

Washington State Supreme Court Gender and Justice Commission

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June 15, 2020

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Dear Members of the Judiciary and Legal Community:

The Washington State Supreme Court has called on every member of our legal community to ask ourselves how we may work together to eradicate racism. As the Court wrote in its June 4, 2020 [open letter](#) “...we continue to see overrepresentation of black Americans in every stage of our criminal and juvenile justice systems...[we must] administer justice in a way that brings greater racial justice to our system as a whole.”

The Gender and Justice Commission is a group of lawyers, judges, academics, students, advocates, and others, established and supported by the Washington State Supreme Court. Our mission is to promote gender equality in the justice system. The Commission recognizes the destructive and heartbreaking impacts of systemic oppression on black, Indigenous, and other people of color in our justice system. We join the Washington State Supreme Court to reaffirm our deepest level of commitment to achieving justice by ending racism.

We want to share a few of the ways that our work has tried to prioritize the combination of race and gender inequality faced by women and girls of color. First, we recognize that our courts have not always recognized the impact of race and gender bias in our decisions. We therefore conduct and support frequent judicial education on how this problem affects the work of the courts, from criminal to civil cases and at all levels of our courts.

We also recognize that our courts do not always reflect the diversity of our communities. We therefore support programs like the National Association of Women Judges’ (NAWJ) Color of Justice Program in our state – it is designed to encourage girls of color to consider legal and judicial careers.

Additionally, we support opportunities for lawyers of color to obtain education and mentorship toward appointment or election to the judiciary.

We further recognize the impact of systemic racism on our criminal justice system; our Incarceration, Gender & Justice Committee therefore sponsors frequent programs to work with this population and to educate the courts on the disproportionate impact of detention, legal financial obligations, lengthy sentences, and separation from children and other family, on them.

In addition, we continue to support our colleagues on the [Minority and Justice Commission](#). They are leaders in the work to eliminate racial bias in the courts, and we have been privileged to be able to partner with them on several efforts.

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Barriers faced by women and girls of color when accessing court, in court, and after adjudication are also a primary focus of our pending study on Gender and Justice in the Courts. An essential element of this work is to identify areas where gender disparities are compounded for people of color as a result of the confluence of sexism and racism. At every phase of the study, we are asking researchers and stakeholders to find evidence-based approaches to eliminating these disparities.

With support from the Washington State legislature, and leadership from the Gender and Justice Commission, Domestic Violence Work Groups convened pursuant to E2SHB 1517 are examining racial equity issues by reports to the Legislature on Domestic Violence Perpetrator Treatment and Domestic Violence Risk Assessment. In the treatment realm, equity issues are related to funding, access, and cultural competence in treatment delivery. With regard to risk assessment, racial equity issues are associated with pretrial risk tools based on criminal history and the disproportionate impact of mandatory arrest on communities of color. These reports and recommendations are due by October 2020.

We know that those of us active in gender equality work have not always focused on the problem of systemic racism and its particular and compounding impact on black, Indigenous, and other women of color. There is much more to do in this regard. We are committed to working together to achieve the result that the National Association of Colored Women adopted as their motto at their 1896 formation: “lifting as we climb.”

Sincerely,



Justice Sheryl Gordon McCloud
Co-Chair, GJC



Judge Marilyn G. Paja
Co-Chair, GJC