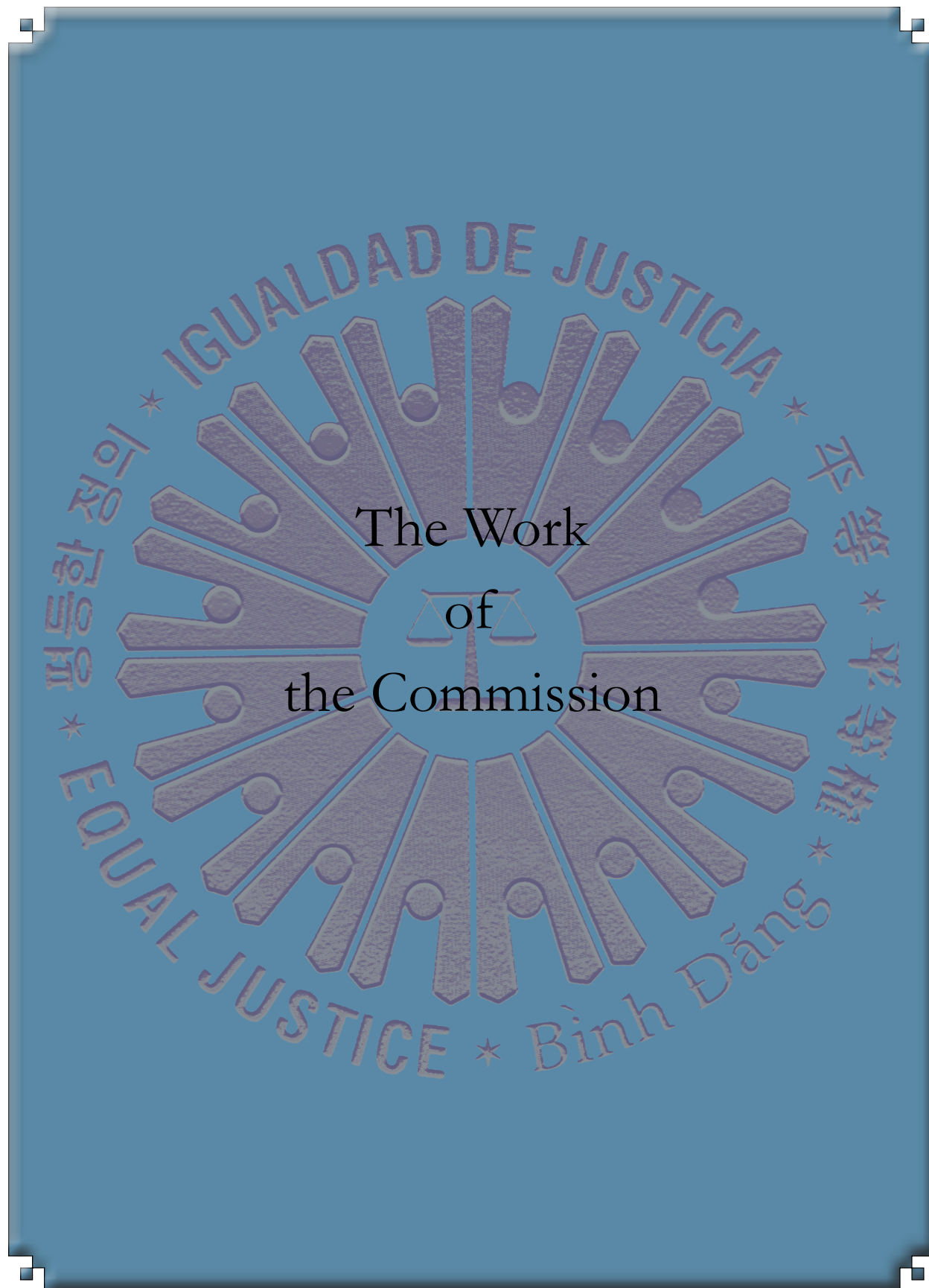
Also on November 4, 2011, the Commission committed to addressing the disproportionate contact by minority youth with the juvenile justice system. The Commission adopted a resolution which commits the Commission “to ongoing efforts to secure racial, ethnic, and cultural equity in the administration of the juvenile justice system” and to creating a Juvenile Justice Committee “to convene interested stakeholders to promote the adoption of laws, policies and evidence-based practices shown to reduce and, ultimately, eliminate disproportionate minority contact in the juvenile justice system.”

In December 2011, King County Superior Court Judge Steven González was appointed to the Washington State Supreme Court by Governor Gregoire. Justice González is the first Mexican American and only the second person of color to serve on the state’s highest court. He is known for his scholarship, leadership and work in promoting equal access to the courts.

There were many other events in 2011 by many organizations that furthered the goal of addressing race and social justice and these are just some of the highlights. We look forward to 2012 and the continuation of efforts like these to further the betterment of our Washington State courts.

Please contact me, if you have any questions or comments, at montomorton@courts.wa.gov or (360) 705-5327.

*Monto Shan Morton
Executive Director*



The Work
of
the Commission

Juvenile Justice Resolution

On November 17, 2011, the Commission passed the following resolution that was presented by Carla C. Lee, J.D., Models for Change Project Coordinator, Center for Children & Youth Justice (CCYJ), to the Commission. The resolution addresses disproportionate minority contact in the juvenile justice system.

RESOLUTION of the WASHINGTON STATE SUPREME COURT MINORITY AND JUSTICE COMMISSION

WHEREAS, equal justice is a central guarantee under the law and access to justice is a fundamental commitment of our government and essential to the proper functioning of our democracy, and

WHEREAS, the Washington State Constitution requires the pursuit of “justice” in all cases, and

WHEREAS, the eradication of racial, ethnic, and cultural bias in policies, practices and proceedings of legal institutions is consistent with the spirit of the Washington State Constitution, and

WHEREAS, disproportionate minority contact (DMC) is a priority of the Washington State Partnership Council on Juvenile Justice, and

WHEREAS, data collected by the Washington State Partnership Council on Juvenile Justice confirms that minority youth are over-represented at every stage of the juvenile justice process, and

WHEREAS, data confirms that minority youth over-representation is aggravated at each successive decision point as minority youth progress through the juvenile justice process, and

WHEREAS, Washington studies confirm that racial and ethnic bias inform decision-making at every stage of the juvenile justice process, and

WHEREAS, policies and practices that are neutral on their face, but contribute to disproportionate minority contact, racial, ethnic, or cultural disparities, or have a disparate impact on minority youth in the juvenile justice system, run counter to the administration of justice, and

WHEREAS, it is critical that the judicial branch, consistent with its obligation to administer justice fairly, efficiently and effectively, ensures that existing and proposed rules, policies and practices are fair and do not result in racially, ethnically, or culturally disproportionate outcomes, and

WHEREAS, the Minority and Justice Commission, created by the Washington State Supreme Court, has a mandate to identify and eradicate the adverse impact of racial, ethnic, and cultural bias in the state court system, and to ensure fairness in the justice system including the juvenile justice system,

NOW THEREFORE, BE IT RESOLVED:

The Minority and Justice Commission strongly advocates for and commits to ongoing efforts to secure racial, ethnic, and cultural equity in the administration of the juvenile justice system;

The Minority and Justice Commission commits to working with community partners such as the Washington State Partnership Council on Juvenile Justice, community partners, and stakeholders to;

(continued on page 8)

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- (1) Educate the public, the judiciary, and stakeholders on disproportionate minority contact in the Washington State juvenile justice system;
- (2) Evaluate existing and proposed rules, policies and practices to determine whether and how they contribute to disproportionate minority contact in the juvenile justice system, and where they do, make recommendations to avoid and correct such impacts;
- (3) Identify corrective measures and pursue system-wide improvements in the juvenile justice system;
- (4) Measure and evaluate progress in addressing these issues that are critical to a fair and impartial

system of justice in Washington State; and

- (5) Develop and implement action plans to accomplish the objectives above to eradicate disproportionate minority contact in the juvenile justice system; and

BE IT FURTHER RESOLVED that the Minority and Justice Commission will create a Juvenile Justice Committee to convene interested stakeholders to promote the adoption of laws, policies and evidence-based practices shown to reduce and, ultimately, eliminate disproportionate minority contact in the juvenile justice system.

Adopted by the Washington State Supreme Court Minority and Justice Commission on this 17th day of November, 2011. ■

Subcommittee on Task Force Recommendations

Committee Members

Judge Mary I. Yu, Chair
Judge Veronica Alicea-Galván
Robert C. Boruchowitz
Judge Deborah D. Fleck
Eric A. Jones
Judge Richard F. McDermott, Jr.
Judge Carol Murphy
Karen W. Murray
Judge Mariane C. Spearman
Judge Vicki J. Toyohara, Retired

Purpose

Following the Report and Recommendations of the Task Force on Race and the Criminal Justice System to the Supreme Court in March, 2011, the Commission formed the Subcommittee on Task Force Recommendations to respond to Chief Justice Barbara Madsen's referral to the Commission of the Task Force's recommendations for the Commission's review and advise with respect to implementation of the recommendations.

Activity Report

Eight recommendations were presented at the Task Force on Race and the Criminal Justice System presentation held on March 2, 2011, at the Temple of Justice. The presentation was recorded by TVW and is available at: http://www.law.seattleu.edu/Centers_and_Institutes/Korematsu_Center/Race_and_Criminal_Justice.xml. The preliminary report of the Task Force is also available electronically on the same Web site.

Subsequently, Chief Justice Barbara Madsen referred the eight recommendations to the Minority and Justice Commission and asked that they advise the Court as to how they might be implemented.

The Minority and Justice Commission conducted several meetings and created a report, "Recommendations Made to the Supreme Court and Proposed Plans for Implementation" and presented it to the Washington State Supreme Court. At the September 7, 2011 En Banc Conference, the justices agreed to refer the report to the court's Administrative Committee to discuss "next steps." The Administrative Committee reviewed the recommendations in more detail and suggested that the Commission pursue recommendation #1 - "participate and

exercise leadership in the public dialogue on race within our justice system. Institutionally create and/or empower an entity to address these concerns publicly and to play a leadership role in oversight."

The Administrative Committee also suggested the Commission pursue, provided they fit within the Commission's vision, mission, and goals:

Recommendation #3 - "Commit to the ongoing education of judges at all levels and direct the staff at Administrative Office of the Courts to actively support the judicial conferences in funding and supporting fact-based quality presentations on the problems of bias and racial disparity. Encourage judges to undergo training on pretrial and bail screening instruments to reduce racial disparity among the detained/incarcerated population."

Recommendation #5 - "Undertake a critical review of each stage of our criminal proceedings in all of our trial courts to examine whether there might be practices that might have developed over time that contribute to racial disparity and commit to addressing these practices either by training or court rule." ■

Education Committee

Committee Members

Judge LeRoy McCullough, Chair
Judge Gregory D. Sypolt, Vice-Chair
Ann E. Benson
Judge Donald J. Horowitz, Retired
Frank Maiocco
Judge Richard F. McDermott, Jr.
P. Diane Schneider
Judge Vicki J. Toyohara, Retired

Purpose

The Education Committee seeks to improve the administration of justice by eliminating racism and its effects by offering and supporting a variety of innovative, high quality, education programs designed to improve the cultural and professional competency of court employees and other representatives of the Washington State justice system.

Activity Report

The Education Committee endeavors to improve the Washington State justice system by promoting and developing the knowledge, understanding, and skills of those who provide services to the State's population. The Committee utilizes creative means to produce quality educational programs that address specific needs of those who provide services in the administration of justice.

The 2011 Judicial College session, "Toward a More Culturally Competent Courtroom," was presented on January 25, 2011, at Cedarbrook Lodge. The faculty members were: Judge LeRoy McCullough, King County Superior Court; Judge Gregory D. Sypolt, Spokane County Superior Court; Ms. Benita Horn, Achievement Architects North; and Ms. Peggy Nagae, PeggyNagae Consulting. The learning outcomes for the session were: learn more about cultural competence within the administration of justice; explore perceptions and judgments that inhibit cultural competency; use tools to practice the role of judicial officers as leaders and coaches for cultural competence in the courtroom; and sustain what is learned in the session by transferring knowledge and skills

back to the courtroom.

The District Municipal Court Judges' Association (DMCJA) Conference session, "Overcoming Poverty Barriers to Equal Justice," was held June 7, 2011, at Ocean Shores, Washington. Dr. Donna Beegle was the presenter. She is the author of the book, *See Poverty, Be the Difference*. The learning outcomes for the session were: recognition that our perceptions impact the level of service to persons in poverty; awareness of issues encountered by persons in poverty; knowledge of special challenges encountered by person of color in poverty; specific skills or tools to communicate and interact effectively with persons in poverty, including persons of color in poverty; understanding of difficulties facing unemployed, unemployable, and the working poor; how this affects compliance efforts and proper actions by court; and explanation of benefits available.

The District and Municipal Court Management Association (DMCMA) Court Staff Conference session, "Improving Court Services to People in Poverty," was held on March 16, 2011 at the Howard Johnson Plaza Hotel, in Yakima,

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Washington. Dr. Donna Beegle presented the session. The learning outcomes for the session were: recognition that perceptions impact level of service to persons in poverty; awareness of issues encountered by persons in poverty; knowledge of special challenges encountered by persons of color in poverty and immigrants in poverty; and specific skills or tools to communicate and interact effectively with persons in poverty, including persons of color in poverty and immigrants in poverty. The session was an interactive program engaging participants in self-discovery and growth, including in-group discussions and providing insights and strategies for communicating more effectively across race, class, gender, and generational barriers.

The 2011 County Clerks' Association Conference session, "Cultural Competency at the Frontlines of Justice," was held June 23, 2011, in La Conner, Washington. The session was co-presented by: Professor Marcia Tate Arunga, Arunga and Associates; Ms. Benita R. Horn, Achievement Architects North; and Ms. Ruth Gordon, Jefferson County Superior Court Clerk. The learning outcomes for the session were: define cultural competency and its importance to the administration of justice; understand what diversity is and is not; recognize how diversity and cultural competency impact perceptions and behaviors at work; learn and practice key cultural competency and diversity communication skills; and develop specific strategies to foster an inclusive environment.

At the 53rd Annual Judicial Conference, the Minority and Justice Commission co-sponsored a session on October 2, 2011, with the Gender and Justice Commission, Superior Court Judges' Association Equality and Fairness Committee, and District and Municipal Court Judges Association Diversity Committee. The keynote Speaker of the session was Dean Rachel



2011 County Clerks' Association Conference - Benita Horn, Nancy Scott, Ruth Gordon, Monto Shan Morton, and Marcia Tate Arunga.

Moran, University California, Berkeley School of Law. The session was titled, "Colorblind Justice? The Role of Judges in Addressing Ethnic Disparity and Racial Disproportionality in the Criminal Justice System." Dean Moran began the session, followed by Dr. Katherine Beckett and Dr. Alexis Harris who covered research showing disparate treatment in the imposition of legal financial obligations (LFOs). The attendees participated in an interactive section with transponder questions and table discussions regarding specific fact patterns that address racial and ethnic disproportionality and disparate impact. Dr. Johnny Lake ended the session.

The Institute for New Court Employees Conference session, "Bridges for Cultural Competency in the Courts," was held on October 25, 2011. The session was co-presented by Ms. Lolita Burnette, Achievement Architects, Ms. Peggy Nagae, PeggyNagae Consulting, and Mr. Frank Maiocco, Kitsap County Superior Court Administrator. The learning objectives of the session were: define cultural competency and its importance to the administration of justice; understand what diversity is and is not; recognize how diversity and cultural competency

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impact perceptions and behaviors at work; learn and practice key cultural competency and diversity communication skills; and develop specific strategies to foster an inclusive court environment.

The Minority and Justice Commission is a co-sponsor of the State Justice Institute Grant Immigration Project with the Gender and Justice Commission. The focus of the project is to educate judicial officers and court line staff about immigration issues by submitting education session proposals to the state judicial association conferences and creating webinars and bench guidebooks. A session was held at the Superior Court Judges' Association Spring Conference on May 3, 2011, titled, "Immigration." The session was facilitated by: Matt Adams; Jorge Baron; Judge John Erlick; Judge Tammy Fitting; Judge Steven Gonzalez; Grace Huang; Pramila Jayapal; Chief Counsel Dorothy Stephan; and Judge Mary Yu. The learning outcomes for the session were: know the legal and ethical issues pertinent to immigration; and know the applicable law relevant to those issues.

The Committee continues to help promote and share knowledge concerning minority issues in the justice system through the Annotated Bibliography Project, which is a website where literary resources can be posted. The project was made possible by the assistance of the University of Washington's Law Library and Computing Services, and Law Librarianship Program, and individual volunteers. The website will continue to collect and provide a literary wealth for those who want to enhance their

knowledge and improve their ability to provide services to diverse populations of Washington State. Please visit the Annotated Bibliography at www.courts.wa.gov under "Programs and Organizations" and "Minority and Justice Commission" (http://www.courts.wa.gov/programs_orgs/pos_mjc/index.cfm?fa=pos_mjc.bibhome) and create an account and help to maintain a viable and useful bibliography that serves judges, court personnel, lawyers, and others in the justice system.

The Committee continues to utilize creative steps in providing education to judicial officers, court administrators and staff, and other service providers within the state's justice system. The need to provide training continues to increase with the growing minority populations and legal issues unique to them. The current economic environment has called for more cost effective means in which to deliver education sessions. The Committee is using multi-media technology such as the Virtual Institute for New Court Employees: Cultivating Cultural Competency Course, an on-line training course, developed by the Commission, Administrative Office of the Courts, and other agencies. The course provides the essential tools and skills to enhance the understanding of cultural competence and develop a judicial system that is inclusive, accessible, and respectful, thereby increasing public trust of the Washington Court system. The course contains two parts – an on-line course, completed individually, and "Follow-Up Guide," for facilitating small group sessions. The webpage is located on the Washington State Courts website at: <http://www.courts.wa.gov/training/tutorials/cultcomp/ccc1.html>. ■

Outreach Committee

Committee Members

Judge Dennis D. Yule, Retired, Chair
Judge Donald J. Horowitz, Retired
Eric A. Jones
Commissioner Joyce J. McCown
Rosa M. Melendez
Judge Mariane C. Spearman

Purpose

The Outreach Committee facilitates communication between the Washington State Minority and Justice Commission and the public and, specifically, the legal and court communities of Washington State, regarding interaction with and participation in the justice system by minorities or persons of color.

Activity Report

The Outreach Committee promotes and facilitates connections between the Minority and Justice Commission and the communities it serves. The Committee continued, in 2011, to work to build and enhance Commission connections with the numerous groups and agencies in Washington State, such as minority bar associations and state agencies that address issues of diversity and inclusion as they relate to our system of justice. The Committee also regularly explores and recommends venues for Commission quarterly meetings and other events that both expand public access to the Commission and its work and expand the Commission's understanding of justice system diversity work and issues around the state. The Commission is particularly grateful to two organizations that generously hosted meetings of the Commission in 2011, the Seattle Offices of Associated Counsel for the Accused and the Seattle University School of Law.

Commission publications, including its annual report and its newsletter, *Equal Justice*, represent one of the principal responsibilities of the Outreach Committee. During 2011, the Committee completed three issues of *Equal Justice* undertaking a shift in the content from a limited number of lengthier articles and opinion pieces addressing a particular theme or topic to

more, but briefer news items that better inform readers about current activities, programs and issues in Washington relating to diversity and the justice system. It also included more graphic design features facilitated by the change at the end of 2008 to digital publication.

The Committee continues to utilize "Commission Liaisons" to help gather content for the Commission's Equal Justice newsletter and create and maintain a network with organizations in the justice system and help to gather and share information.

The Committee also continues to maintain and update the Commission's web pages located on the Washington State Courts website under Boards and Commissions (http://www.courts.wa.gov/committee/?fa=committee.home&committee_id=84). The website contains: information concerning the Commission activities; a list of publications that can be viewed and downloaded; links to relevant organizations; and a feature that allows members of the community to input their information to receive publications and announcements.

The Committee coordinated the 9th Annual Tri-Cities Youth and Justice Forum, which

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was held on October 28, 2011, located at Colombia Basin College in Pasco, Washington. The Forum brought together more than 200 middle and high school students, many from communities or demographic groups historically underrepresented in the justice system workforce, and 50 volunteer professionals within the local justice system community, to explore employment opportunities in the justice system, to build trust between the students and the volunteer professionals, and to enhance students' understanding of their rights and responsibilities as members of the community. One of the objectives of co-sponsoring this event is to develop and refine a format that can be utilized in other areas of the state to educate not only students but also members of the bench and bar about the diversification of the justice system workforce.

United States Supreme Court Justice Sonia Sotomayor appeared by video to greet the students. Salvador Mungia, Past-President at Washington State Bar Association, was the guest speaker.

The Committee continues to solicit artwork by a Pacific Northwest artist for reproduction as a Commission poster that reflects a dimension of the racial and ethnic diversity of the communities served by Washington State courts. The most recent example of a piece selected is the painting by Seattle, Washington artist Al

Doggett, titled "We are America", which was donated by Mr. Doggett for reproduction as the 2011 Commission poster. "We are America", and the other pieces of work that have been selected by the Commission can be viewed on Washington State Courts Web site (http://www.courts.wa.gov/committee/?fa=committee.display&item_id=539&committee_id=84).

The Committee would like to make a special note of appreciation to the Commission's intern, Matthew Sanders who is on loan from the Seattle University School of Law, Fred T. Korematsu Center for Law and Equality. Mr. Sanders worked primarily on gathering materials for the Equal Justice newsletter.

The Committee created a subcommittee, the Outreach Information Technology (IT) Work Group for the purposes of discussing options for the newsletter, Equal Justice, and other ways information technology methods and resources could serve the Commission and its mission. The group will make recommendations to the Commission as they discuss information technology further. The Subcommittee consists of: Judge Dennis D. Yule, retired, Benton/Franklin County Superior Court; Judge Donald J. Horowitz, retired, King County Superior Court; Spokane County Superior Court Commissioner Joyce McCown, Court of Appeals, Division III; Eric Jones, Empower Law PLLC; and Brian Rowe, Chair, Access to Justice Technology Committee. ■

Research Committee

Committee Members

Judge Kenneth H. Kato, Retired, Chair
Professor Robert S. Chang
Uriel Iníñiguez
Judge Vance W. Peterson
Professor Ada Shen-Jaffe

Purpose

The Research Committee designs, funds and conducts research projects relating to the problems experienced by racial and ethnic minorities in the Washington State Justice System.

Activity Report

The Research Committee is charged with the development and oversight of research projects relating to issues the Commission is charged in its mission statement with addressing. During 2011, the Committee directed its attention to obtaining demographic information about judicial officers in Washington at all trial and appellate court levels, including both elected and appointed officers. The consensus of the Committee was that the comprehensive collection and analysis of demographic data about judicial officers in all Washington courts would be beneficial to the courts and to judicial appointing authorities at city, county and state levels. The Committee agreed to recommend that the Commission authorize a Judicial Census Project, in partnership with the judicial associations in Washington, to gather and review such data.

The Committee discussed a proposal from Carl McCurley, Ph.D., Manager, Washington State Center for Court Research, Administrative Office of the Courts and Professor Jon Hurwitz, University of Pittsburgh Department of Political Science, for a study of public perceptions of fairness in the courts, and how perceptions vary by race/ethnicity. The objective of the study would be to identify sources of trust/mistrust toward court operations that can be addressed

by the courts in Washington. The investigation would be a continuation of work done by Professor Hurwitz and Professor Mark Peffley, University of Kentucky Director of Quantitative Initiative for Policy and Social Research, in their book, *Justice in America: The Separate Realities of Blacks and Whites*. The Committee decided to recommend that the Commission authorize the study.

The Research Committee continues to participate in the Task Force on Race and the Criminal Justice System. Information about the Task Force on Race and the Criminal Justice System is located on their website at:

http://www.law.seattleu.edu/Centers_and_Institutes/Korematsu_Center/Race_and_Criminal_Justice.xml. ■

Workforce Diversity Committee

Committee Members

Judge Deborah D. Fleck, Chair
Bonnie J. Glenn, Vice-Chair
Jeffrey A. Beaver
Yemi Fleming Jackson
Sandra E. Madrid, Ph.D.
Karen W. Murray
Carllene M. Placide
Jeffrey C. Sullivan

Purpose

The Workforce Diversity Committee promotes equal employment opportunities and to increase the number of racial and ethnic minorities employed in the justice system.

Activity Report

The Workforce Diversity Committee published the “Diversifying the Bench Guidebook: How to Become a Judicial Officer” in March of 2011. The Guidebook explains jurisdiction, judicial eligibility, terms of office, salaries, campaigning and selection processes (for mid-term replacements) for each court level in Washington, as well as evaluations of judicial applicants by the Governor’s office (also for mid-term judicial replacements), evaluations of judicial candidates by state and local bar associations, and more. During a training session at the Statewide Diversity Conference at Seattle University School of Law, the Guidebook was provided in hard copy, paid for by Justice at Stake, a national organization that focuses exclusively on keeping courts fair and impartial. Justice at Stake also sponsored the session.

The Guidebook was also sent to national law schools, minority commissions and task forces. It is freely available for use in education sessions to encourage attorneys and law students, including those of diverse backgrounds historically underrepresented on the bench, to consider pursuing judicial careers. The

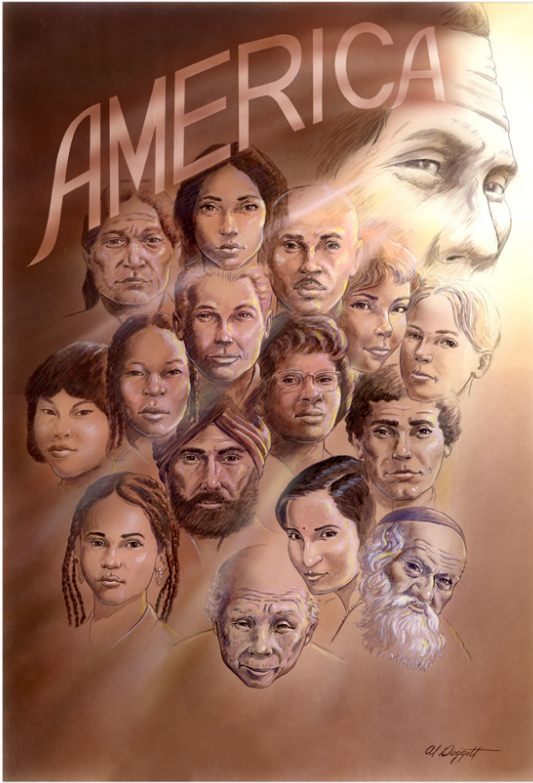
project has been a collaborative effort with the Washington State Bar Association Committee for Diversity, the Minority Bar Associations, University of Washington School of Law, Seattle University School of Law, area law students, and several other groups in the legal and educational community.

The Guidebook can be found online at:

[http://www.courts.wa.gov/committee/pdf/Diversifying the Bench Guidebook.pdf](http://www.courts.wa.gov/committee/pdf/Diversifying%20the%20Bench%20Guidebook.pdf).

Together with the Superior Court Judges’ Association Equality and Fairness Committee, District Municipal Court Judges’ Association Diversity Committee, and Gender and Justice Commission, the Workforce Diversity Committee also co-sponsored the keynote speaker at the 2011 Fall Judicial Conference. Dean Rachel Moran, University of California Berkeley School of Law, led the plenary session entitled, “Colorblind Justice? The Role of Judges in Addressing Ethnic Disparity and Racial Disproportionality in the Criminal and Civil Justice System.” ■

Commission Artwork



"We Are America," 2001 by Al Doggett

"We Are America", a painting by Seattle artist Al Doggett, upon the recommendation of the Outreach Committee, was selected by the Commission for reproduction as its 2011 poster, powerfully reflecting the diversity of the communities served by Washington State courts.

Born in Brooklyn, New York, Doggett attended The High School of Art and Design in New York City, where he majored in illustration, and studied graphic design, sculpture and photography. After high school he studied illustration and graphic design at the New York City Fashion Institute of Technology, (F.I.T.). After completing his studies at F.I.T. Doggett studied at the Art Students League of New York for three years. He subsequently worked at various art studios in New York City as an illustrator. His work included creating art for Warner Brothers movie ads and posters and magazine ads for advertising agencies.

In 1967 Doggett moved to Seattle and opened Al Doggett Studio, providing services in illustration and graphic design for the advertising and graphic arts industries. He continues to pursue his career in fine art painting drawing. His work has been exhibited in many venues throughout the Northwest, receiving a variety of awards. He also teaches youth and adult art classes at his studio and in several Seattle schools and community centers. He states: "I am deeply committed to the process of creating art that reflects my roots and that respectfully represents culture and humanity."

Doggett describes his creation of "We Are America" this way:

"A little history of why the painting was created.

The Fawcett Art Gallery in Tacoma, Washington put out a call to artists to create a work of art depicting their response to 911. They were planning a major exhibition showing works of art depicting the effects 911 had on the country in general.

My response to what happened on 911 saddened me greatly. What motivated me to create We Are America was what happened the weeks after and the way I saw people treated on the streets, in particular, Moslems, Africans and most people of Middle Eastern backgrounds. News reports showing people displaying anger at someone they felt was different looking than themselves, shouting, 'Go back home, you don't belong in this country.'

For this exhibition I wanted, through a work of art to show the real strength of America.

Beginning with the Native American who is the true American and to show the various cultures and nationalities that America has become."

"We Are America" posters, as well as other Commission posters may be ordered by contacting Monto Shan Morton at monto.morton@courts.wa.gov. Posters are viewable at http://www.courts.wa.gov/committee/?fa=committee.display&item_id=539&committee_id=84 ■



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