



WASHINGTON
COURTS
ADMINISTRATIVE OFFICE OF THE COURTS

WASHINGTON STATE SUPREME COURT

**GENDER AND JUSTICE
COMMISSION**

**MEETING
FRIDAY, MARCH 8, 2013**

**TEMPLE OF JUSTICE
CHIEF JUSTICE'S RECEPTION ROOM
OLYMPIA, WASHINGTON**

**WASHINGTON STATE SUPREME COURT
GENDER AND JUSTICE COMMISSION**

2012-2013

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Washington State Supreme Court

VICE-CHAIR

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Ms. Judith A. Lonquist, P.S.
Attorney at Law

Ms. Myra W. Downing
Executive Director

Honorable Rich Melnick
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GENDER AND JUSTICE COMMISSION

TEMPLE OF JUSTICE
 OLYMPIA, WASHINGTON
 FRIDAY, MARCH 8, 2013
 CHIEF JUSTICE BARBARA MADSEN, CHAIR
 HONORABLE RUTH GORDON, VICE CHAIR

AGENDA

CALL TO ORDER and Approve the Minutes..... 1

COMMISSION BUSINESS

- Staff Report Ms. Myra Downing
 - RFP for Monitoring and Sentencing Promising Practices (WSIPP presentation)
 - Tribal State Court Consortium and WomenSpirit
 - Sexual Assault Training Grant
 - Domestic Violence Training Grant
 - Judge's and Law Student Reception and Scholarship Event
 - SAPO Session for SCJA
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 - Minority and Justice Commission Meeting Report and Presentation to the Race and Pedagogy Initiative
 - DMC Work (Sentencing Guidelines Presentation)..... 9
 - Juvenile Justice Committee
 - Outreach/Collaboration Committee
- Chair Report Chief Justice Barbara Madsen
 - March 13 Event for AOC and the Temple: The Gender Agenda: Gaining Momentum
 - Managing Partner Event - IDGC
 - In-Kind Support for IDGC
 - New Member Recruitment
 - Planning in May

PRESENTATION

- Thurston County Imaging Project
 Judge Chris Wickham
 Ms. Kara Carlson
 Mr. Arthur Bryant
 Mr. Stefan Lamotte
 Mr. Bala Pedapalli

COMMITTEE REPORTS

- Domestic Violence Judge Chris Wickham
- Legislation Mr. David Ward
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ADJOURNMENT



WASHINGTON
COURTS

Gender and Justice Commission (GJCOM)

Friday, January 11, 2013 (8:45 a.m. – 12:15 p.m.)

AOC – SeaTac, 18800 International Blvd, SeaTac, WA

MEETING NOTES

Members Present: Chair, Chief Justice Barbara Madsen, Vice-Chair Honorable Ruth Gordon Ms. Sara Ainsworth, Judge Vickie Churchill, Ms. Laura Contreras, Ms. Terri Cooper, Judge Judy Rae Jasprica, Judge Cynthia Jordan, Ms. Judith Lonquist, Judge Richard Melnick, Mr. Ron Miles, Ms. Leslie Savina, Mr. David Ward, Judge Chris Wickham, Myra Downing and Pam Dittman (staff)

Guests: Mr. Jim Bamberger (AOC), Ms. Margaret Fisher (AOC), Ms. Grace Huang (WSCADV), Mr. Steve Pepping (NWADVTP), Ms. Jennifer Creighton (AOC)

Members Absent: Ms. Emily Henry, Dr. Margaret Hobart, Judge Mark Pouley, Judge Ann Schindler, Ms. Gail Stone

The meeting was called to order at approximately 8:55 a.m.

COMMISSION BUSINESS

STAFF REPORT – Myra Downing

- **STOP Grant**

The Commission received the STOP Grant for FY2012, in the amount of \$123,419. The funds provide for a staff position and in the past have funded portions of projects identified through the STOP Grant RFP process. It is anticipated that FY2012 funds will be used for one project that will have statewide impacts. The funds will be released by the end of the month.
- **Minority & Justice Commission (MJC)**

The collaboration between the two Commissions continues. Projects:

 - On December 20, the MJC brought together stakeholders to discuss juvenile disproportionality in the justice system. The MJC will continue to coordinate these efforts with the various stakeholders. The MJC will be presenting on disproportionate minority contact (DMC) to the Supreme Court in May 2013, with the focus on solutions.
 - The Collaborations Committee is working on identifying entities that are working on diversity issues.
 - Educational session proposals for conferences are being developed.
- **Diversity Stakeholder Meeting**

The challenges facing the legal profession create opportunities for the Washington State Bar Association (WSBA) and its membership to collaborate in productive ways to improve both the experience of practicing law and the product of that practice. With that in mind, the Commission is continuing its discussion with Minority Bar Associations regarding diversity in the legal profession and how best we can support and/or partner with the Association on issues such as recruitment and retention.
- **Civil Immigration Webinar**

On December 17, 2012, Grace Huang presented a webinar focusing on Civil Immigration issues. The webinar is available for viewing on the Inside Courts website. Additionally, the Civil Immigration Bench Guide has been completed and is being distributed on the website.

- **Budget**
The year-end budget report is being compiled by the Administrative Office of the Courts (AOC) Finance. The Commission was on target with its spending.
- **Miscellaneous**
 - Sexual Assault Bench Guide – The bench guide is in final edits. It is anticipated that it will be ready for distribution by April 2013.
 - Domestic Violence Bench Guide – The bench guide is being edited for content and inclusion of new laws. It is anticipated it will be ready for distribution by June 2013.
- **Education Programs**
The following proposals are being developed for the DMCJA, SCJA, and Fall Conferences.
 - DMCJA Proposals
 - *Domestic Violence*. A nuts and bolts, hands on approach.
 - SCJA Proposals
 - *How Far Will You Go* to effectively manage your courtroom
 - *Sexual Assault Protection Orders*
 - Fall Conference Proposals
 - *Gender Equality – Same Sex Marriage*.
 - *Bringing Human Rights Home*. This session will explore the use of human rights law and norms in the U.S. context. Speakers will illustrate the use of human rights concepts in the areas of worker's rights, juvenile life-without-parole cases, violence against women, as well as a number of other U.S. contexts. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *Lawyering & Justice – Emerging Issues of Nations in Transition*. Looks at challenges that women lawyers and judges are facing as the world around them changes. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *Power and Reach of the Internet*. The centrality of the cyber world to our lives poses special problems for justice, equality, and privacy. This panel addresses judicial ethics and staff management issues related to the use of social media, civil liberties and sentencing issues for those charged with internet-based crimes or whose sentences include prohibitions on internet use, proposals for law reform that better capture cyberstalking and internet-based sexual harassment, as well as First Amendment and privacy concerns in the context of internet regulation. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *The Impact of Other Laws on Court Decisions*. Judges render decisions every day, but those decisions may have unforeseen consequences or may even be unenforceable. This session may cover topics such as bankruptcy and immigration law and how these laws impact criminal, family, and commercial cases. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *Judging in an International Community*. The goal of any judicial system is to achieve justice. In our ever-shrinking and interdependent world. Often one cannot attain true justice without addressing cross-border components (county, city, bordering states, tribal). The session will discuss the challenges in these settings and discuss opportunities for judicial officers to consult with one another, in matters from business litigation, collections of judgments and family law and immigration matters. (Adapted from the National Association of Women Judges' 2012 Conference.)

CHAIR REPORT – Chief Justice Madsen

- **WSIPP Report**
The 2012 Legislature directed the Washington State Institute for Public Policy (WSIPP) to collaborate with the Commission and other subject matter experts on domestic violence in reference to treatment. The report has been released and can be found at <http://www.wsipp.wa.gov/pub.asp?docid=13-01-1201>
- **WAPA Spring Training**
Chief Justice Barbara Madsen has agreed to present at the Washington Association of Prosecuting Attorneys (WAPA) Spring Training Program on April 17, 2013.
- **Initiative for Diversity Council (IDGC)**
A half-day Managing Partner Summit has been scheduled. The session will identify strategies for recruiting and retention of women and people of color in the legal profession.
- **Board of Judicial Administration (BJA) Planning Update**
The BJA is discussing how to take a more active role in governing and what that means. Additionally, the BJA is working together to identify areas of intersect and how to enhance communication and collaboration amongst the various Commissions, Committees, and Associations.
- **Chair Appointment and Vacancies**
 - Ruth Gordon has agreed to assume the Vice-Chair position for the Commission.
 - Judge Jasprica has agreed to assume the Chair position for the Domestic Violence Committee.
 - The Commission will be looking to fill four (4) positions. Judge Alicia Nakata and Judge Stephen Brown resigned their Commission positions. Judge Chris Wickham and Judge Cynthia Jordan second terms have expired and they are ineligible for reappointment at this time.
 - The Chairs of the standing committees comprise the Executive Committee who will assess the letters of interest and make recommendations for appointments.

Action:

Myra will make contact with the Executive Committee to fill positions.

REPORTS – GUEST PRESENTATIONS

- **Jim Bamberger, Office of Civil Legal Aid (OCLA)**
OCLA Director, Jim Bamberger, provided copies of the Final Report of the Civil Legal Needs Study Scoping Group convened by the Washington State Office of Civil Legal Aid. The focus of the Scoping Group's work was to assess the need for and purpose of updating our understanding of the civil legal problems experienced by low-income Washingtonians. Mr. Bamberger explained that the civil legal problems of low-income Washingtonians were last documented in the 2003 Civil Legal Needs Study (<http://www.courts.wa.gov/newsinfo/content/taskforce/CivilLegalNeeds.pdf>) published by the Supreme Court Task Force on Civil Equal Justice Funding. In addition to determining that there is an imperative to update our collective understandings given the dramatic changes that have occurred since 2002-03, the Scoping Group's report outlines the focus, scope, and methodology that it recommends be employed in any such update. The Scoping Group's efforts were supported in substantial part by the Washington State Center for Court Research (WSCCR).

Mr. Bamberger reminded members that both the Washington State Gender and Justice and Minority and Justice Commissions were key partners in defining the focus and scope of helping underwrite the research effort associated with the 2003 Civil Legal Needs Study. At the time, the Gender and Justice Commission was particularly interested in ensuring that the civil legal problems of women and children, including domestic violence victims, received a high level of scrutiny in the design and execution of the study methodology. Mr. Bamberger noted that the results of the 2003 study were striking, not only with respect to the overall prevalence and substance of civil legal problems

experienced by low-income Washingtonians, but the clearly documented disproportionality of civil problems experienced by women, especially victims of domestic violence.

Mr. Bamberger requested that the Gender and Justice Commission join as a partner in the effort to update Civil Legal Needs Study. He indicated that OCLA will be forming a Blue Ribbon Committee to oversee the effort, and that he intended to seek appointments from key partner entities including, he hoped, both the Gender and Justice and Minority and Justice Commissions.

Action:

A Commission member is needed to represent the Commission on the Civil Legal Needs Study Scoping Group.

- **Margaret Fisher, Diversity Pipeline Programs for Youth**
Ms. Fisher presented the Diversity Pipeline Programs for Youth – Diversifying the Bench and Bar in Washington State. The Gender & Justice Commission has a long-standing commitment to bring diversity to the bench and bar and to further this end, Ms. Fisher was asked to explore and report on existing diversity pipeline programs for youth. Additionally, Ms. Fisher identified four (4) areas she is currently or will be working on:
 1. Contact “Other Programs” that reported, such as the Washington Young Lawyers who offer a program in Yakima.
 2. Present this report and findings at the Minority and Justice Commission’s February 1 meeting.
 3. Confirm with existing programs that they would like to have a strategic meeting (spring timeframe).
 4. Draft and submit a grant proposal to the Law School Advisory Council (LSAC) to assist with the strategic meeting (spring timeframe).
- **Steven Pepping, Northwest Association of Domestic Violence Treatment Professionals (NWADVTP)**
Mr. Pepping presented the NWADVTP’s position paper which was in response to the WSIPP meta-analysis that Legislature ordered. NWADVTP requested and met with WSIPP to open discussions regarding the current state of domestic violence issues in Washington and what it would take to make treatment more efficient and effective. Mr. Pepping also asked Chief Justice Madsen to present at NWADVTP’s annual conference to be held in the fall of 2013.

Action:

Follow-up with Mr. Pepping to participate in the DV Committee’s project on monitoring and sentencing practices.

COMMITTEE REPORTS

- **NCHIP Update**
Thurston County Superior Court received a grant from the National Criminal History Improvement Program (NCHIP) to assist with reducing duplicative and conflicting orders by providing judicial officers with images of orders. The grant allowed the court to solicit and acquire a vendor to develop a software program that that would be a “portal” linking the various imaging systems and subsequently, provide the images of all orders. The product should go “live” by the end of the month enabling users the opportunity to make comments and suggestions back to the vendor.
- **WSBA CLE (DID THE CLE HAVE A TITLE THAT WE CAN INCLUDE HERE?)**
The CLE, addressing domestic violence, was held on November 28, 2012, at the Washington State Bar Association’s (WSBA) CLE Training Center. There were approximately 80 individuals in attendance either at the facility or via live webcast. We are hoping to continue working with the WSBA CLE staff on future training events.

- SJI Immigration Update
The Criminal Immigration Bench Guide is in final edits. To complement the bench guide, three (3) bench cards were developed. They will be made available on the Commission's website.

COMMISSION DISCUSSION

At the November 2, 2012, Commission meeting, members began discussing priorities and projects. The conversation continued at this meeting. The Commission chose to rebrand its committees to cover a broader arena of topics.

- **Collaborations Committee** (Incarcerated Women and Girls, Tribal State Consortium, and Immigration Committees and their interests/projects are consolidated into this committee.)
Chair: Judge Mark Pouley
Purpose: To identify projects and/or topics of interest that intersect with the Gender & Justice and Minority & Justice Commissions while promoting cross-collaboration. This Committee would address matters such as Tribal State Consortium work, trafficking, and immigration issues.
- **Law and Practice Committee** (Formerly the Gender Equality Committee)
Chair: Judith Lonquist
Purpose: To look at the practice of law and promote legal equality in the system and between genders.
- **Domestic Violence**
Chair: Judge Judy Jasprica
Purpose: To work on issues involving gender violence (domestic violence, sexual assault, and stalking).
- **Access to Courts** (This is a new committee.)
Chair - Judge Churchill
Purpose
To address issues covering access to justice and how the courts serve the people.
Potential Topics of Interest
Obstacles to Justice related to Immigration
- **Education** (This is a new committee.)
Chair - Judge Melnick
Purpose
To solicit ideas, formulate proposals, and coordinate educational efforts for the various conferences and trainings.

Action:

Continue discussion identifying specific projects to work on.

Meeting concluded at 12:15 p.m.

Revised: 03-01-2013

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**55th Annual Judicial Conference
September 22-25, 2013
Wenatchee, WA**

SUNDAY, SEPTEMBER 22	MONDAY, SEPTEMBER 23	TUESDAY, SEPTEMBER 24	WEDNESDAY, SEPTEMBER 25
<p align="center"><i>PJ or AOC Session?</i></p>	<p>7:00 a.m. – 8:25 a.m. Committee Meetings</p> <p>8:30 a.m. – 12:00 p.m. (3 hrs)</p> <p><i>Choice Sessions (3)</i> 8:30 – 10:00 (90 Min)</p> <ul style="list-style-type: none"> Baby Veronica <p>Faculty: Committee Members: Smith, Madsen Educator: Judith Anderson/Myra Downing</p> <ul style="list-style-type: none"> Same Sex Marriage <p>Faculty: Committee Members: Dwyer, Madsen Educator: Jesse Walker and Myra Downing</p> <ul style="list-style-type: none"> Power and Reach of Internet (Part 1) <p>Faculty: Committee Members: Lum, Madsen Educator: Jesse Walker and Myra Downing</p> <p>10:30 – 12:00 (90 min)</p> <ul style="list-style-type: none"> Lawyering and Justice <p>Faculty: Committee Members: Smith, Madsen Educator: Judith Anderson/Myra Downing</p> <ul style="list-style-type: none"> Marijuana Law Update <p>Faculty: Committee Members: Logan, Doyle Educator: Judith Anderson and X</p> <ul style="list-style-type: none"> Power and Reach of Internet – Jurors (Part 2) <p>Faculty: Committee Members: Lum, Madsen Educator: Jesse Walker</p> <p align="center"><i>Judicial Colloquium (25) (all day)</i> Faculty: Moore Committee Member: Owens Educator: Judith Anderson</p>	<p align="center">(7:00 a.m. - Fun Run/Walk)</p> <p>7:00 a.m. – 8:25 a.m. Committee Meetings</p> <p>8:30 a.m. – 12:00 a.m. (3 hrs) Plenary: Judicial Safety</p> <p>Faculty: Committee Members: Worswick, Kipling Educator: Judith/Jesse</p>	<p>7:00 a.m. – 8:25 a.m. Committee Meetings</p> <p>8:30 a.m. – 12:00 p.m. (3 hrs)</p> <p>Plenary: Constitutional Law</p> <p>Faculty: Prof. Katlan Prof. Amar</p> <p>Committee Member: Madsen Educator: Judith Anderson</p>

**55th Annual Judicial Conference
September 22-25, 2013
Wenatchee, WA**

<p>1:30 p.m. – 5:00 p.m. Registration</p> <p>1:45 p.m. – 2:00 p.m. Welcome and Opening Comments Chief Justice Madsen Justice Owens Mayor Frank Kuntz</p> <p>2:00 p.m. – 5:30 p.m. (3 hrs) Plenary: Search and Seizure Faculty: Kessler, Delaurenti, Tucker Committee Member: McCarthy Educator: Judith/Jesse</p> <p>7:00 p.m. 7:00 p.m. Dinner</p>	<p>12:00 p.m. – 1:30 p.m. Lunch WSBA President</p> <p>1:30 p.m. – 5:00 p.m. (3 hrs)</p> <p>Plenary: Civility (if Robert's Funds) Or Choice Sessions (2)</p> <ul style="list-style-type: none"> • Perception of Justice • Bringing Human Rights Home <p>Judicial Colloquium (continued) Judith Anderson</p> <p>Free Evening</p>	<p>12:00 p.m. – 1:30 p.m. Box Lunch and Committee Meetings</p> <p>1:30 p.m. – 4:15 p.m. Joint Business Meeting</p> <p>31.1 A Update Educator: Jesse Walker</p> <p>4:30 p.m. – 5:30 p.m. Association Business Meetings DMCJA SCJA COA</p> <p>7:00 p.m. Reception and Banquet</p>	<p>12:00 p.m. Conference Adjourns</p> <p>12:30 p.m. – 2:00 p.m. Annual Judicial Conference Planning Committee Meeting</p> <p>12:30 p.m. – 3:00 p.m. DMCJA Board Meeting SCJA Board Meeting</p>
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A Summary of Research on Disproportionate Minority Contact in Washington State and Nationally

Sarah Veele, Ph.D., MPH

Background

On December 20, 2012 the Washington State Minority and Justice Commission announced the release of five year averages (2007-2011) of state and county indicators of disproportionate minority contact (DMC). These indicators were developed by the Washington State Center for Court Research (WSCCR) and the National Center for Juvenile Justice (NCJJ). This document outlines this project, its relevance in relationship to other work being done in Washington State, and national efforts to address DMC and how they can be applied to the future of DMC research in Washington.

WSCCR Data Release

The Center for Court Research provided the juvenile courts with annual Relative Rate Index (RRI) reports for 2007-2011 for 6 of the 9 decision points recommended by the United States Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) (see box below). Probation supervision, detention, and secure confinement are currently omitted from the report due to inadequate data. Prior to the December

DMC Decision Points Recommended by the Office of Juvenile Justice and Delinquency Prevention

1. Juvenile arrests
2. Referral to juvenile court
3. Diversion from system
4. Detention
5. Petition filed (charged)
6. Transfer/Waiver to adult court
7. Delinquent (guilty) finding
8. Probation
9. Secure confinement

release, the courts were asked for review and comment on their information. After a 30-day review period, the five years of data were averaged and released publicly.

Work to Address DMC in Washington State

There is a great deal of work being done across the state to address disproportionality in the juvenile justice system. Examples include the Washington State Partnership Council on Juvenile Justice (WA-PCJJ), the MacArthur Foundations Models for Change initiative (MfC), the Annie E. Casey Foundation Juvenile Detention Alternatives Initiative program (JDAI), and multiple county-level initiatives.

In addition to the data tables released by WSCCR, the WA-PCJJ also publishes data on DMC indicators. As part of the Federal Juvenile Justice and Delinquency Prevention Act, WA-PCJJ reports statewide indicators of DMC. The WA-PCJJ report is far more encompassing than the work done by WSCCR, including DMC indicators in additional arenas such as education, employment, and adolescent pregnancy. Within the arena of juvenile justice, the WA-PCJJ reports on Relative Rate Index indicators for 8 of the 9 decision points recommended by OJJDP. The only OJJDP recommended decision point not included is probation supervision. The majority of the court level data included in the WA-PCJJ reports is provided by the Administrative Office of the Courts (AOC).

In late 2012, OJJDP published a fact sheet on national efforts to reduce DMC, including summaries of states activities to reduce DMC. The Partnership Council provided Washington State information to OJJDP for this publication. In the fact sheet OJJDP identified the following data related areas for potential improvement

in Washington:

- 1) Report data for all nine decision points in the juvenile justice system
- 2) Update data annually (more frequently than OJJDP's minimum requirement of every 3 years)

How the work being done by WSCCR is unique from other DMC efforts in Washington

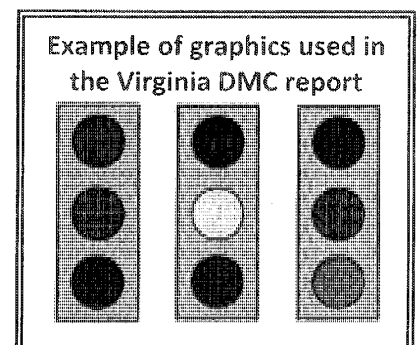
The work being done by WSCCR is different from other Washington DMC efforts because 1) it is statistical reporting intended to inform decision makers, not the development of policies to reduce DMC, 2) unlike the WA-PCJJ report, the other major statistical DMC data release in Washington, it disaggregates DMC indicators by county across the state, allowing courts to identify decision points that may uniquely affect their jurisdiction, 3) the RRI indicators are calculated using available administrative data produced by the juvenile courts, reducing the amount of time necessary to collect data and ensuring that courts are familiar with the information feeding the RRI calculation, and 4) WSCCR has taken the unique step of providing individual court counts and proportions of data with missing racial and/or ethnic designations, allowing court staff to understand and address the quality of their locally-produced data.

While both WSCCR and the WA-PCJJ obtain much of their data from the AOC, there are a few minor differences between the RRI indicators reported by the two groups. These differences are the result of variation in the inclusion/exclusion criteria used when extracting the data for the reports. WSCCR, in partnership with the WA-PCJJ and with the help of AOC Information Services Division (ISD), continues to work to refine the data definitions for each of the OJJDP decision points. Depending on their reporting needs, WA-PCJJ will be able to use the same data definitions as WSCCR or maintain unique reports. While differences between the two reports may be confusing to a broader audience, WSCCR and WA-PCJJ are working to develop clear documentation of the similarities and differences between their data releases.

National work

Issues of disproportionality are not unique to Washington State and occur throughout the country. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is a national leader and clearinghouse for information on disproportionate minority contact. Because of the importance of identifying, tracking, and addressing DMC, the 1974 Federal Juvenile Justice and Delinquency Prevention Act was amended to require states participating in the program to address disproportionate minority confinement (1988-2002) and disproportionate minority contact (2002-present) in their state juvenile justice and delinquency prevention plans. As part of this requirement, every three years states must provide a report to OJJDP identifying the extent to which DMC exists in their jurisdiction. In Washington State, the WA-PCJJ is tasked to do this reporting.

In addition to information provided by OJJDP, many states take it upon themselves to publicly report on DMC and to go beyond the OJJDP requirement of reporting state level numbers and disaggregate reports by county or smaller jurisdictions. While each presentation is unique, states including Colorado, Florida, Georgia, Iowa, Ohio, Maine, Maryland, Michigan, Montana, Nebraska, Utah, and Virginia publish annual county level indicators of DMC. All of these reports include county level RRIs for most, if not all, of the OJJDP recommended decision points. In addition, many of the reports rank counties' minority overrepresentation relative to each other and the state. Colorado has an interactive tool that allows the user to manipulate variables and display them on the state map. Virginia uses a stoplight graphic to easily display how a county is doing on each DMC decision point and highlight areas to focus improvement efforts.



The report developed by Florida is probably the most extensive of those publicly available. In addition to county level relative rate indices, the report also includes summary demographic information, a school referral index (a measure of what proportion of school-related referrals are attributable to minority representation at the referrals-received stage of the juvenile justice system), county specific resources, and county specific recommendations for reducing DMC.

While not all states have publicly-available reports that disaggregate information at the county level, it is possible that other states are producing disaggregated reports but are not publicly releasing them. Additionally, some states, such as Hawaii, Louisiana, South Dakota, and Tennessee produce disaggregated reports but do not appear to produce them on an annual basis.

Next steps

There are multiple steps ahead in the DMC reporting process. Some of them will be the responsibility of WSCCR, while many others will be collaborations with key stakeholders such as the Washington Association of Juvenile Court Administrators, the Minority and Justice Commission, the MacArthur Foundation Models for Change partners, and the Partnership Council. Next steps (not necessarily in chronological order) include:

- Develop a catalog of the efforts being taken throughout the state to address DMC. This will acknowledge courts' innovative approaches to addressing DMC, allow courts to learn from each other's efforts, and provide a reference of initiatives for future evaluation and identification of effective practices.
- Develop a report that assists the reader in interpreting published DMC measures by providing context about the various counties, the youth they serve, and the efforts they are making to address DMC. Development of this report will be informed by the juvenile courts. The various

state reports identified above will be used to help guide the content and design of the report.

- Provide the juvenile courts access to the data queries used to extract their information for RRI calculations. This will allow courts to 1) query DMC RRI information in real time and 2) examine the underlying information (person specific files) to confirm the accuracy of the calculations. Secure online access will be provided through the AOC data warehouse using the querying software BOXI.
- Continue to refine the definitions of each of the RRI decision points based on feedback from the juvenile courts and other partners working to address DMC.
- Access detention data from the courts currently not reporting their information to AOC so that this decision point can be added to future reports.
- Develop and implement statewide best practices for the collection of race and ethnicity data.
- Add analysis of DMC decision points that statistically controls for charge type and charge severity.
- Add analysis of DMC decision points that statistically controls for offense history.
- To supplement RRI indicators, include an indicator of the cumulative impact of disproportionality across stages of the juvenile justice system.

Timeline

The WSCCR DMC webpage will be updated to reflect progress on this project, which will be made as time and resources permit. If you have any questions, please feel free to email wscrcr@courts.wa.gov.

A Summary of Research on Disproportionate Minority Contact in Washington State and Nationally

Direct links from document

<http://www.courts.wa.gov/newsinfo/?fa=newsinfo.internetdetail&newsid=2267>
<http://www.courts.wa.gov/wscrr/?fa=ccr.5yravg>
<http://www.courts.wa.gov/wscrr/>
<http://www.ncjj.org/>
[https://www.ncjrs.gov/html/ojdp/dmc ta manual/dmcch1.pdf](https://www.ncjrs.gov/html/ojdp/dmc%20manual/dmcch1.pdf)
<http://ojdp.gov/dmc/>
<http://www.dshs.wa.gov/ojj/index.shtml>
<http://www.aecf.org/MajorInitiatives/JuvenileDetentionAlternativesInitiative.aspx>
http://www.dshs.wa.gov/ojj/annual_report.shtml
<http://www.dshs.wa.gov/pdf/ojj/3yrplan/2012/Attachment%20II%20-%20Statewide%202010.pdf>
[http://www.courts.wa.gov/appellate trial courts/aocwho/?fa=atc_aocwho.display&fileID=isd](http://www.courts.wa.gov/appellate_trial_courts/aocwho/?fa=atc_aocwho.display&fileID=isd)
<http://www.ojdp.gov/pubs/239457.pdf>
[http://www.courts.wa.gov/appellate trial courts/aocwho/?fa=atc_aocwho.display&fileID=isd](http://www.courts.wa.gov/appellate_trial_courts/aocwho/?fa=atc_aocwho.display&fileID=isd)
<http://ojdp.gov/dmc/>
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<http://www.ojdp.gov/about/jidpa2002titlev.pdf>
<http://www.colorado.gov/cs/Satellite/CDPS-CCJJ/CBON/1251627784180>
<http://www.dji.state.fl.us/docs/services/2011-dmc-benchmark-report.pdf?sfvrsn=0>
<http://children.georgia.gov/sites/children.georgia.gov/files/Assessment.pdf>
http://www.humanrights.iowa.gov/cjip/images/pdf/2009_DMCSection.pdf
<http://www.dys.ohio.gov/dnn/Community/DisproportionateMinorityContact/DMCReports/tabid/147/Default.aspx>
http://muskie.usm.maine.edu/justiceresearch/Publications/Juvenile/Disproportionate_Minority_Contact_in_Maine.pdf
<http://www.goccp.maryland.gov/documents/DMC-report.pdf>
<http://michigancommitteeonjuvenilejustice.com/michigan-data/socio-demographic-data.html>
<http://mbcc.mt.gov/JuvenileJustice/DMC/DMC3YrPlan12-14%20.pdf>
http://www.ncc.ne.gov/crime_commission/organization_and_functions/grants/juv_justice_dmc_rri.html
<http://www.justice.utah.gov/documents/DMC/RRI%20Data/?plain>
<http://www.dji.virginia.gov/Initiatives/DMC.aspx>
http://www.colorado.gov/ccjdir/Resources/Resources/DMC/DMC_RRI.html
<http://www.dji.virginia.gov/Initiatives/DMC.aspx>
<http://www.dji.state.fl.us/docs/services/2011-dmc-benchmark-report.pdf?sfvrsn=0>
[http://hawaii.gov/dhs/youth/jjsac/DMC%20FINAL%20REPORT%202012%20\(for%20printing\).pdf](http://hawaii.gov/dhs/youth/jjsac/DMC%20FINAL%20REPORT%202012%20(for%20printing).pdf)
http://lcle.la.gov/programs/uploads/rfp_dmc/31521_phase_i_report_09132010.pdf
<http://doc.sd.gov/about/grants/documents/FullDMCReportFinal.pdf>
<http://www.tennessee.gov/tccy/dmc-rep12.pdf>
<http://wajca.org/>

Disproportionate Minority Contact/Representation in the Criminal Justice System
Judicial Branch Plan Reduction Strategies in the Juvenile Justice System
Minority and Justice Commission
January 2013

Last year on March 28, 2012, the Task Force on Race and the Criminal Justice System convened a symposium at the Temple of Justice on the ongoing problem of racial disproportionality among juveniles in our state's juvenile justice system. The symposium was a sequel to the Preliminary Report on Race and Washington's Criminal Justice System, issued by the Research Working Group of the Task Force on Race and the Criminal Justice System (see two published reports by the Task Force).

In response to a request made by Chief Justice Barbara Madsen, the Minority and Justice Commission established a Juvenile Justice Subcommittee to explore the Task Force Recommendations and to implement strategies for reducing disproportionality and undertaking reform.

One of the recommendations directed at the judicial branch called for the gathering and review of local data in order to identify decision points where disparity exists including length of stay in detention and to establish benchmarks and incentives to reduce disproportionate minority contact at each point. Under the leadership of Dr. Carl McCurley, the Washington State Center for Court Research commenced a preliminary review of the data. The review revealed an increase in disproportionality but also discovered significant gaps in the data collection needed if stakeholders are to better understand where and why disproportionality occurs.

The Washington Juvenile Court Administrators and the Superior Court Judges Association have made a commitment to assist with improving data collection. After a series of meetings, the following proposal reflects a specific plan for moving forward.

1. Improving Data Collection

Data collection and best practices for data collection: Having solid, objective information is critical to identifying needs, improving practice, and tracking outcomes, so data improvement should come first in planning.

Proposal: Convene a small workgroup with members from SCJA, WAJCA DMC, WSCCR, and staffed by M & J. The goals are as follows:

- a. Define a plan & timeline for developing changes to data collection;
- b. ask courts about their existing data collection methods, such as the Clark County note cards they use to identify race and ethnicity across systems); also ask courts about their unmet data collection needs;
- c. based on Federal recommendations and what the courts are already doing, recommend best practices for data collection;
- d. propose system modifications for JIS;

- e. provide training and tools for data collection, including small “how-to” cards; and
- f. plan for sustained quality control

The staff tasks include: scheduling, gathering information from courts by phone, email, surveys, and site visits, and reporting to the Minority and Justice Commission. Timeline is schedule a meeting within the next two weeks.

2. Convening Stakeholders

The Minority and Justice Commission Subcommittee convened a broad group of stakeholders in the juvenile justice system on December 20, 2012. The meeting included representatives from all branches of government including public schools, prosecutors and defense counsel, representatives from the Washington State Bar Association, and community organizations. In addition to inquiring as to the steps taken in response to the Task Force recommendations, the purpose was to learn about the various juvenile DMC reduction initiatives and to seek better collaboration as we move forward to reduce DMC. There was enthusiastic support for continuing the dialogue and convening for the purposes of cross data sharing, and exploring renewed strategies in a collaborative manner under a neutral entity such as the Minority and Justice Commission.

Staff tasks include: scheduling meetings, networking with the various agencies, establishing a means for regular communication and participation, creating a method for common data sharing (web site), issuing reports from the meetings.

3. Overall DMC projects

The recommendations from the Task Force included numerous stakeholders and interest groups and so the reduction of disproportionality not only involves data collection but developing best practices. Thus, it would be useful if the Minority and Justice Commission would act as an oversight group to build the process for coordinating and tracking DMC-related projects for the Washington judiciary, and to convene appropriate workgroups. The Commission has representation from the Superior Court Judges Association and the District Court and Municipal Courts Judges Association but would benefit from the presence of representatives from the Juvenile Court Administrators DMC Committee, the Court Clerks Association, Dr. McCurley and Judge Schindler from the Center for Court Research, and active staff presence from AOC.

The projects overseen include:

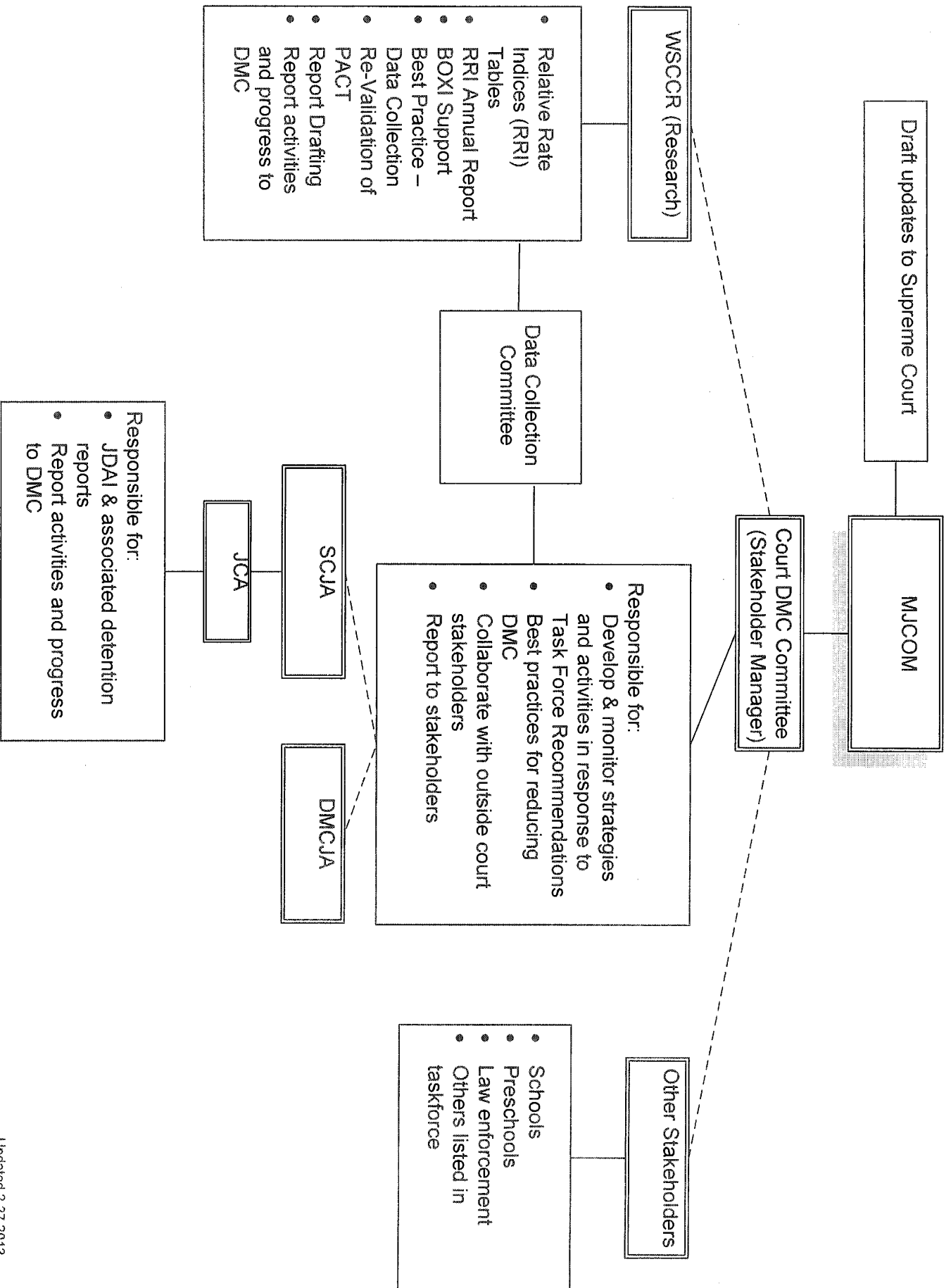
- a. Juvenile Court data best practices recommendations for race and ethnicity data quality improvement and maintenance; propose changes to JIS to support improved collection of race and ethnicity information (see # 1);
- b. Compile and maintain information on juvenile courts’ initiatives—including partnerships with communities, law enforcement, prosecution, and defense--intended to reduce DMC (also tracking initiatives begun in response to WSCCR’s DMC reporting);

- c. Compile background/context information on trends, for juveniles and adults, in population-based rates of court contact for racial and ethnic groups;
- d. Work with WAJCA and WA PCJJ (Partnership Council) to develop detention reporting; preparing AOC data warehouse to support adding detention data to WSCCR's juvenile DMC analysis;
- e. Validate the Washington State Juvenile Court Assessment of risks/needs, with separate analyses by race, ethnicity, sex, and region;
- f. Validate the Washington State Adult Static Risk Assessment, with separate analyses by race, ethnicity, sex, and region;
- g. Making DMC projects a recognized and planned-for priority for the AOC: adequately providing for AOC staff time for 1) research activities, 2) upgrading JIS capability to comply with best practices for race and ethnicity data collection, 3) data warehouse support, and 4) coordination, communication, project tracking; and
- h. Expanding DMC reporting to court-involved adult offenders.

Conclusion

As expressed in the Task Force Report, our hope is that the recommendations might serve as a blueprint for action, that the judicial branch will call upon these entities to join together to make improvements in the administration of justice, and that the state of Washington may serve as a model for the nation in the collaborative leadership that is necessary to create fairness and justice for young people in the juvenile and criminal justice systems.

Addressing Disproportionate Minority Contact Flowchart



Conferences

(To be used in educational proposal planning.)

Event	Date
Judicial College	Late January
Institute for Court Management	Middle to late February
County Clerks' Spring Program	Late March
Appellate Judges' Spring Conference	Early April
Superior Court Judges' and Administrators' Spring Conference	Late April
District and Municipal Court Management Spring Conference	Middle of May
Juvenile Court Administrators' Spring Program	Early June
District and Municipal Court Judges' Spring Conference	Early to middle of June
Fall Judicial Conference	Late September, first of October
District and Municipal Court Management Fall Conference	First of October

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Diversity Pipeline Programs for Youth

Diversifying the Bench and Bar in Washington State Prepared by Margaret E. Fisher

January 2013

Background

The Gender and Justice Commission has a long-standing commitment to bring diversity to the bench and bar. I was asked to explore and report on existing diversity pipeline programs for youth. To do this, I contacted and met or spoke with representatives of all the key secondary school pipeline programs in Washington and at the national level, spoke with the admissions officers at all three law schools. In addition, I met with the Washington State Bar Association Diversity Manager.

Before reporting on my findings, I did want to identify that today the term diversity encompasses a broader field than traditional racial and gender diversity. The American Bar Association includes racial and ethnic minorities, women, persons with disabilities, and the lesbian, gay, bisexual, and transgender community. The Law School Admissions Council (LSAC) further defines diversity as including socioeconomic status, race, ethnicity, language, nationality, gender, gender identity, sexual orientation, religion, geography, disability, and age. The GJCOM should decide whether to broaden its diversity efforts.

In summary, I learned that:

- Existing pipeline programs for secondary students in the state are generally unaware of other pipeline programs, are very interested in learning more, and value the idea of collaboration.
- The Washington State Bar Association has no plans to offer pipeline programs itself but is developing criteria for when it will partner with pipeline programs.
- Both the ABA Council on Legal Education Opportunity (CLEO) and LSAC support a wide range of pipeline programs from middle school through graduate school (non-law) and are interested in supporting efforts in Washington State to be better focused on diversity recruitment to legal and judicial careers.

Types of Pipeline Programs

In Washington State there are many secondary school pipeline programs. Each has its unique approach and targeted audience. They fall basically into three categories: (1) those that exist specifically to get minority, poor, and traditionally disenfranchised youth into legal and judicial careers; (2) those that address broader law-related careers; and (3) those that have multiple goals including exposure to legal and judicial careers and involve broader audiences but include minority, poor, and the traditionally disenfranchised.

There are many national diversity programs for secondary school students, some but not all with a Washington presence, which support diversity in the law and judicial systems. These include CLEO, Just the Beginnings Foundation, LSAC, Street Law, Inc., and others.

Sample Existing Middle and High School Pipeline Programs (see attached chart)

A. Seattle

1. The Future of Law Institute of the King County Bar Association is the most focused effort aimed at diversity. High school students:
 - Attend substantive legal workshops at both Seattle University School of Law and the University of Washington Law School.
 - Participate in career counseling.
 - Participate in a mock trial and a courthouse tour.
 - Meet with legal professionals.
 - Partner with an attorney, judge, or law student mentor for the school year;
 - Have access to competitive paid and unpaid summer internships in law firms and courts.
 - Compete for a \$500 scholarship if they go on to higher education and \$1,000 if they go to law school.
 - Receive a newsletter with law-related scholarships, events, and interviews with local legal professionals.
2. Since 1990, the First AME Church in Seattle has offered an annual Youth and Law Forum. Now in partnership with the Loren Miller Bar Association, the city of Seattle, law enforcement, and other groups, this one-day program for youth and their families provides opportunities to interact with representatives of the legal community to gain firsthand information on how the legal system works for and with them.
3. The Gender and Justice Commission has sponsored the Color of Justice Program for young women and youth of color in secondary schools. This program runs for just more than half a day. It consists of a keynote by female and minority leaders of the bar and judiciary, panel discussions with judges and lawyers sharing personal insights, and small group discussions over lunch. Variations include mock trials and other interactive activities that engage students and explore the role of the judiciary and lawyers in everyday life.
4. Street Law classes at both Seattle University School of Law and the University of Washington Law School exist in high schools in Seattle with high minority populations. These classes run for the semester and involve two hours per week taught by law students and a culminating mock trial.

5. The national Corporate Diversity Pipeline Program is organized through Street Law, Inc., and the Association of Corporate Counsel. This involves minority attorneys at corporations teaching lessons and leading activities to students who come to the corporation to see how corporation counsel work. Schools are selected upon the basis of their diverse population. In Seattle, Chief Sealth High School participates with Allstate Insurance.
6. Seattle Youth Traffic Court involves Garfield High School students in sentencing defendants who have received traffic citations in Seattle. A very diverse group of high school students from Garfield High School spend hours each week through the school year working as colleagues with judges, lawyers, law students, law professors, law enforcement, as they act as judges, prosecutors, defense attorneys, court staff, and jurors.
7. CLEO and Just the Beginning Foundation held a week-long high school summer institute at Seattle University Law School from 2009-2011. U.S. District Court Judge Richard Jones took a lead with this. However, Paula Lucas, Director of Just the Beginning Foundation reported in November 2012, that "we were unable to get enough community support and buy-in to continue to sustain our program there. That said, several of our partners and Judge Jones have been exploring ways for us to reconnect there."

B. Tri-Cities

Tri-Cities Youth Law Forum, sponsored by the Minority and Justice Commission, celebrated its tenth anniversary in October 2012. This program focuses on judicial and legal careers as well as court reporters, interpreters, corrections officers, law enforcement, and others. This forum added an evening event in 2012 for students unable to attend the one-day forum. The forum itself is one day and approximately 200 eighth through twelfth graders attend. Mentorships are encouraged but there is no formal structure to ensure this happens.

C. Pierce County

Pierce County Youth and the Law Community Forum is sponsored by the Pierce County Minority Bar Association, the bench, prosecutors, defense attorneys, and law enforcement. This one-day program reaches 100-200 youth each year. The primary purposes are to change youth attitudes towards law enforcement, reduce disproportionality minority confinement, and encourage respect for the law enforcement and judicial systems. The pipeline aspect is a by-product, but not a direct goal.

D. Yakima

The Washington Young Lawyers Division of the Washington State Bar Association and the Latino Bar Association have offered the Yakima Pre-Law Students' Leadership Conference for the last 17 years.

The conference workshops and speakers inspire high school students to consider a legal career and to take active leadership roles in their communities and student governments, while creatively addressing hot button legal issues.

E. Spokane

1. Gonzaga Law School and the Spokane County Bar Association Diversity Committee offer a Color of Justice program in partnership with the federally funded Gear Up program for first-generation students who are identified in seventh grade and are part of the program throughout high school. These students are encouraged and supported to attend college with presentations on a wide variety of careers.
2. Spokane also has a Street Law program at Gonzaga Law School, although it varies from the Seattle University Law School and University of Washington Law School programs.

F. Other Programs

1. In addition, other programs in Washington operate such as the YMCA Mock Trial Competition, YMCA Youth Legislature, Judges in the Classroom, Street Law taught by judges, We the People, Youth Courts, and iCivics. These programs exist in many communities throughout Washington. Although they are not specifically a pipeline program, they do serve that purpose.
2. National database – the ABA operates a database of pipeline programs throughout the United States, with a wide variety of approaches and methods. (See attached chart.) They organize the programs by type, target audience, scope of participation, education level, and by state.

Intensity of the Focus on Legal and Judicial Careers

There is a continuum of intensity of the focus where these pipeline programs fall. A one-half day program for diverse middle and high school students is at one end – planting the seed for possible fruition. At the other end are some of the college and law school programs cosponsored by the CLEO that teach how to prepare for the LSAT, how to write essays/personal statements, and sample programs on how to adjust to the rigors of law school.

Question

Where should this revised program fall on the end of the continuum – from planting a seed in a half-day program or a more intensified effort?

Options for Consideration

1. One option that I recommend is hosting a strategic planning event of the various pipeline programs and interested state and national parties (See attached chart). Joy Eckwood, Diversity Program Manager at the Washington State Bar, reported to me that she believes that WSBA might be interested in co-hosting such an event. LSAC indicated that this is the type of program that they are interested in funding through their *Diversity Initiatives Fund General Grants*. (Grant application cycles are January 1, and June 1.)

The purpose of this strategic planning would be to introduce programs to each other, develop collaboration among individuals and organizations, eliminate duplication and maximize resources, identify what is lacking and work to involve resources, non-profit, government agencies, and the bar association in moving forward.

2. The Future of Law Institute (FLI) of the King County Bar Association offers the most significant and meaningful secondary school program that has as its specific focus to diversify the bar and bench (see above).

Another option is to enhance the FLI program and consider further expansion to the other diverse audiences and other geographical areas.

3. Another option is to consider a partnership with Gear Up, as the Spokane Color of Justice Program does. Gear Up is a federally funded program that identifies and supports first-generation, low-income students in going to college. The program identifies students in cohorts from seventh through twelfth grades, and works with them for this entire period.

This eliminates the need to recruit students and gives a long-term exposure to these students. Note though that legal and judicial careers are two of several careers that are presented at the sessions with students.

4. A major gap that I identified in Washington is the lack of pipeline programs at the college level. While groups at the college level do offer career days to diverse audiences, none is dedicated specifically to legal and judicial careers. CLEO offers a wide array of college programs but not in Washington – see attached chart. The programs range from awareness programs in college, four-week pre-law residential programs, assistance in taking the LSAT and applying to law school. LSAC offers the *discoverlaw.org* Web site that provides ongoing support to college students interested in possible law and judicial careers. I would recommend offering a program at the college level, in conjunction with CLEO and LSAC.

There are many options to consider. I think any or all of those set out above would have very positive outcomes.

**WASHINGTON STATE
WOMEN JUDICIAL OFFICERS
2013**

COURT LEVEL	WOMEN	TOTAL *	PERCENTAGE OF TOTAL
Supreme Court	5	9	56%
Court of Appeals	10	22	45%
Superior Court	72	189	38%
District and Municipal Court	38 32	213	33%
TOTAL JUDGES	157	433	36%

WOMEN COMPRISE % OF THE JUDICIAL OFFICERS IN WASHINGTON STATE.

*These counts reflect names provided to the Administrative Office of the Courts for the *Washington Court Directory*. (Vacant positions are not included.) Only judges are counted since not all court commissioners are listed in the directory. District and municipal court judges are totaled as one group since some district court judges also serve in municipal courts. If a judge serves in both district and municipal court, they are counted in the district court total and *not* in the municipal court total.

SUPREME COURT JUSTICES (5 of 9)

Barbara A. Madsen
Susan J. Owens
Mary E. Fairhurst
Debra L. Stephens
Sheryl Gordon McCloud

COURT OF APPEALS (10 of 22 Judges)

Judges

Commissioner (4)

DIVISION I

Mary Kay Becker
Linda Lau
Ann Schindler

Mary Neel

DIVISION II

J. Robin Hunt
Jill Johanson
Christine Quinn-Brintnall
Marywave Van Deren
Lisa Worswick

Aurora Bearse

DIVISION III

Teresa Kulik
Laurel H. Siddoway

Joyce J. McCown
Monica Wasson

	County	Superior Court Judge	SC Commissioner	District Court Judge	Municipal Court Judge	DC/MC Commissioner or Magistrate
1	Adams			Adalia A. Hille		
2	Asotin/ Columbia/ Garfield		Jane Richards			
3						
4						
5	Benton/ Franklin	Carrie L. Runge	Jerrri Potts Jacqueline I. Stamm	Katy Butler		
6						
7	Chelan/ Douglas	Lesley A. Allan Alicia H. Nakata	Judith McCauley Jill R. Wise	Nancy A. Harmon Judith McCauley		
8						
9	Clallam County	S. Brooke Taylor				
10	Clark	Barbara D. Johnson Diane M. Woolard	Carin Schlenberg	Sonya Langsdorf Kelli Osler	Sonya Langsdorf Kelli Osler	Kristen Parcher (C)
11	Cowlitz	Marilyn K. Haan	Andra Blondin			
12	Ferry/ Stevens/ Pend Oreille		Jessica Bodey	Gina A. Tveit		
13						
14						
15	Grant County		Melissa Charlson	Janis Whittener-Moberg	Janis Whittener-Moberg	
16	Grays Harbor					
17	Island/ San Juan	Vickie I. Churchill				Linda B. Kipling D (C)
18						
19	Jefferson			Jill I. Landes		
20	King	Beth Andrus Monica J. Benton Elizabeth J. Berns Regina Cahlan Cheryl Carey Patricia (Hall) Clark Susan Craighead Andrea Darvas Theresa B. Doyle Joan DuBogue Deborah Fleck Helen L. Halpert Hollis R. Hill Laura Inveen Barbara Linde Barbara Mack Laura Gene Middaugh Suzanne Parisien Kimberly D. Prochnau Judith H. Ramseyer Jean Rietschel Mary E. Roberts	Nancy Bradburn-Johnson Bonnie Canada-Thurston Elizabeth Castilleja Julia Garratt Hollis Holman Jacqueline Jeske Meg Sassaman	Marcine S. Anderson Johanna Bender Janet E. Garrow Corinna D. Harn Anne C. Harper Linda K. Jacke Eileen A. Kato Susan Mahoney Victoria M. Seitz Elizabeth D Stephenson Donna Tucker	Veronica Alicea-Galvan Elizabeth M. Bejarano Melanie Dane Karen Donohue Michelle K. Gehsen Judith Hightower Kari Jorgensen C. Kimi Kondo Linda S. Porthoy Rebecca C. Robertson Kimberley A. Walden	Lisa Leone (M) Susan Noonan (C) Shirley Wilson (C)(M)

	County	Superior Court Judge	SC Commissioner	District Court Judge	Municipal Court Judge	DC/MC Commissioner or Magistrate
20	King (Cont)	Palmer Robinson Carol A. Shapira Catherine Shaffer Mariane C. Spearman Julie Spector Lori Kay Smith Mary Yu				
21	Kitsap	Jeanette Dalton Jennifer A. Irvine Forbes Anna M. Laurie Lella Mills Sally F. Olsen		Marilyn G. Paja	Kathryn Carruthers Tary S. Decker	
22	Kittitas					
23	Klickitat					
24	Lewis		Tracy Loiacono Mitchell			Wendy Tripp (C)
25	Lincoln					
26	Mason	Amber Finlay Toni A. Sheldon	Lynn K. Hayes Patricia L. Morgan	Victoria Meadows		
27	Okanogan			Heidi E. Smith		
28	Pacific/ Wahkiakum		Heidi Heywood	Elizabeth Penoyar		
30	Pierce	Stephanie A. Arend Vicki L. Hogan Linda C.J Lee Elizabeth P. Martin Kathryn J. Nelson Susan K. Serko Katherine M. Stoiz Kitty-Ann van Doorinck	Mary E. Dicke Meagan M. Foley Diana Lynn Kiesel Robyn Lindsay Wendy Zicht	Karla Buttorff Judy Rae Jasprica Margaret Vail Ross Claire Sussman	Sandra L. Allen Andrea L. Beall Marjorie Tedrick Elizabeth Verhey	
31	Skagit	Susan K. Cook	Karen Lerner			
32	Skamania		Karen S. Wyrniger			Dianne E. Goddard (C)
33	Snohomish	Mary Beth Dingleddy Janice E. Ellis Ellen J. Fair Anita L. Farris Millie M. JUDGE Linda C. Krese	Jacalyn D. Brudvik Susan Gaer Tracy G. Waggoner	Tam T. Bui Beth Fraser Patricia Lyon Carol A. McRae	Lorrie Towers	Karen S. Wyrniger (C)
34	Spokane	Ellen Kalama Clark Tari S. Eitzen Maryann C. Moreno Kathleen M. O'Connor Annette S. Plese Linda G. Tompkins	Rachelle Anderson Valerie Jolicœur Michelle L. Ressa	Sara Derr Debra R. Hayes Patti Connolly Walker Donna Wilson	Mary C. Logan Jennifer Fassbender Tracy A. Staab Michelle Szambelan	Terri K. Cooper (C)

	County	Superior Court Judge	SC Commissioner	District Court Judge	Municipal Court Judge	DC/MC Commissioner or Magistrate
35	Thurston	Ann Hirsch Carol Murphy Christine Schaller Lisa Sutton	Edsonya Charles Indu Thomas Rebekah Zinn	Kalo Wilcox		
36	Walla Walla			Kristen Hedine		
37	Whatcom	Deborra Garrett	Martha V. Gross		Debra Lev	
38	Whitman				Marlynn Markley	Marlynn Markley (C)
39	Yakima	Susan L. Hahn Ruth Reukauf	Gayle Harthcock Lani-Kai Swanhart		Susan C. Arb Kathleen Hitchcock Debbie Mendoza Kelley Olwell Susan J. Woodard	

Washington State Women Judges

Updated: 2.28.2013 (N:\Programs & Organizations\GJCOM-Gender & Justice Commission\GJCOMCommission\2012 - 2013\March 8, 2013\ADM IST GJC Women Judges 2013 02 28.docx)



NEWS RELEASE

January 10, 2013

FROM: Wendy K. Ferrell
360.705.5331
Wendy.Ferrell@courts.wa.gov

Monday's Supreme Court Inauguration to Mark the First Time in State History for Female Majority, Chief Justice

OLYMPIA, WA— On Monday, January 14th at 9:30 a.m. newly-elected Justice Sheryl Gordon McCloud will be sworn in as the newest Justice of the Washington State Supreme Court, marking the first time in state history that the Court will have both a female majority and female Chief Justice.

The ceremony will also mark the inaugurations of Justice Susan J. Owens and Justice Steven González, who were both elected to six-year terms, and Chief Justice Barbara Madsen, who was re-elected by her colleagues to a four-year term as Chief Justice.

The event is open to the public and will be held in the Supreme Court at the Temple of Justice in Olympia.

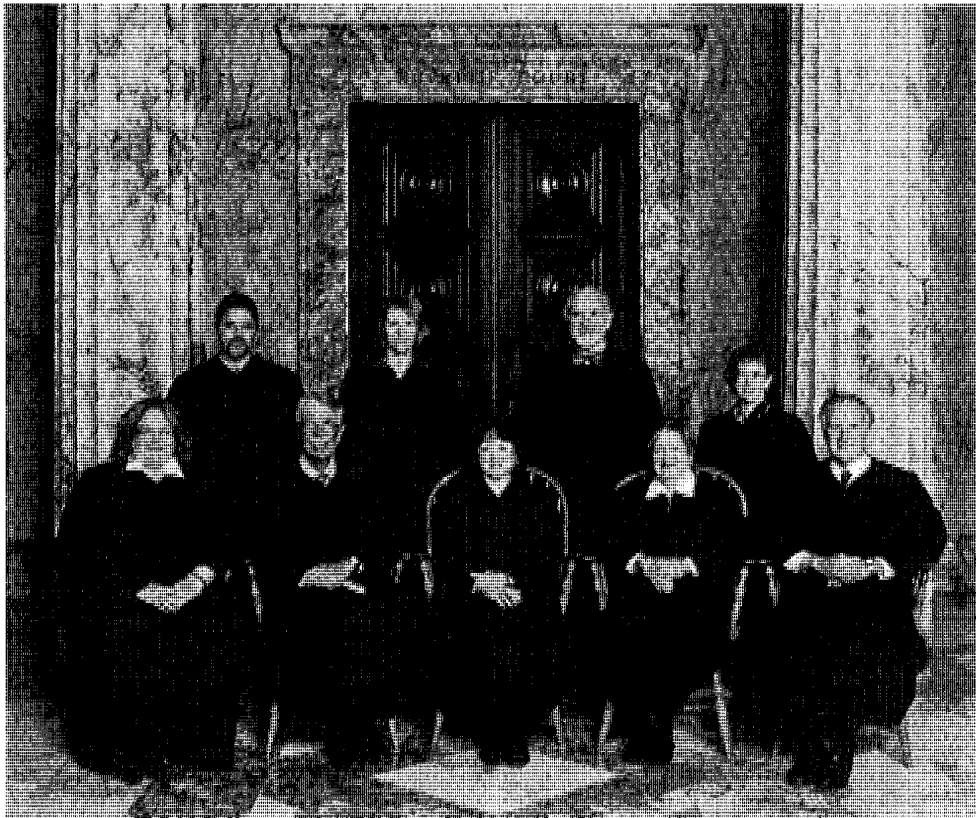
- Sheryl Gordon McCloud graduated from the State University of New York at Buffalo in 1976, and graduated from the University of Southern California Gould School of Law in 1984. She clerked for Ninth Circuit Court of Appeals Judge Warren Ferguson before beginning her practice, which included extensive experience in appellate law. In 2008, the Washington Association of Criminal Defense Lawyers awarded her their highest award, the William O. Douglas Award, for "extraordinary courage" in the practice of law.
- Steven González is the first justice of Mexican heritage to serve on the bench of the Washington State Supreme Court since the formation of the Court in 1889. González was appointed to the Court in 2012, and served on the King County Superior Court bench from 2002-2012. González earned his J.D. from the University of California at Berkley's law school and was admitted to the Washington state bar in 1991. He graduated from Pitzer College, a member of the Claremont Colleges, with a B.A. in East Asian Studies and studied abroad in undergraduate and advanced studies in Japan and China. From 1997 to 2002, González was an Assistant U.S.

Attorney in the state's Western District. He also worked in the City of Seattle Attorney's Office from 1996 to 1997 as a trial attorney in the domestic violence unit. Before that, he practiced business and civil law with the firm Hillis Clark Martin and Peterson from 1991 to 1996.

- Susan J. Owens was first elected in 2000 to the Supreme Court. She joined the court after serving nineteen years as District Court Judge in Western Clallam County, where she was the County's senior elected official with five terms. She also served as the Quileute Tribe's Chief Judge and Chief Judge of the Lower Elwha S'Klallam Tribe.
- Chief Justice Barbara Madsen was elected to serve a second term as the 55th Chief Justice of the Washington State Supreme Court in October. As Chief Justice, she is the court's chief spokesperson, presides over Supreme Court hearings and conferences, and co-chairs the state's Board for Judicial Administration. The voters elected Justice Madsen as the third woman to serve on the Washington Supreme Court in 1992, and she was re-elected in 1998, 2004, and 2010.

For full biographies, please visit www.courts.wa.gov. The ceremony will be covered by TVW, Washington's Public Affairs TV Network. For channel information, or to view coverage online, visit www.tvw.org

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Swearing-in of Justice Sheryl Gordon McCloud tips Supreme Court majority to women

Brad Shannon | The Olympian • Published January 14, 2013

The Washington state Supreme Court has long had a high share of women serving, but women now hold a majority on the nine-member court and the chief-justice job together for the first time. Justice **Sheryl Gordon McCloud** was sworn in this morning, making her the fifth woman on the court – including Chief Justice **Barbara Madsen** and Justices **Susan Owens**, **Mary Fairhurst** and **Debra Stephens**.

Also sworn in today were Owens, re-elected in November, and Justice **Steven Gonzalez**, re-elected after his appointment last year by outgoing Gov. **Chris Gregoire**. Departing the court is Justice **Tom Chambers** who is retiring.

The court system put out a news release about today's swearing in ceremonies. The ascendancy of women to a majority on the court continues a decades-long trend in Washington, and it comes on the 100th anniversary of the first women being sworn in to serve in the state Legislature, according to this blog post from the Office of Secretary of State.

Also this week, the Supreme Court plans a "**Centennial Birthday Party**" from noon to 2 p.m. Friday to mark 100 years since the Temple of Justice construction project was completed.

Washington's State Supreme Court Makes History

BY PATRICIA MURPHY

The Washington State Supreme Court will make history Monday when newly elected Justice Sheryl Gordon McCloud is sworn in. KUOW's Patricia Murphy reports.

Appellate attorney Sheryl Gordon McCloud considered herself an underdog as she campaigned. She was running against former Supreme Court Justice Richard Sanders.

Today McCloud's electoral victory will mark the first time in Washington State history that the court will have both a female majority and a female Chief Justice.

Kellye Testy is the Dean at the University of Washington School of Law. She says Washington's high court is unique among states- and not in a good way.

Testy: "Women have been graduating in equal numbers to men from law school to men since the 70's but in many areas we're still very underrepresented in leadership roles. To have our own Supreme Court not have that failing is just terrific."

Testy says most importantly voters seemed to have recognized quality over gender.

Justice elect McCloud will be sworn in alongside re-elected Justices Susan Owens and Steve Gonzalez.

Chief Justice Barbara Madsen will also be inaugurated to another four year term as head of the court.

100 years of women in Washington Legislature

PUBLISHED JANUARY 27, 2013

The 2013 legislative session also marks the centennial of Washington installing the first female legislators.

On Jan. 13, 1913, women entered Washington's Legislature for the first time when Frances C. Axtell (1866-1953) and Nena Jolidon Croake (1865-1934) took the oath of office along with 95 male colleagues in the House of Representatives.

The two women were elected in November 1912 in the first state elections after Washington women gained the right to vote in 1910. The male voters in every counties agreed to amend the constitution to provide for women's suffrage. Axtell was a Republican representing a Whatcom County district. Croake from Pierce County, was one of a large number of Progressives elected in 1912. Axtell and Croake served only one term, but they were followed by increasing numbers of women in the state House and then the state Senate and eventually higher offices, including Governor and the U.S. Congress.

For many years, Washington has been a national leader in the percentage and number of women legislators. In fact, we ranked No. 1 in this category from 1993 (right after the "Year of the Woman" election) to 2004. Washington currently ranks ninth nationally, with women comprising 30 percent (44 out of 147) of this year's legislators.

On Monday, the state Supreme Court also got a female majority when Justice Susan Owens and newly elected Justice Sheryl Gordon McCloud were sworn in. Steve Gonzalez also was sworn in.

In 2010, Secretary Reed and his office unveiled an exhibit in the office's lobby that focused on Washington's first females in various elected positions. Called "MOVING FORWARD, LOOKING BACK: Washington's First Women In Government," the exhibit is on display in Wenatchee until March.

<http://blogs.sos.wa.gov/FromOurCorner/index.php/2013/01/100-years-of-women-in-wa-legislature/>

Why Gender Equality Stalled

Published February 17, 2013
New York Times

By STEPHANIE COONTZ

THIS week is the 50th anniversary of the publication of Betty Friedan's international best seller, "The Feminine Mystique," which has been widely credited with igniting the women's movement of the 1960s. Readers who return to this feminist classic today are often puzzled by the absence of concrete political proposals to change the status of women. But "The Feminine Mystique" had the impact it did because it focused on transforming women's personal consciousness.

In 1963, most Americans did not yet believe that gender equality was possible or even desirable. Conventional wisdom held that a woman could not pursue a career and still be a fulfilled wife or successful mother. Normal women, psychiatrists proclaimed, renounced all aspirations outside the home to meet their feminine need for dependence. In 1962, more than two-thirds of the women surveyed by University of Michigan researchers agreed that most important family decisions "should be made by the man of the house."

It was in this context that Friedan set out to transform the attitudes of women. Arguing that "the personal is political," feminists urged women to challenge the assumption, at work and at home, that women should always be the ones who make the coffee, watch over the children, pick up after men and serve the meals.

Over the next 30 years this emphasis on equalizing gender roles at home as well as at work produced a revolutionary transformation in Americans' attitudes. It was not instant. As late as 1977, two-thirds of Americans believed that it was "much better for everyone involved if the man is the achiever outside the home and the woman takes care of the home and family." By 1994, two-thirds of Americans rejected this notion.

But during the second half of the 1990s and first few years of the 2000s, the equality revolution seemed to stall. Between 1994 and 2004, the percentage of Americans preferring the male breadwinner/female homemaker family model actually rose to 40 percent from 34 percent. Between 1997 and 2007, the number of full-time working mothers who said they would prefer to work part time increased to 60 percent from 48 percent. In 1997, a quarter of stay-at-home mothers said full-time work would be ideal. By 2007, only 16 percent of stay-at-home mothers wanted to work full time.

Women's labor-force participation in the United States also leveled off in the second half of the 1990s, in contrast to its continued increase in most other countries. Gender desegregation of college majors and occupations slowed. And although single mothers continued to increase their hours of paid labor, there was a significant jump in the percentage of married women, especially married women with infants, who left the labor force. By 2004, a smaller percentage of married women with children under 3 were in the labor force than in 1993.

SOME people began to argue that feminism was not about furthering the equal involvement of men and women at home and work but simply about giving women the right to choose between pursuing a career and devoting themselves to full-time motherhood. A new emphasis on intensive mothering and attachment parenting helped justify the latter choice.

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Anti-feminists welcomed this shift as a sign that most Americans did not want to push gender equality too far. And feminists, worried that they were seeing a resurgence of traditional gender roles and beliefs, embarked on a new round of consciousness-raising. Books with titles like “The Feminine Mistake” and “Get to Work” warned of the stiff penalties women paid for dropping out of the labor force, even for relatively brief periods. Cultural critics questioned the “Perfect Madness” of intensive mothering and helicopter parenting, noting the problems that resulted when, as Ms. Friedan had remarked about “housewifery,” mothering “expands to fill the time available.”

One study cautioned that nearly 30 percent of opt-out moms who wanted to rejoin the labor force were unable to do so, and of those who did return, only 40 percent landed full-time professional jobs. In “The Price of Motherhood,” the journalist Ann Crittenden estimated that the typical college-educated woman lost more than \$1 million dollars in lifetime earnings and forgone retirement benefits after she opted out.

Other feminists worried that the equation of feminism with an individual woman’s choice to opt out of the work force undermined the movement’s commitment to a larger vision of gender equity and justice. Joan Williams, the founding director of the Center for WorkLife Law at the University of California’s Hastings College of the Law, argued that defining feminism as giving mothers the choice to stay home assumes that their partners have the responsibility to support them, and thus denies choice to fathers. The political theorist Lori Marso noted that emphasizing personal choice ignores the millions of women without a partner who can support them.

These are all important points. But they can sound pretty abstract to men and women who are stuck between a rock and a hard place when it comes to arranging their work and family lives. For more than two decades the demands and hours of work have been intensifying. Yet progress in adopting family-friendly work practices and social policies has proceeded at a glacial pace.

Today the main barriers to further progress toward gender equity no longer lie in people’s personal attitudes and relationships. Instead, structural impediments prevent people from acting on their egalitarian values, forcing men and women into personal accommodations and rationalizations that do not reflect their preferences. The gender revolution is not in a stall. It has hit a wall.

In today’s political climate, it’s startling to remember that 80 years ago, in 1933, the Senate overwhelmingly voted to establish a 30-hour workweek. The bill failed in the House, but five years later the Fair Labor Standards Act of 1938 gave Americans a statutory 40-hour workweek. By the 1960s, American workers spent less time on the job than their counterparts in Europe and Japan.

Between 1990 and 2000, however, average annual work hours for employed Americans increased. By 2000, the United States had outstripped Japan — the former leader of the work pack — in the hours devoted to paid work. Today, almost 40 percent of men in professional jobs work 50 or more hours a week, as do almost a quarter of men in middle-income occupations. Individuals in lower-income and less-skilled jobs work fewer hours, but they are more likely to experience frequent changes in shifts, mandatory overtime on short notice, and nonstandard hours. And many low-income workers are forced to work two jobs to get by. When we look at dual-earner couples, the workload becomes even more

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daunting. As of 2000, the average dual-earner couple worked a combined 82 hours a week, while almost 15 percent of married couples had a joint workweek of 100 hours or more.

Astonishingly, despite the increased workload of families, and even though 70 percent of American children now live in households where every adult in the home is employed, in the past 20 years the United States has not passed any major federal initiative to help workers accommodate their family and work demands. The Family and Medical Leave Act of 1993 guaranteed covered workers up to 12 weeks unpaid leave after a child's birth or adoption or in case of a family illness. Although only about half the total work force was eligible, it seemed a promising start. But aside from the belated requirement of the new Affordable Care Act that nursing mothers be given a private space at work to pump breast milk, the F.M.L.A. turned out to be the inadequate end.

Meanwhile, since 1990 other nations with comparable resources have implemented a comprehensive agenda of "work-family reconciliation" acts. As a result, when the United States' work-family policies are compared with those of countries at similar levels of economic and political development, the United States comes in dead last.

Out of nearly 200 countries studied by Jody Heymann, dean of the school of public health at the University of California, Los Angeles, and her team of researchers for their new book, "Children's Chances," 180 now offer guaranteed paid leave to new mothers, and 81 offer paid leave to fathers. They found that 175 mandate paid annual leave for workers, and 162 limit the maximum length of the workweek. The United States offers none of these protections.

A 1997 European Union directive prohibits employers from paying part-time workers lower hourly rates than full-time workers, excluding them from pension plans or limiting paid leaves to full-time workers. By contrast, American workers who reduce hours for family reasons typically lose their benefits and take an hourly wage cut.

Is it any surprise that American workers express higher levels of work-family conflict than workers in any of our European counterparts? Or that women's labor-force participation has been overtaken? In 1990, the United States ranked sixth in female labor participation among 22 countries in the Organization for Economic Cooperation and Development, which is made up of most of the globe's wealthier countries. By 2010, according to an economic research paper by Cornell researchers Francine Blau and Lawrence Kahn, released last month, we had fallen to 17th place, with about 30 percent of that decline a direct result of our failure to keep pace with other countries' family-friendly work policies. American women have not abandoned the desire to combine work and family. Far from it. According to the Pew Research Center, in 1997, 56 percent of women ages 18 to 34 and 26 percent of middle-aged and older women said that, in addition to having a family, being successful in a high-paying career or profession was "very important" or "one of the most important things" in their lives. By 2011, fully two-thirds of the younger women and 42 percent of the older ones expressed that sentiment.

Nor have men given up the ideal of gender equity. A 2011 study by the Center for Work and Family at Boston College found that 65 percent of the fathers they interviewed felt that mothers and fathers should provide equal amounts of caregiving for their children. And in a 2010 Pew poll, 72 percent of

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both women and men between 18 and 29 agreed that the best marriage is one in which husband and wife both work and both take care of the house.

BUT when people are caught between the hard place of bad working conditions and the rock wall of politicians' resistance to family-friendly reforms, it is hard to live up to such aspirations. The Boston College study found that only 30 percent of the fathers who wanted to share child care equally with their wives actually did so, a gap that helps explain why American men today report higher levels of work-family conflict than women. Under the circumstances, how likely is it that the young adults surveyed by Pew will meet their goal of sharing breadwinning and caregiving?

The answer is suggested by the findings of the New York University sociologist Kathleen Gerson in the interviews she did for her 2010 book, "The Unfinished Revolution: Coming of Age in a New Era of Gender, Work, and Family." Eighty percent of the women and 70 percent of the men Ms. Gerson interviewed said they wanted an egalitarian relationship that allowed them to share breadwinning and family care. But when asked what they would do if this was not possible, they described a variety of "fallback" positions. While most of the women wanted to continue paid employment, the majority of men said that if they could not achieve their egalitarian ideal they expected their partner to assume primary responsibility for parenting so they could focus on work.

And that is how it usually works out. When family and work obligations collide, mothers remain much more likely than fathers to cut back or drop out of work. But unlike the situation in the 1960s, this is not because most people believe this is the preferable order of things. Rather, it is often a reasonable response to the fact that our political and economic institutions lag way behind our personal ideals.

Women are still paid less than men at every educational level and in every job category. They are less likely than men to hold jobs that offer flexibility or family-friendly benefits. When they become mothers, they face more scrutiny and prejudice on the job than fathers do.

So, especially when women are married to men who work long hours, it often seems to both partners that they have no choice. Female professionals are twice as likely to quit work as other married mothers when their husbands work 50 hours or more a week and more than three times more likely to quit when their husbands work 60 hours or more.

The sociologist Pamela Stone studied a group of mothers who had made these decisions. Typically, she found, they phrased their decision in terms of a preference. But when they explained their "decision-making process," it became clear that most had made the "choice" to quit work only as a last resort — when they could not get the flexible hours or part-time work they wanted, when their husbands would not or could not cut back their hours, and when they began to feel that their employers were hostile to their concerns. Under those conditions, Professor Stone notes, what was really a workplace problem for families became a private problem for women.

This is where the political gets really personal. When people are forced to behave in ways that contradict their ideals, they often undergo what sociologists call a "values stretch" — watering down their original expectations and goals to accommodate the things they have to do to get by. This behavior is especially likely if holding on to the original values would exacerbate tensions in the relationships they depend on.

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In their years of helping couples make the transition from partners to parents, the psychologists Philip and Carolyn Cowan have found that tensions increase when a couple backslide into more traditional roles than they originally desired. The woman resents that she is not getting the shared child care she expected and envies her husband's social networks outside the home. The husband feels hurt that his wife isn't more grateful for the sacrifices he is making by working more hours so she can stay home. When you can't change what's bothering you, one typical response is to convince yourself that it doesn't actually bother you. So couples often create a family myth about why they made these choices, why it has turned out for the best, and why they are still equal in their hearts even if they are not sharing the kind of life they first envisioned.

Under present conditions, the intense consciousness raising about the "rightness" of personal choices that worked so well in the early days of the women's movement will end up escalating the divisive finger-pointing that stands in the way of political reform.

Our goal should be to develop work-life policies that enable people to put their gender values into practice. So let's stop arguing about the hard choices women make and help more women and men avoid such hard choices. To do that, we must stop seeing work-family policy as a women's issue and start seeing it as a human rights issue that affects parents, children, partners, singles and elders. Feminists should certainly support this campaign. But they don't need to own it.

Stephanie Coontz is a professor of family history at Evergreen State College and the author of "A Strange Stirring: The Feminine Mystique and American Women at the Dawn of the 1960s."

Law unclear on judges' obligation to officiate at gay weddings

Published January 16, 2013

By Lornet Turnbull - The Seattle Times

Early questions are being raised about what obligations — if any — state-level judges in Washington have to marry gay couples when doing so goes against their personal, religious or other beliefs.

Washington's amended marriage law exempts pastors, rabbis, Imams and other clergy from having to perform same-sex weddings if they aren't so moved.

But for judges, justices and some court commissioners, who are also authorized to marry people in this state, the law is much less clear.

Weeks after same-sex marriage became legal in Washington, questions are being raised over what obligations — if any — judges have to marry gay couples when doing so assails their own religious or other personal beliefs.

In the days before the state's same-sex marriage law took effect last month, Thurston County Superior Court Judge Gary Tabor told fellow judges and his staff that he was not comfortable marrying gay couples.

Along with the court's seven other judges, he is on a weekly rotation to perform marriages outside court hours.

He said his remarks to fellow judges were not meant as a political or legal stance but rather to ensure that there would be a judge available to cover any weddings assigned to him that he preferred not to officiate.

"What I've said is that I have philosophical and religious feelings that I do not wish to perform such marriages," he said in a recent telephone conversation.

First elected to the Thurston County bench in 1996, Tabor is a graduate of Oklahoma Christian College, according to an online-court biography.

"My understanding is that a judge is not required to perform any marriage; he may choose to do so to accommodate the public," he said. "As far as I know the other judges here have indicated they would perform such marriage without question. People will be accommodated."

Higher bar

While Referendum 74 amended the state's marriage laws to include gay couples among those who may legally wed, it did not change who can perform these weddings.

That's limited to active or retired justices and judges and some court commissioners, as well as licensed or ordained religious people, which includes regular folks who, for a fee, can receive ordination from websites online.

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Elected officials, unless ordained, may not perform marriages in this state.

In addition to state laws against discrimination, judges are subject to an even higher bar — the code of judicial conduct — which requires them to discharge their duties without bias or prejudice.

Those same canons bar judges from joining organizations with invidious and discriminatory practices, such as the Ku Klux Klan, or engaging in outside activities that cast doubt on their ability to be impartial.

While the state's marriage law authorizes who can perform marriages, it does not require anyone to. Performing weddings is not a judicial duty but a discretionary function judges conduct on their own time and are compensated for privately.

"Judges may perform them or not," said Thurston County Court administrator Marti Maxwell.

"Some elect to do them, some elect to do none," she said. "There are some who will only do them during the week or during their lunch hours or after hours or for family and friends and some who will travel to the ends of the earth to do them."

But Anne Levinson, a retired Seattle judge who was also a key adviser in the campaign to legalize same-sex marriage, said that "if a judge says he or she is available to perform weddings, then he can't decline some of them based on any reason that has the appearance of bias or prejudice."

That appearance of bias, even if it involves a judge's activities off the bench, could create discomfort among those who may then have to appear before that same judge when he's on the bench, she says.

Reiko Callner, executive director of the state Commission on Judicial Conduct, called the matter an open question — one that no court has yet ruled on. It's a case of competing interests, she said: a judge's personal religious beliefs against the ethical code for judges.

"One can make an all-or-nothing argument that if they perform any weddings at all, then they cannot discriminate" against any particular group, Callner said.

Closest option

The practical reality is that most couples — gay or straight — wouldn't want to be married by a judge who doesn't support their union.

Yet with the religious exemption in place for religious officiants, a judge might be the closest option available for some, particularly people living in remote parts of the state.

On the third day gay couples could marry in Maine earlier this month, a couple at the Litchfield Town Office were turned away because the two people in the office authorized to perform such weddings were "both shy about things like this," a deputy clerk told the two men.

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Tabor, the Thurston County judge, said his position on this issue is no indication of how he would rule on issues involving gay people in general or gay couples in particular.

"I take seriously the position of judges making decisions not based on personal preference," Tabor said. "I don't believe anyone has ever complained that I've treated them inappropriately."

Whether anyone has made an official complaint with the Commission on Judicial Conduct is unknown. Callner said such information would be kept in the strictest of confidence unless an investigation finds against the judge.

In the absence of any court ruling on the matter, a judge seeking clarity could pose a question to the state's ethics-advisory commission, Callner noted.

That's precisely what an unnamed judge in New York did last year after that state's same-sex marriage law went into effect.

Citing religious beliefs, the judge sought the advice of the New York state advisory committee on judicial ethics on several points: whether judges could ethically refuse to conduct same-sex marriages if they also performed straight weddings; whether they could refer same-sex couples to other judges willing to marry them; and whether they could conduct weddings for only friends and relatives.

For the most part, the committee punted in its response, concluding that unresolved questions over whether a judge can refuse to officiate a same-sex wedding "must be raised and addressed by persons with standing in the appropriate legal venue."

Some legal experts here in Washington say much the same.

"What you have here is potential controversy — without an actual case," Callner said. "There're lots of arguments and ideas you can raise on either side of the case. It's unsettled until its settled."

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Judge's bias is showing (opinion)

Published: January 15, 2013

Thurston County Superior Court Judge Gary Tabor is right. No judge is legally required to perform any marriages, whether they involve couples of the opposite or same gender.

Which is why his recent decision to announce that he would not perform same-sex marriage ceremonies is perplexing and disturbing. By making a public announcement, Tabor has revealed a personal bias.

Candidates for Superior Court judge positions work hard to avoid any appearance of bias during their elections. They avoid discussing how they might rule on a specific case or if they have opinions on certain matters or individuals that may appear before them if elected to serve on the bench.

Most judges continue to remain silent on their opinions after arriving on the bench in order to maintain the appearance of fairness and impartiality.

But by stating that for "philosophical and religious reasons ... I do not wish to perform same-sex marriages," it appears that Tabor is creating a courtroom where same-sex couples and members of the gay, lesbian and transgender community might not receive equal treatment.

That may not have been Tabor's intention, but that certainly is how it appears. And appearances speak volumes in the courtroom.

Attorneys with gay, lesbian or transgender clients may now be looking for ways to avoid Tabor's courtroom.

It is surprising that Tabor, with 35 years' experience on the bench, didn't simply announce he would no longer perform any marriage ceremony, period, and kept his reasons to himself.

Read more here: <http://www.bellinghamherald.com/2013/01/15/2837999/judges-bias-is-showing.html#storylink=cpy>

Putting a face on human trafficking

Published February 16, 2013

By Christine Clarridge - Seattle Times staff reporter

As officials try to raise awareness about the existence of people who have been trafficked, a Seattle woman tells her unusual story. Her mother's family was victimized by her father, a Ph.D. and concert violinist who worked with the U.N.

Yasmin Christopher remembers being crammed into a tiny apartment in Aberdeen with nine of her relatives when she was about 4 years old. They shared one bedroom, a single bathroom, had no furniture and no money. Her dad was in jail and her mom, a foreign-born teenage mother of two, was terrified.

For Yasmin, it was one of the happiest times of her life.

"We were all free and we were all together," recalls the Seattle University law student, now 28. "The bad thing that happened to us when we moved here was over."

Yasmin, her younger sister, mother and a half-dozen other relatives had been brought to the U.S. from their native Bangladesh by her father, Stefan Christopher, to toil on his 65-acre farm near the tiny Grays Harbor County town of Oakville. There, he fed them little, paid them nothing, sexually abused some of the children and beat the adults. Police would later learn he forced one of Yasmin's uncles to dig his own grave before nearly beating him to death.

Yasmin's childhood ordeal and her father's eventual criminal conviction have made her a spokeswoman of sorts for victims of human trafficking, a global crime that generates billions of dollars in profits for the traffickers and increasingly targets young children. Yasmin has lent her voice to a recent campaign launched by Seattle and King County to raise awareness of the issue and alert people to how they can help.

"People don't realize that there's not one kind of trafficker. Traffickers do not have a stereotypical face," she said. "It can happen anywhere; in cities, the suburbs, factories and farms. It can involve the most unexpected people."

In Yasmin's case, she says no one from outside her family could have guessed that her father — a well-spoken, well-educated man from a well-to-do family, a violinist with the Bellevue Philharmonic Orchestra who worked as a consultant for the United Nations — was also a pedophile and a human trafficker.

"I'm fascinated by my father. We always talk about the victims, but we don't talk about the trafficker. Who does this, and why? I found out there is no single answer," she said in a recent interview.

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Lane Youmans, the now-retired detective with the Grays Harbor County Sheriff's Office who helped bring down Stefan Christopher after being called in to investigate the suicide of Yasmin's 16-year-old aunt, said the case opened his eyes to the insidious nature of human trafficking.

"I was totally surprised to go out to the farm and find out what was going on," he said. "I never imagined it happening in a small town like Oakville."

The United Nations has estimated that 2.5 million people are in forced labor, including sexual exploitation, at any given time. Despite a recent increase in reporting, experts say it remains one of the most underreported crimes in the world.

A recent report by the U.N.'s Office of Drugs and Crime noted that trafficking for sexual exploitation accounts for 58 percent of all trafficking cases detected globally.

Meanwhile, the share of detected cases involving forced labor has doubled over the past four years to 36 percent. Victims can be found in restaurants, fisheries, brothels, construction sites and, as in Yasmin's case, farms and homes.

Women and girls together account for about 75 percent of all trafficking victims, both for sex and for labor, the U.N. report said.

One troubling trend is the apparent rise in the trafficking of children, with the percentage of detected victims increasing from 20 percent between 2003 and 2006 to some 27 percent between 2007 and 2010, the report said.

In recent years, increasing financial resources and media attention have focused on the victims of sex trafficking, particularly that involving underage victims.

But labor trafficking is just as problematic, according to Seattle-based Assistant U.S. Attorney Ye-Ting Woo, who has prosecuted 19 trafficking cases involving 58 victims in the past five years.

In one case handled by Woo, the victim was a 19-year-old woman who immigrated from Micronesia because her cousin told her there were job opportunities in the U.S. Once she got to their Chehalis-area home, the victim's cousin and his wife put her to work cleaning their house and taking care of their children.

They also forced her to work at a chicken-processing plant and took her paycheck. When her cousin began raping her, the victim went to neighbors, who understood, despite a language barrier, that something was wrong and took her to a shelter, Woo said.

While Washington became the first state in the nation to criminalize human trafficking, in 2003, the state remains a focal point for traffickers because of its ports, its proximity to Canada and its dependency on agricultural workers.

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Seattle Mayor Mike McGinn has estimated hundreds of people, including many juveniles, are trafficked in the region each year for sex, manual labor, domestic labor and more. A 2008 study of commercial sexual exploitation of youth in King County estimated that at least 300-500 girls were being trafficked at that time.

The campaign to raise awareness of the problem in Seattle and King County, launched earlier this year, includes bus ads, billboards and phone numbers people can call if they suspect someone is the victim of human trafficking.

Woo said trained law-enforcement investigators and an increased understanding among the public have had a positive impact.

But labor trafficking cases are, in some ways, more difficult to detect and investigate, she said. The victims may not be visible, and sometimes they may not even know that their treatment is criminal.

Yasmin said she and her relatives only recently understood that they had been victims of a trafficker. They had simply thought her father was an abusive man.

“The words ‘human trafficker’ seem so foreign and remote. I mean, what do they mean?” she said.

For Yasmin, understanding how her family became the victims of human trafficking means gaining an understanding of her father, which she readily admits she does not yet have.

Stefan Christopher, now out of prison, is 75 and living in Eastern Washington. He is a registered sex offender. He does not have a phone and could not be reached for comment, but his daughter said he has never explained his actions.

Christopher was raised in Seattle in a “good family” and attended the University of Washington, where he earned a Ph.D. in sociology and taught for a while, according to Yasmin and one of her older sisters, who asked not to be named. His first of five wives was a German woman whom they know little about. She left him and went to California, leaving behind their three daughters.

Christopher then joined a religious commune in Eatonville, where he served as preacher for a time. He married his second wife and had two more children.

In the early 1980s, Stefan Christopher was working in Bangladesh on a project for the U.N. when he met Yasmin’s aunt.

She was 16 years old when Christopher, who converted to Islam to marry her, promised her father that he would buy him a piece of property with a source of water if she were allowed to marry him. They married, but he abused her and she ran away, according to Yasmin. Her father returned to Yasmin’s grandfather and demanded another bride.

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Fearing that honor gave him no choice, and believing that Christopher would care for his daughter, Yasmin's grandfather allowed Christopher to marry her mother.

She was 12 years old. Christopher was 47.

Christopher made good on his promise to buy the family a piece of property with a pond, and he poured a concrete floor for their home.

By the following year, he had created false documents allowing his wife, child and seven of her other relatives to emigrate with him to the United States.

The family members arrived in Washington and found themselves on a remote, ramshackle farm near Oakville with no bathroom, no plumbing, no electricity and no nearby neighbors. Christopher planned to raise beef cattle and sell the meat to a Halal shop in Seattle.

Yasmin doesn't remember all of the details, but she recalls that they had no heat and that the few clothes they had didn't keep them warm. "Everybody was always cold and sick," she recalled.

The adults were threatened and beaten, and several of the children were sexually molested, investigators later said.

Christopher was in complete control. Her relatives didn't speak English, they had no idea where they were, and they were afraid to leave the farm, Yasmin said.

"My father told us that we would not be safe if we left the farm because Americans hate Muslims," she said.

Christopher severely beat one of Yasmin's uncles with a cane in front of the whole family because he had tried to send a letter, Yasmin said. He was even forced to dig his own grave.

In 1988, 16-year-old Rhunia Gazi, the cousin of Yasmin's mother, hung herself from a rafter in the barn while Christopher and his wife were in Seattle to peddle Halal meat.

"She was suffering," said Yasmin. "He had been molesting her and she didn't know any way out."

Her relatives ventured off the farm and found a neighbor who called police. Youmans, the Grays Harbor County detective, was called out to the farm.

"It was clearly a suicide, but there were all these children dressed in saris, who didn't speak English and were clearly terrified," he said. "I didn't know what to think. I thought, 'This is really weird for Oakville.'"

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As Youmans investigated further, he learned that someone in Seattle had reported to police his suspicions about Christopher being a child molester. That was enough to have the family removed from the farm and put up in Aberdeen. But building the case proved difficult, he recalled.

“It was a long, tedious process. We had to have translators. The females could not talk to males. The victims had no idea how old they were. None of their documents were legal. We eventually found out that he had molested at least two of the children, and we are able to charge him.”

Christopher was charged in Grays Harbor County Superior Court with two counts of indecent liberties. He was sentenced to four years in prison and released 18 months later.

Yasmin said she was not sexually abused, but that all of her unmarried, female relatives at the farm were. She said two of her older sisters from her father’s first wife have disclosed that they, too, were abused.

Yasmin and her younger sister, as children of an American, qualified for citizenship. Several other relatives were deported, including Yasmin’s 9-year-old aunt, the victim in the case for which Christopher was convicted.

That aunt, Khurshida Begum, now 33, returned to the U.S. with the assistance of a foster family and last year she became a citizen. She openly speaks about her experience as a survivor of human trafficking and abuse.

Yasmin’s mother was granted a green card and became a citizen while Yasmin was in elementary school. She remarried, had another child and divorced. She refuses to talk about her time with Christopher, her daughter said.

“She still feels incredible shame,” said Yasmin. “Most of my family does.”

Yasmin’s mother lives in Lacey. Yasmin’s family in Bangladesh still owns the property with the pond that Christopher bought for them. Yasmin lives with her boyfriend in a Beacon Hill apartment filled with her paintings of Bengali women.

Her desire to be a lawyer is motivated, in part, by her early experiences, her trips to Bangladesh and her efforts to know her own history and understand how her father came to believe he could use people like pawns.

Yasmin’s older sister, who was raised by her mother alone, believes that her father’s trafficking crimes were not about money, but about control.

Yasmin agrees, but says she still wants to know him and hear the whole story.

Putting a face on human trafficking

Published February 16, 2013

“Human trafficking is one of the most complex issues,” she said. “It’s fascinating, in kind of an awful way, to hear the justifications and the motivations. I’m sure I’ll never fully understand it, but I’m going to try.”

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Recognizing human trafficking

Victims are often kept out of sight and are afraid to reach out for help. According to the Polaris Project of the National Human Trafficking Resource Center, the following may be signs that someone is a victim of trafficking:

Workers who have had their ID, passport or documents taken away.

Workers who show signs of physical and/or sexual abuse, physical restraint, confinement or torture.

Workers who show signs of emotional abuse.

Workers who are being threatened by or are in debt to their boss.

Workers who are under 18 and are involved in the commercial sex industry.

Workers who are not free to leave or come and go from their place of work as they wish.

Workers who don't seem to be receiving payment.

If you need help

Contact the National Human Trafficking Resource Center hotline at 1-888-3737-888. Operators are available 24 hours a day, seven days a week, 365 days a year. Interpreters are available for up to 170 different languages for those callers that require interpretive services. Operators will connect you to local assistance. There are many local organizations to provide support that is safe, confidential and free.

Source: Public Health —Seattle & King County

Christine Clarridge: 206-464-8983 or cclarridge@seattletimes.com

Information from Seattle Times archives and The Associated Press is included in this report.

Do programs help or hurt the abused?

Published: Saturday, January 12, 2013

Guest Commentary / Violence Against Women Act

By Mark Mahnkey - Opinion

The 112th Congress adjourned last week without reauthorizing the Violence against Women Act.

It is important to note that the current law is still in force, the money allocated still will be provided, but the "enhancements" in the law sought will not happen. Is this a crisis? We think not.

There were two fatal flaws in the Senate bill. First, it is a revenue measure, intentional or not, which must originate in the House. Greed sunk that part. Second, it removes constitutional protections by making non-natives subject to tribal jurisdiction and laws, laws that don't even need to be published! This was confirmed by no less than one of our Supreme Court justices when I inquired of her.

Here is the most important question to ask: Are programs funded through the Violence against Women Act working?

Most VAWA funds are directed to beefing up the criminal justice system's response to domestic violence. But according to Angela Moore Parmley, PhD of the U. S. Department of Justice, "We have no evidence to date that VAWA has led to a decrease in the overall levels of violence against women."

A look at specific VAWA-funded programs reveals the reasons behind Dr. Parmley's concern:

Research reveals "Increases in the willingness of prosecutors' offices to take cases of protection order violation were associated with increases in the homicide of white married intimates, black unmarried intimates, and white unmarried females." Thus for most groups, prosecuting restraining order violations actually increased homicide rates.

According to a Harvard University study of mandatory arrest, "Intimate partner homicides increased by about 60 percent in states with mandatory arrest laws." Mandatory arrest discourages victims from calling for help, placing them at greater risk of a mortal outcome.

VAWA also supports the enforcement of protection orders. As far as their impact, opinion is divided whether such orders are simply ineffective, or whether they actually escalate and worsen the abuse.

Finally, many domestic violence groups have incorrectly attributed the cause of the decline in partner violence. Writing in The Hill's Congress blog, Sharon Stapel recently wrote, "VAWA has dramatically reduced intimate partner violence: the Department of Justice estimates the reduction at 64 percent from 1993 to 2010."

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The second part of her claim is correct, the first is not. FBI statistics indicate the number of intimate partner homicides began to fall in the late 1970s, long before passage of VAWA.

As an Ifeminists.net editorial recently pointed out, "the downward trend in domestic violence is just part of a larger, society-wide drop in all violent crime. Indeed, incidents of violent crime generally dropped from about 80 per 100,000 people in 1993 to about 21 in 2010. That's a decrease of almost 74 percent."

The reason why criminal justice measures are ineffective or harmful is simple: they don't address the actual causes of domestic violence, particularly substance abuse, psychological disorders, and marital instability. Abuse-reduction efforts should emphasize substance abuse treatment, counseling, and the like, with aggressive arrest and prosecution being essential but back-up strategies. In short, we need more counseling and less incarceration.

So, before the Senate or House introduce any new VAWA reauthorization bills, we need to answer the question: Are VAWA programs harmful, helpful, or merely ineffective? Marching forward without resolving this pivotal concern could turn out to be a grave mistake for future victims of domestic violence.

Mark Mahnkey, of Lynnwood, is the Director, Public Policy, of the Washington Civil Rights Council. He can be reached at contact@wacrc.org.

**Deputy Attorney General James M. Cole Speaks at the U.N. Commission on
Status of Women Event Entitled,
"Intimate Partner Violence: Effective Interventions"
New York ~ Wednesday, March 6, 2013**

Thank you, Lynn for that kind introduction and your work to address and prevent violence against women and girls – particularly last week, in support of the legislation to renew and strengthen the landmark Violence Against Women Act. It's an enormous victory that the bill has finally passed Congress, and it would never have happened without your tireless work.

It's a pleasure to be here for today's important meeting, and to join with all of you to discuss the strong commitment of the Department of Justice to combatting the violence against women that plagues far too many communities, both within our borders and abroad. As Deputy Attorney General of the United States, I have the opportunity to work with the dedicated men and women of the Department on all aspects of this problem -- from the professionals in the Office on Violence Against Women who work hand-in-hand with organizations and communities to meet the needs of victims of domestic violence and sexual assault, to our prosecutors in the field.

As we've seen too often, domestic violence affects not only the immediate victims, but their families, neighbors, friends, and indeed entire communities. Which is why it demands a coordinated community response. This approach brings together federal grantees, law enforcement officers, prosecutors, and non-profit, non-governmental victim advocates not only to share their experiences, but more importantly to use their distinct roles to create a comprehensive, community-based response to domestic violence. The Department seeks to apply this approach in its work on intimate partner violence both domestically and abroad.

In the international realm, together with the support of the State Department and others, the Justice Department has become a leader in the U.S. Government's mission to conduct overseas justice sector development. Over the past two decades of assisting the development of police forces, prosecutors' offices, and judiciaries abroad, the Department has begun to deliberately focus on gender-based violence and the lack of gender equality in the access to justice.

For example, from 2008-2011, the Department implemented the Women's Justice Empowerment Initiative, a specifically-funded assistance program for multiple African countries that featured guidance and training for judges, prosecutors, and police, on techniques for managing criminal cases involving gender-based violence. As part of that effort, among other things, the Department of Justice provided forensic training for medical personnel charged with evidence collection in cases involving rape and other crimes.

More recently, the Department has continued its assistance to curb gender-based violence abroad in a variety of ways, such as a model curriculum developed with Mexican officials on investigating and prosecuting human trafficking, work with officials in Morocco on the treatment of juvenile offenders, and developing a training course for men and boys in Timor Leste to support their roles in ending intimate partner violence.

I am pleased to report that these efforts are yielding positive results. Some of the nations with which we work are beginning to recruit and train female police, female prosecutors and female judges. We also support these nations in efforts to develop and implement effective procedures for female victims and witnesses of crime. And we are working with them to amend legal frameworks to define crimes, and impose punishments for those crimes, in a manner that effectively reflects the protection and best interests of women and girls. By informing a broad array of institutions, we are beginning – although it is only a beginning – to encourage our international colleagues to embrace a coordinated community response to intimate partner violence in their home countries.

Here in the United States, since the passage of the original Violence Against Women Act in 1994 – which was strengthened by Congress’s recent action, the Justice Department has been actively working to increase the availability of services for victims of domestic violence, sexual assault and stalking and to improve local criminal justice responses to these crimes.

VAWA provided tough criminal penalties to prosecute batterers. It also established within the Departments of Justice and Health and Human Services a number of formula and discretionary grant programs to help communities respond to the needs of women who are victims of, or might fall victim to, intimate partner violence. Thus, the Department of Justice’s work under VAWA goes far beyond prosecutions and includes housing resources and other services that women need to escape domestic violence and rebuild their lives. Together, these grant programs have increased criminal enforcement, provided necessary comprehensive, holistic victim services, and supported critically important prevention efforts.

We have found that by seeding coordinated community response efforts in communities across the country with federal funds and technical assistance, communication and collaboration continues even after federal funding ends. In addition, we’ve seen that a coordinated community response not only improves the quality of victim services and the criminal and civil justice response, but it also often changes the attitudes of the community as a whole towards the devastating crime of intimate partner violence.

Although the Violence Against Women Act has allowed us to successfully engage a broad range of partners to work together to intervene after violent crimes against women have occurred, we are placing a special focus on improving efforts to prevent such crimes before they happen. In doing so, we have expanded the traditional focus on intervention, treatment, and accountability to address the entire cycle of violence at every stage by increasing our understanding and commitment to prevention.

One critical part of that effort is examining the overwhelming numbers of children exposed to violence and the insidious effects of this exposure. A recent study funded by the Justice Department concluded that a majority of children in the United States have been exposed to violence, crime, or abuse in their homes, schools, or communities. In some instances, the consequences of this problem are devastating. A child's exposure to violence, whether as a victim or a witness, is often associated with long-term physical, psychological, and emotional harm. Tragically, children exposed to violence are also at a higher risk of engaging in criminal behavior later in life and becoming part of a cycle of violence. But through the Attorney General's Defending Childhood initiative, we are fighting back against this rising trend in bold, collaborative and effective ways.

This initiative combines existing resources across the Department of Justice to focus on preventing, addressing, reducing, and more fully understanding childhood exposure to violence. In 2010, the Justice Department awarded grants to eight sites in cities and tribal communities around the country to develop strategic plans for comprehensive community-based efforts that will further demonstrate the goals of this initiative. The Attorney General also chartered a federal advisory committee that held public hearings with extensive input from experts, advocates, and impacted families and communities nationwide. The Defending Childhood Task Force issued a report that will serve as a blueprint for preventing children's exposure to violence and for reducing the negative effects experienced by children exposed to violence across the United States.

It is equally imperative to involve men and boys in the efforts to end intimate partner violence, if we expect them to succeed. Acknowledging the critical roles men play in this prevention, VAWA funding supports multi-faceted strategies that involve men as allies, and as active, positive role models for other men and boys. Using the latest technology combined with hands-on mentorship to reach young men about healthy relationships and change their attitudes about violence, this federal grant program aims to develop new male leaders in the field – leaders who are willing to speak out publicly and act to oppose violence against women and girls and create a ripple effect, encouraging men in many more states and communities to get involved.

Although there is still much work to be done, the United States has made significant strides in developing effective community responses to intimate partner violence that has stolen far too many promising futures – and shattered far too many lives. A core lesson from our efforts is that each community, guided by the voices of victims, must come together to develop the specific responses that will work for their particular community as a whole, and for all of the various cultural groups that make up that community. Our discussion today is an important part of that effort – as it not only signals a call to action – but provides us all with the opportunity to build on the momentum we've established and to ensure that the achievements we celebrate today are just the beginning.

Thank you.

