



Gender and Justice Commission (GJCOM)
AOC SeaTac Office
18000 International Blvd, Suite 1106
SeaTac, Washington
Friday, January 13, 2017 (8:45 AM – 12:00 PM)

MEETING NOTES

Present: Chief Justice Barbara A. Madsen, Chair, Justice Sheryl Gordon McCloud, Vice-Chair; Ms. Josie Delvin, Ms. Grace Huang, Ms. Trish Kinlow, Judge Richard Melnick, Judge Marilyn Paja, Dr. Dana Raigrodski, Judge Cindy K. Smith, Ms. Rita Bender, Judge Michael Evans, Ms. Leslie Savina, Ms. Emily Cordo, Judge Eric Lucas, Mr. David Ward, Ms. Sonia M. Rodriguez True, Ms. Vicky Vreeland, Judge Mark Pouley, Judge Eric Lucas

AOC Staff: Ms. Nichole Kloepfer, Ms. Kelley Amburgey-Richardson, Ms. Kathy Bradley, Mr. Bob Lichtenberg

Excused: Ms. Gail Hammer, Judge Judy Jasprica, Judge Anita Crawford-Willis, Judge Michael Evans, Judge Mark Pouley, Ms. Gail Stone

Guests: Ms. Jennifer Ritchie, Washington Women's Lawyers Association, Ms. Stephanie Pratt, Department of Commerce

CALL TO ORDER

The meeting was called to order at 8:52am.

November 4, 2016 Meeting Notes

Minutes approved as amended.

Chair Report

Justice Gordon McCloud, Vice-Chair, accepted the opportunity to chair the Gender and Justice commission. No formal appointment yet. Justice Gordon McCloud will be selecting a Vice-Chair.

A new staff person has been hired at AOC. Kelley Amburgey-Richardson is the new Court Program Analyst for the Gender and Justice Commission. She previously served as a Commission member.

Justice Madsen noted that Washington is very fortunate to maintain the Gender and Justice focus. Nationally Gender and Justice Commissions are few and far between due to budget cuts. There are a lot of developments with NAWJ on gender and justice and bias.

We are excited to have a permanent liaison with the Washington Women's Lawyers to continue to foster that connection. Jennifer Ritchie is the WWL representative. It is important to

institutionalize connections with groups that are aligned with GJCOM's mission so that we can all work together.

Justice Madsen mentioned that the Board for Judicial Administration (BJA) has requested submissions for projects or initiatives that the Commission would like the BJA to support. The Gender Bias Study, both Justices agree, would be a great project/issue to submit. If there are other ideas that Commission members might have, please contact Kelley at Kelley.Amburgey-Richardson@courts.wa.gov. Deadline is January 27 at 5pm. The Commission should think about institutionalizing submitting proposals to the BJA each year.

Vice-Chair Report

Justice McCloud reported that the Gender Bias Study workgroup scheduled meetings with several different people who were in attendance at the National Association of Women Judges (NAWJ) conference, who offered a great deal of experience on the issues, the meetings were very helpful and enlightening. It was suggested that the group use the method of gathering information by hosting town hall meetings and asking members in the community for proposals on certain areas that they feel there is gender bias. This would include an RFP process where stakeholders would submit a paper on a particular topic, that way we could gather the information and use it to help produce the report. There are other ways to get empirical data. It might be a good idea to use law students for help as well.

Justice McCloud attended the Dec 2, Joint Commissions Meeting w/ ATJ Board. She presented on the history of the Gender and Justice Commission and the committees, accomplishments, and the Gender Bias report. Each Commission broke out into separate rooms and in the GJCOM room the participants talked a lot about the Gender Bias report and the areas that had been overlooked.

Interestingly, the Tribal State Court relationships were highlighted, and Justice McCloud hopes to involve Justice Madsen in this portion of the gender bias study research. Justice McCloud invited others who had attended the joint meeting to provide additional feedback. Ms. Leslie Savina thought it was a great turnout, great conversation, and great facilitation. It was great to break down some silos. Ms. Trish Kinlow also enjoyed it and it was good to learn about the passions and interests of each group. The collaborative efforts with interpreter needs were noted, and it was a well put together program. Justice Madsen gave accolades to Ms. Cynthia Delostrinos for the Joint Commission meeting. The support and collaboration will allow us to create better relationships in the future.

Justice McCloud suggested that the Commission recruit a representative from the Minority Bar Associations so they could have a voice on GJCOM.

Justice McCloud, at this point, wants general buy in, for the Gender Bias report, and approval of the general direction that the committee is going in. Information about the report will be in the Full Court Press and in the NAWJ's Newsletter and the Counter Balance.

Staff Report

Ms. Kelley Amburgey-Richardson reported that budgets in the packet reflect changes requested at the last Commission meeting, and that budgets will be provided in each meeting packet. Any interest in revisions or allocations should be brought to her attention.

Mr. Bob Lichtenberg with the Interpreter Commission shared his feedback about the joint meeting. He reported on video interpreting needs and highlighted that there should be more board/commission collaboration, gender, race, and language. What's common? What's different? Where are the gaps? He is looking forward to more work with the joint education committee.

The Commissions plan to have a quarterly meeting with the Access to Justice Board (ATJ) where each Commission is represented by staff and a Commission member or more, and organize a yearly joint meeting with the full Commissions. Ms. Grace Huang offered her organization for training interpreters and language access with sexual assault and DV victims. Ms. Leslie Savina suggested a future judicial training on interpreters in DV cases. Justice Madsen felt that domestic violence training has taken a sideline since 2009 but it's good to bring it back to life again. Additionally, Mr. Bob Lichtenberg shared that vicarious trauma training for the interpreter is helpful.

Guest Speaker: Ms. Stephanie Pratt, Department of Commerce.

SSB 5933: Statewide Human Trafficking Laws & Investigations

Ms. Stephanie Pratt presented about the state's efforts on education regarding human trafficking laws and investigations. In 2015, a bill was passed requiring a statewide work group to provide training on this. The trainings cover law, case investigations, and interdisciplinary response and services available. They have conducted two western Washington trainings, three eastern. The training is provided at no cost, for law enforcement, prosecutors, court personnel. 130 folks total have been trained, and they have been primarily law enforcement and prosecutors.

A few key points about the dynamics of trafficking were: (1) Offenders use strategies that aren't often seen as illegal, (2) the data shows the disproportionality in King County, and (3) the exploitation of boys is much higher than we are aware.

Ms. Pratt requested feedback from Commission members on audience, topics, and accessibility for an upcoming training under this statute for court personnel. The goal is to roll out the training in the next 10 months. Justice McCloud suggested including criminal defense lawyers so that they could identify when these issues come up for their clients. Ms. Sonia Rodriguez True suggested training with foster care advocates and case workers.

Justice Madsen expressed interest in the Court Administrators' perspective. Ms. Josie Delvin suggested that the front line folks would most benefit from the training to facilitate their understanding of cues to pick up on. Ms. Trish Kinlow agrees with the front line staff suggestion and suggested that security, probation officers, and jail alternative program staff would also benefit. The CLJs should be included. Judge Lucas would like to be educated more on intersections of dependency and trafficking. Ms. Noreen Roberts is working on a Federal Strategic Plan so the Children's Administration is receiving some training. Guardian Ad Litem training would be also extremely beneficial.

Judge Cindy Smith suggested including the tribal courts. Ms. Jennifer Ritchie brought up the issue of the traumatizing impact of security screenings, pat searches for minors who are homeless, sexual assault victims, or being trafficked. It would be good to make the court house a safe place for victims to come. The system of judgment is what victims fear the most, as they are being judged by others in their lives and by themselves. Ms. Grace Huang brought up the particular challenge of undocumented immigrants and fear. Justice Madsen suggested outreach education in school about trafficking. Ms. Rita Bender suggested probation officers should receive their own specialized training. Judge Paja suggested Truckers Against Trafficking as a resource.

Members were interested in whether any trafficking bills had been introduced this legislative session. There is Attorney General requested legislation that has been introduced.

Gender Bias Study

Justice McCloud reported that the Gender Bias Workgroup is breaking materials into functional charts, and that members should expect to receive an email asking them to sign up to work on topics of interest. In scoping the study, the Workgroup has broken it down into three categories – (1) Getting into court (Ms. Cynthia Delostrinos is the point person), (2) Inside the courthouse (Ms. Jennifer Ritchie is the point person), and (3) Impacts of judgment and sentencing after leaving the courthouse. Other committee members include Emily Cordo, who is scoping domestic violence, sexual assault, and family law issues. Dr. Dana Raigrodski will scope trafficking, Native American women and tribal jurisdiction issues. Justice Debra Stephens will

scope mental health, broad, civil litigation. Justice McCloud is working on issues related to criminal law. Judge Paja and Justice Madsen were recruited to help with the sections on treatment of female litigants, attorneys, and judges.

In the third category, after leaving the courthouse, some specific issues the committee hopes to address are, (1) gendered impacts of judgment and sentencing, (2) LFOs, (3) mass incarceration, (4) women's healthcare in prison, (5) overcrowding in prison, (6) gender specific impact of imprisonment and parenting.

The question of including LGBTQ issues, and specifically gender identity or transgender issues came up. The Workgroup has discussed this, and asked for the assistance of Mr. David Ward and Ms. Jennifer Ritchie. Andrea Viddilitch was also suggested as a resource.

The Commission also discussed the inclusion of issues specific to women of color. The Workgroup has discussed this, and is not sure if this will be a separate topic or if it will be discussed as an additional issue for impact analysis under each heading.

Commission members should watch their email for a chart of topics to help the Workgroup parse things out. It was suggested that Mr. James Bamberger be a part of the Gender Bias Study. Ms. Vicki Vreeland volunteered for civil litigation. She suggested to check with WSCADV, which maintains statistics as part of its DV fatality review, which could be used as data sets.

Dr. Dana Raigrodski added that the ABA would be a great resource for the civil side. The WSBA also has some great information, in particular information from its survey about diversity and lawyers of color. The WWL has some data that can be used for comparison. Eileen and Judith are great resources as well.

A method for capturing research and notes from interviews needs to be established. A suggestion was made to use DropBox for this purpose.

December 1 – DV Bench guide Presentation, Spokane

Judge Jasprica and Mr. David Ward spoke to 25 judges on the newly released DV bench guide. There was good discussion, walked through updates, addendums, and sections. The event was requested and coordinated by the YWCA in Spokane. Judge Tremaine also attended and added content for the tribal part of it. Members discussed whether this program could be replicated in other communities. Judge Paja suggested a news item could be placed on the GJCOM website about the Spokane program, encouraging other communities to contact the Commission if they were interested in replicating the program.

Additionally, Mr. David Ward and Ms. Grace Huang discussed House Bill 1163, an effort led by Mr. David Martin. The bill names the Gender & Justice Commission to chair two task forces, (1) a DV risk assessment workgroup, and a (2) DV perpetrator treatment work group. No funds are allocated in the bill for this work. The SCJA and DMCJA also have been asked to sit on the risk assessment group. The hearing is Monday at 1:30pm. Mr. David Ward will send out information on the bill and any pertinent legislative updates.

The DV committee needs a new chair. Justice Madsen suggested that Ms. Kelley Amburgey-Richardson could assist with the recruiting process within the Commission.

Committee Reports

Incarcerated Women and Girls Committee – Judge Paja

The committee will be meeting after the Commission meeting. Judge Paja announced NAWJ is going to do another Inside Out at Mission Creek Sept 28-29. NAWJ will reach out to the Commission for speakers. Workshops, speakers, etc will be provided. Judge Paja said the judges that come to speak find it to be a rewarding experience. Justice McCloud is reviewing Juvenile Defense Standards. The Court Access for Incarcerated Parents Convening date will be set soon. The KIOSK program is 2 months old, the kiosks were approved by Department of Corrections and have not been installed yet.

Education - Judge Melnick

Judge Melnick reported that the education committee is very active. He expressed appreciation for the help of Ms. Cynthia Delostrinos. The committee is looking for volunteers.

The Judicial College program is a back to basics for DV, what new judges need to know. A revamp of the program will happen next year. Ms. Emily Cordo sent the video for the Neuroscience of Trauma and Fire Arms for the new judges to view.

Judge Jasprica has been working on the DMCJA session. No formal report on this at this time.

The SCJA initially gave the Commission a 90 minute slot, and now has limited us to 60. Ms. Cynthia Delostrinos will follow up at the next meeting.

Fall Conference proposals are due today, emails went out the education committee, the top three are attached in the packet. Ms. Judith Anderson gave the Commission a small extension, if needed, for their proposals. The Education committee would like to submit all three proposals. The drafts are in the packet. Everyone approved. They will be submitted early next week.

Ms. Leslie Savina suggested that the DV and Children session should address issues related to supervised visitation and protection orders. Mr. Bob Lichtenberg suggested that interpreters in supervised visitation would be a helpful inclusion.

Judge Melnick might have secured Gender & Justice time slots at the Family Law Midyear Conference involving domestic violence. He certainly welcomes participation and input from Commission members about this.

Ms. Trish Kinlow and Ms. Emily Cordo are working on the DMCMA line staff trainings. There will be eight presentations. There is an association meeting Tuesday where they will get dates and locations of trainings. Transgender issues have come up as a potential topic for inclusion. All the details are being worked out.

Judge Melnick indicated that coordination with the other two Commissions about doing a poverty simulation is in the beginning stages. It will be good to work with other Commissions for healthy intersections. It would be a stand-alone program. WSCADV has a version of In Her Shoes that addresses these issues, called the Economic Justice edition. The following people are involved or have volunteered: Ms. Grace Huang, Justice Gonzalez, Justice Stephens, and Mr. Jim Bamberger with OCLA.

Ms. Delostrinos will set up next education committee meeting.

Women's History Month

Mr. David Ward reported that the program focus is around women leaders in business and labor. The national theme is "Honoring Trailblazing Women in Business and Labor." The committee is still looking for more input on potential honorees/speakers. Judge Paja has obtained nominees for the Labor speaker/honorees, and a nominee for the business side. She will reach out for further recommendations. She will also reach out to the Friends chairs of NAWJ and conference contributors to see if they have business women nominees.

The Commission agreed that the Committee could make a final decision about selecting the two women. Staff will circulate biographies of any further nominees to the full Commission in case any members have input to provide ahead of the decision being made by the Committee.

On a separate note, Judge Paja followed up about translation of forms. She found that there wasn't anything prohibiting the Gender and Justice Commission from drafting a resolution in favor of this. The BJA created a resolution about 5 years ago. Historically, BJA resolutions have a shelf life of 5 years, then fade away. If the BJA resolution has expired, the Commission could ask the BJA to renew it and write a letter of support, rather than writing its own. Members expressed support for the translation of forms, particularly those related to DV and SA as this

improves access for victims. Justice McCloud's extern is fluent in Mandarin and offered her assistance.

The meeting adjourned at approximately 12:00pm.