



GENDER AND JUSTICE COMMISSION (GJCOM)
AOC SEATAC OFFICE
18000 INTERNATIONAL BLVD, SUITE 1106
SEATAC, WASHINGTON
FRIDAY, JULY 8, 2016 (8:45 AM – 12:00 PM)

MEETING NOTES

Present: Justice Sheryl Gordon McCloud, Vice-Chair; Ms. Kelley Amburgey-Richardson (via phone), Ms. Josie Delvin, Ms. Gail Hammer, Ms. Grace Huang, Judge Judy Jasprica, Ms. Trish Kinlow, Judge Richard Melnick, Judge Marilyn Paja, Dr. Dana Raigrodski, Ms. Gail Stone, Judge Cindy K. Smith, Ms. Rita Bender, Judge Michael Evans, Ms. Leslie Savina, Judge Anita Crawford-Willis

AOC Staff: Ms. Nichole Kloepfer, Ms. Cynthia Delostrinos

Excused: Chief Justice Barbara A. Madsen, Chair, Ms. Kathy Bradley, Ms. Pam Dittman, Ms. Emily Cordo, Judge Eric Lucas, Mr. David Ward, Ms. Anela Ramic, Ms. Mayra Rangel, Ms. Sonia M. Rodriguez True, Ms. Vicky Vreeland, Judge Mark Pouley

Guests: Ms. Shannon J. Lawless, WWL President, Ms. Becca Glasgow, WWL President-Elect, Ms. Mellani McAleenan, WSDA

CALL TO ORDER

The meeting was called to order at approximately 8:45 AM.

COMMISSION BUSINESS

Vice Chair Report

- May 13, 2016 Meeting Notes
Minutes approved as presented.

- Judicial Climate

There was a discussion about the current judicial climate. During the current time of excessive violence against communities, it is even more important for the courts to be on the forefront as being the body whose purpose it is to resolve issues fairly and peacefully. The role of the Commissions becomes even more important as we are the bodies that are here to assist with acknowledging and bridging inequities within the justice system. There was a call to action to consider the current judicial climate in the work that this Commission proposes to do in the future – how is our work helping the position of the judiciary?

There was also a discussion about an equity impact tool used in King County. The tool is a checklist of considerations that could be used to anticipate, assess, and prevent potential adverse consequences of decisions or proposed actions, and how it impacts equity—and in our case within the judicial system. The equity tool can be found here:

[http://www.kingcounty.gov/~media/elected/executive/equity-social-justice/2016/The Equity Impact Review checklist Mar2016.ashx?la=en](http://www.kingcounty.gov/~media/elected/executive/equity-social-justice/2016/The_Equity_Impact_Review_checklist_Mar2016.ashx?la=en)

○ TSCC Regional Meeting

The Tribal State Court Consortium held its regional meeting at the Quinault Indian Nation. Judge Smith gave a report about the meeting. There were about 30 participants, including for the first time, judicial representation from the federal bench. Guest speaker Professor Mark Kleiman, Public Policy at New York University, and author of the book *When Brute Force Fails: How to Have Less Crime and Less Punishment*, presented research from his book about how the U.S. criminal justice system's current methods of punishment and mass incarceration are harming our society. He advocated looking at methods of punishment that provide swift and sure sanctions. President Fawn Sharp, Quinault Indian Nation, presented on the new application of the Public Trust Doctrine and the importance of this matter to the Tribe. The group also was given a history of the Quinault. The group was unable to do a tour of the Quinault Tribal Court due to time limitations and schedule changes, but Judge Joel Penoyar wrote a memo on some of the changes that his court made based on the research of Professor Mark Kleiman. Cynthia will send out the memo to the Commission.

Among some of the participants at the regional meeting were representatives from the Office of Public Defense (OPD) and the Center for Indigenous Research and Justice (CIRJ). OPD and CIRJ are developing a gathering of tribal juvenile defense attorneys and other tribal court stakeholders. The gathering would be an opportunity to provide training on current adolescent scientific studies, and share best practices from other tribal courts for rehabilitating juveniles. The gathering will be held sometime in February 2017. Participation and partnership from the TSCC would be a good fit, and we should continue to stay in contact with OPD about ways to get involved and provide support.

○ Pretrial Symposium

In May, the Minority and Justice Commission hosted its annual Symposium at the Temple of Justice. It was an open court room, and there were many judges and lawyers in attendance. Professor Cynthia Jones from the Pretrial Justice Institute was the keynote and she was quite impressive. The presentation covered bail practices and the impact of cash bail on low income populations. It included a discussion on possible solutions, which were being tested in Yakima and Spokane through separate grants. Joe Brusic, Yakima County Prosecuting Attorney, presented on Yakima's implementation of some of those tools. There was also time to hear from individuals who had gone through the experience and the hardships that they were faced with. There is a link to the materials posted on the Minority and Justice Commission's website, which can be accessed here:

<http://www.courts.wa.gov/?fa=home.sub&org=mjc&page=symposium&layout=2&parent=work>

The Minority and Justice Commission has plans to create a Pretrial Task Force that will look into some of the issues discussed at the symposium. The Task Force will also look into tools that can be used to reform current pretrial practices. Grace Huang requested to have a victim advocate as part of the task force.

- Gender Bias Report and possible NAWJ Conference Reception

There was a memo written by Justice Gordon McCloud that was distributed to Commission members for review on July 7. The memo was an introduction into the background leading up to today, summarizing the history of the 1989 Gender Bias report and what we hope to accomplish with a new Gender Bias Study. It acknowledges the fact that we are in a completely different era now. The delivery of justice in our court system has changed drastically, and so have the dynamics and demographics of the populations served by the courts. The scope proposed in the memo looks at how gender impacts individuals going through the court, whether they are trying to get into court through their own initiative or being haled into court against their will. It will also look at the issues from an access to justice lens. The Committee is interested in getting feedback from Commission members on the memo and proposed scope of the report.

We have the opportunity to co-host the opening welcoming reception at NAWJ in October. The reception will be held at the Sheraton in Downtown Seattle. Judge Paja is the events chair for the NAWJ conference and she can work with Cynthia or Pam moving forward. The reception can be an opportunity to share our plans with the national community. They are anticipating around 200-300 judicial officers will be in attendance. Commission members may attend the reception even if they are not registered to attend the conference. Cynthia will check to see whether the Minority and Justice Commission might be interested in also joining in on co-hosting the reception.

Staff Report

- Annual TSCC Meeting and 2nd Annual Judges of Color Reception

The TSCC will be having its annual meeting at this year's Fall Conference. In a collaborative effort with the Minority and Justice Commission, and to alleviate competing and conflicting events, staff and leads of these two groups are planning both events for the same evening. The leads of each event have been apprised of the situation and are in agreement of the collaboration. The flyer for the events was included in the meeting packet.

- Courthouse Facilitators Training

Janet Skreen, AOC Court Program Analyst, approached Pam regarding the need for Courthouse Facilitators to be provided training in topics addressing DV and SA. Through

assistance with Janet, the facilitators, and others in the Commission a proposed agenda was outlined, faculty secured, and training held. This was the first training in three years for Courthouse Facilitators, the majority of which were new to their position in the last three years. Funding from the STOP grant assisted this effort. Evaluations were provided in the meeting packet.

○ Budgets:

The budgets for the Commission and grant funds were included in the packet. The Commission budget is a proposed budget for the 2016-17 fiscal year. The budget was created based on activities and expenditures from prior years. There was a question as to if there were any major changes in the budget from prior years? One change was that the TSCC was previously funded by a grant that is coming to an end this year. The plan moving forward is for both MJCOM and GJCOM to contribute funds towards the TSCC.

There was a recommendation for staff to reach out to judicial officers and others about printing copies of or sending flash drives of the recently updated DV Benchguide. In addition to asking judicial officers, we should also reach out to presiding judges to ask if they would like any for their pro tem judges or court administrators.

Guest Speakers

- Ms. Shannon J. Lawless, WWL President, and Ms. Becca Glasgow, WWL President-Elect, were present at the meeting to discuss the work of the Washington Women Lawyers. The WWL have a state board and 11 different chapters across the state in different counties. They provided a reference map detailing the locations of their chapters. They shared their work around wanting to create pathways for young women interested in joining the profession. They also shared their involvement with events that encourage diversity on the bench, like the Judicial Institute.

They are also working on a “Legacy Project” which would preserve and honor the history of women in the judicial system. Each of the different WWL chapters will be contributing to a video presentation in conjunction with the project. WWL also sponsors a Women’s’ Law Update CLE every October. Last year they were really successful when they partnered with Legal Voice. They partner with MAMA Seattle on the creation of the parental leave databank. WWL believes it is important to give mothers the tools they need to be good advocates for themselves on issues like parental leave within their offices.

Action: The WWL were interested in finding ways to be more involved on issues relating to DV. Grace Huang said she would be happy to provide a list of helpful materials on DV.

WWL may be interested in attending future Commission meetings. They should be added to the listserv.

- Mellani McAleenan, Washington State Dental Association, formerly Legislative Assistant Director for AOC was the other guest speaker. She said that the best way to get involved is to with legislative activities and to promote the work of the Commission is to individually increase communications with legislators one-on-one. Additionally, legislative staff can be a great resource for all of the behind the scenes work during legislative session. Every Thursday, staff across the AOC that are involved in any legislation or legislative committees, meet as a team to talk about what each group is working on.

When asked about the Gender Bias Study, Ms. McAleenan said that the legislature was open to the plan, but wanted to see how much it was going to cost, and also list the tangible steps that would be taken to carry out some of the recommendations that come out of the study. We must be prepared to talk about how the study will change current practices in Washington and improve outcomes for women. Representatives Ruth Kagi and Laurie Jinkins may be supportive of the Gender Bias Study. For this year, we may want to schedule a meeting with Senator O’Ban, who is the chair of the Human Services Committee.

Committee Reports

- DV Committee - HB1840 Firearms Surrender Project
Judge Jasprica gave an update on the collaborative efforts that were being pursued in conjunction with local groups who are trying to get a process established in King County. We are trying to figure out how GJCOM fits into the picture. The initial project was to host roadshows or stakeholder meetings across the state, but the Committee has since learned that there were groups that were already doing similar work around surrender of firearms in King County. The other groups included Judge Ann Levinson, Ret. and the federal organizational alliance for gun responsibility and coalition, as well as efforts in Kitsap County and Benton County. The hope was that we would be able to learn from the other groups’ experience and feedback, which would inform our efforts as to the information that needs to be shared with participants both prior to and during the meetings, as well as determining the issues that need to be addressed prior to the meetings. We hope to have more information by September. There are still funds set aside in the budget for potential stakeholder meetings if we decide to hold them in the fall.

- Domestic Violence Perpetrator Treatment Advisory Council
Judge Jasprica gave an update on a recently reconstituted advisory committee that is staffed by DSHS to look at WAC 388-60 revisions. The Commission was sought out for participation on the Council, and Pam Dittman is attending in that capacity. The WAC also identifies members of the DMCJA as part of the Committee, but there are currently no DMCJA members on it. Judge Jasprica is working on getting DMCJA representation.
- Joint Education Workgroup
Representatives from each of the Commissions' Education Committees are meeting tomorrow morning to discuss the creation of a Joint Commission Education Workgroup. The goal of the workgroup is to get some cohesion on educational programs sponsored by the Commissions. Staff have been asked to prepare materials that will help provide context as to the history of Commission sponsored education programs, a listing of all court related education conferences that we could potentially partner with in the future, as well as budgets.
- DMCJA Conference (June) Framing Your Judicial Philosophy- Plenary Session
Evaluations are included in the meeting packet. The reviews were very interesting in that the responses to the training are from one end of the spectrum to the other. The training included four (4) different panelists who represented different points of view on the issue. It was the intention to allow the judges to frame their own judicial philosophies by receiving all of the different perspectives, but it seems that some judges still felt like the training was not from an unbiased perspective.
- Fall Conference (September) Same Sex Marriage
Professor Jim Oleske will be the sole presenter for this session scheduled for Fall Conference.
- NAWJ Conference (October) Sexual Assault on College Campuses
Brenda Tracy will be the lead speaker for this education session, as well as Prof. Judith Resnik. Ms. Tracy is a survivor of sexual assault by Oregon State football players in 1998, and has recently began speaking out about her experience. Judge Melnick encouraged Commission members to read the two-part article on her in the Oregonian. It should be a very interested presentation, one that you will not want to miss.
- Incarcerated Women & Girls
The Committee will be meeting after the Commission meeting. They are in the process of planning and setting the date for the stakeholder meeting between DOC and Superior Court Judges, to discuss court access for incarcerated parents to participate in their family law and dependency cases.

- Sexual Violence

We are planning two workshops to be held prior to December 31: one in the western and one in the eastern part of the state. The focus of these workshops is on trauma-informed courts, with a specific focus on responding to victims and survivors of sexual violence who are interacting with the courts. We are currently looking at faculty for this training.

Second, we are working to update the Sexual Offense Bench Guide. This work group met recently to discuss long and short term priorities for the guide. The first priorities for the guide are adding information about the Neurobiology of Trauma, to tie into the workshops on trauma-informed courts, adding information about the Language of Sexual Violence, as suggested by the Chief Justice at our last commission meeting, and conducting a legislative and case review of the guide to update it in that regard.

Training Workshop(s)

- Tribal State Court Consortium, Judge Cindy Smith

Judge Smith attended the National Convening of Tribal-State Court Forums on June 2-3, 2016 hosted by the Tribal Law and Policy Institute. The theme for the conference was around enhanced jurisdictions. During the conference, Minnesota's TSCC indicated they have implemented joint jurisdiction courts. This was very interesting.

The 2nd TSCC Regional meeting will be next spring in Eastern Washington. The Office of Public Defense has grant funding to host a tribal state convening in November or December at UW around adolescent brain development. They may need our help in reaching out to prosecutors and judges in the courts.

- Women's History Month/Legislative Reception Planning

The committee met to have a preliminary discussion about the timing and theme for next year's reception. The theme for next year's women's history month is "Honoring Women in Business and Labor" and the committee would like to keep that theme for our reception. We would invite female speakers from both sectors, business and labor. There was mention of a conference called the State of Women, which took place in DC, where they had a similar theme. They had a representative from Johnson & Johnson speak and the speech was pretty positive and uplifting for everyone, whether you were on the business or labor side.

The meeting adjourned at approximately 12:00pm.