



**Washington State Minority and Justice Commission
(WSMJC)**
Friday, November 30th, 2018
8:45 a.m. – 2:00 p.m.
AOC SeaTac Office
18000 International Blvd., Suite 1106, SeaTac, WA
Teleconference: 1-877-820-7831
Passcode: 358515#



MEETING NOTES

Commission Members Present

Justice Mary I. Yu, Co-chair
Judge Helen Whitener, Co-chair
Judge Veronica Alicea-Galván
Judge Lisa Atkinson (phone)
Professor Lorraine Bannai (phone)
Mr. Jeffrey Beaver
Judge Johanna Bender (phone)
Ms. Ann Benson
Ms. Diana Bob
Professor Robert C. Boruchowitz (emeritus)
(phone)
Ms. Lisa Castilleja (phone)
Judge Linda Coburn
Ms. Grace Cross
Ms. Theresa Cronin (phone)
Assistant Chief Adrian Diaz
Judge Mike Diaz
Judge Lisa Dickinson (phone)
Judge Theresa Doyle
Professor Jason Gillmer
Mr. Anthony Gipe
Judge Bonnie Glenn
Ms. Kitara Johnson
Ms. Anne Lee
Judge LeRoy McCullough
Ms. Karen Murray
Ms. P. Diane Schneider (emeritus)
Judge Lori K. Smith
Mr. Travis Stearns
Justice Debra Stephens
Ms. Katherine Svoboda
Ms. Lisa van der Lugt (phone)

Guests

Ms. Esperanza Barboa – ATJ Liaison
Ms. Carolyn Cole
Ms. Callie Dietz
Representative Drew Hansen
Ms. Angela Jones
Mr. LaVonne Jones
Ms. Elly Krumwiede – Library Liaison
Ms. Kimberly Morrison
Ms. Dory Nicpon
Judge Steve Rosen
Ms. Dawn Marie Rubio
Ms. Tarra Simmons
Ms. Amanda Stephen
Mr. Joshua Treybig
Ms. Jessica Tsao

Student Liaisons Present

Ms. Maddisson Alexander
Ms. Lia Baligod
Ms. Tran Dinh
Ms. Ester Garcia
Mr. John Sather Gowdy
Ms. Briana Ortega

AOC Staff Present

Ms. Mary Lou Boles
Ms. Cynthia Delostrinos
Mr. Curtis Dunn
Ms. Chanel Rhymes
Ms. Andrea Valdez (phone)

CALL TO ORDER

The meeting was called to order at 9:00 a.m.

The meeting notes from the September 28th, 2018 Commission meeting were approved with the following changes to the listed attendees: P. Diane Schneider, Dean Jacob Rooksby, and Anthony Gipe.

CO-CHAIRS REPORT

Recap of Commission Meeting in Spokane – Judge Helen Whitener

Judge Whitener re-capped the last Commission meeting in Spokane. Community members from Spokane presented to the Commission plans for a new Carl Maxey Center, a multicultural center supported by Spokane Community Against Racism (SCAR).

- Mr. Curtis Hampton, attending as a guest, asked why cases are postponed and questioned the impact of postponed cases on community members. A motion was made to have the Commission look into the issue.
- Justice Yu suggested resurrecting a research committee to see if the Washington Court Research team had already done a study on the impact of postponed cases.

ACTION: Motion to approve was made by Judge McCullough and seconded by Ms. Johnson for the Commission to investigate the impact of postponed cases on community members. The motion passed unanimously.

Supreme Court Symposium – Justice Mary Yu

Justice Yu proposed that the annual Supreme Court Symposium address artificial intelligence and how it impacts minority populations.

- It has been proven that artificial intelligence is not always accurate and may misinterpret skin complexion and vocal accents. This creates a high margin of error when analyzing people of color, causing racial disproportionality.
- Darker skin and accents make it harder for artificial intelligence to generate accurate facial and voice detection.

ACTION: Justice Yu requested volunteers to help plan and gather research for the symposium.

PRESENTATIONS & REMARKS

New Hope Act – Ms. Tarra Simmons and Rep. Drew Hansen

Ms. Simmons and Rep. Hansen gave a presentation on a bill entitled the New Hope Act which will:

- Streamline the process for obtaining a certificate of discharge.
- Make it easier for people to vacate certain misdemeanors.
- Make it possible to vacate some of the most commonly charged felonies.

When the bill was introduced, Ms. Simmons discussed the skepticism from some members of the legislature due to the amount of time a person would need before they would be eligible to vacate their charges. In addition, she also highlighted the disproportional racial and poverty impact from this, specifically for women of color and victims of domestic violence.

The bill also highlights the difficulty of paying court fees if a person is unable to vacate their criminal record. Ms. Simmons mentioned that there are numerous people eligible for financial relief, but there are not enough lawyers to assist them.

ACTION: Justice Yu proposed submitting a letter of support from the Minority and Justice Commission. Rep. Hansen said a bill number would be created by Tuesday 12/4/18 and they will reach out to the Minority and Justice Commission once they are ready to receive the letter.

LAW STUDENT LIAISON PRESENTATIONS

Gonzaga Proposal:

Filling the Gap: Getting to Law School as a Minority Student – Ms. Briana Ortega

Purpose: To bridge the gap in educating undergraduate minority students on how to get into law school.

- Offer four to five discussion sessions during the Spring 2019 semester to create relationships between undergraduate students and pre-law advisors, and to educate them about obtaining and funding a law school degree.
- Will focus on Gonzaga students and then reach out to Eastern Washington University and Spokane Falls Community College.
- Will offer coffee and snacks to encourage undergraduate students to attend the sessions.
- Plans on asking lawyers and judges to participate and discuss the various types of jobs within the legal field.

The cost of the project is \$1,490 and most of the money will be spent on providing food during the sessions.

ACTION: Motion to approve was made by Judge McCullough and seconded by Judge Coburn. The motion passed unanimously.

University of Washington Proposal:

Amplifying Stories: Community Perceptions of the Judicial System/Process – Ms. Maddisson Alexander and Ms. Ester Garcia

Purpose: Highlight perceptions that people have about the criminal and civil judicial system.

- Utilize two discussion groups to gather community perceptions of the criminal and civil judicial system.
- Will capture those perceptions to inspire a mural that will permanently be displayed in the community.
- In the process of securing a local artist through Art of Resistance and Resilience.
- Coordinate a showcase event to present the mural and publish the graphic recording in different community newspapers such as the UW Daily, La Raza del Noroeste, Black Lens, Asian Weekly, The Stranger, and Seattle Times.

Mr. Beaver suggested that the student liaisons contact Rick T. Williams who is a local woodcarver and artist.

The cost of the project is \$1,000 which will cover food expenses for the discussion groups, artist compensation and materials for the showcase event.

ACTION: Motion to approve was made by Judge Coburn and seconded by Judge Alicea-Galván. The motion was unanimously approved, with the suggestion of increasing the project cost to \$1,500 in order to increase the artist compensation.

Seattle University Proposal:

Changing the Face of the Judiciary – Ms. Lia Baligod, Ms. Tran Dinh, Ms. Alyssa Garcia, and Ms. Beverly Tsai

Purpose: Educate the community about voting and the judiciary in Washington State by highlighting judges and WSMJC members through published articles in local newspapers and magazines.

Phase 1: Article

- Publish a spotlight feature in various community newspapers about a current judge that contributes to improving diversity in the legal community. Also to discuss community involvements, roles in the judiciary, and the process of becoming a judge.

Phase 2: Reception at Seattle University of Law on 3/14/19

- Anyone interested within the community will be welcome to attend.
- Will co-sponsor with various student groups that support racial diversity.
- Purpose of reception is to introduce judges that are underrepresented in the judicial system, to discuss their roles, and how they became judges.
- Provide networking opportunity for judges, students, and community members.

Judge Coburn stated that most newspapers will not easily accept a non-staff written freelance piece without a strong hook. Justice Yu shares Judge Coburn's concern about the lack of impact of community newspapers. She suggested creating a Twitter or Facebook page to easily share their content with a broader audience.

Judge Alicea-Galván suggested a new medium such as a podcast, to easily grab the attention of a larger community.

Judge Whitener pointed out that numerous commission members did not agree with newspapers being the primary medium for this project. She also stated that the cost associated with newspaper subscriptions may deter people of color from accessing their content.

The cost of this project is \$435.25 which will cover the food expenses for the reception.

Justice Yu suggested that the student group refine their proposal given the feedback from the commission.

ACTION: The Seattle University liaisons will meet and consider the comments and refine their proposal with the hope of providing a presentation to the commission members at the next Commission meeting.

STAFF REPORT

Update on LFO Grant – Ms. Cynthia Delostrinos

- As the Commission may recall, the 2018 Symposium was on the topic of LFOs. The video-recording and the written materials are available on the MJC's website. There is a report with preliminary data on LFOs that was compiled by Joel McAllister and there is also a PowerPoint presentation by Dr. Alexes Harris which includes new data on racial disproportionality.
- As part of the DOJ grant, staff are currently compiling surveys to different stakeholder groups that will enable us to gather information on LFO practices across the state.
- The LFO Calculator is being piloted with ten judges across the state.
- Preliminary data is showing that the LFO Calculator is significantly reducing the amount of LFOs imposed on individuals based on ability to pay.
- Judge Coburn has been conducting a series of workshops with public defenders on how to use the LFO Calculator.
- We have plans to continue to spread awareness and increase usage of the LFO Calculator.

Justice Debra Stephens suggested coordinating with the deans at Judicial College to share information about the LFO Calculator, especially during segments involving criminal sentencing.

Courts Engaging Communities Grant – Ms. Chanel Rhymes

- Ms. Rhymes is currently waiting to hear back from the National Center for State Courts on the Jury Diversity Grant proposal that was submitted in August.
- Ms. Rhymes helped coordinate and host a training on Participatory Defense on November 10-11, 2018. The training was based on a community organizing model to educate participants and their families on how to impact the outcomes of cases and transform the landscape of power in the courtroom during the pretrial stage.

COMMITTEE REPORTS

Jury Diversity Task Force Report – Judge Steve Rosen

The Jury Diversity Task Force is finalizing their report and recommendations for the Commission. Some of the initiatives to improve jury diversity statewide that they were considering include:

- Recommending that courts use a one-step summons process where the summons and jury eligibility questionnaire are combined.
- Sending text/email reminders, increasing juror compensation, and providing childcare support for jurors.
- Providing tax write-offs or some form of employee compensation to easily allow jurors to fulfill their duty without fear of repercussions from missing work.
- Allowing ex-felons in good standing to serve on juries.

Judge Rosen discovered a problem while seeking information from his court. In King and Pierce counties, the juror source lists are reporting higher numbers of participants than the actual number of eligible jurors. For example, 1.9 million jurors are reported in King County but only 1.7 million people are over 17 years old. A similar problem is present in Pierce County. Judge Rosen and Chris Gaddis were going to review why the numbers are inflated. They are working with a professor to review the demographics in Pierce and King Counties.

Justice Yu asked what the timeline was for collecting and reviewing the data. Judge Rosen stated 2-6 months should be enough time if they are given additional support from the AOC. Judge Bender was asked to help co-chair the Task Force moving forward.

ACTION: Chanel Rhymes and Cynthia Delostrinos volunteered to assist with reviewing the juror eligibility data.

ACTION: Justice Yu asked if the Law Library could assist us in researching alternative ways that juror summons could be provided to jurors.

Pre-Trial Reform Task Force – Ms. Andrea Valdez

- The Minority and Justice Commission, Superior Court Judges' Association, and District and Municipal Court Judges' Association came together in July 2017 to convene the Pretrial Reform Task Force. The goal of this Task Force is to examine current pretrial practices in Washington and develop consensus-driven recommendations for jurisdictions to improve their pretrial systems in order to reduce incarceration.
- Three subcommittees and workgroups are addressing the following areas of focus: pretrial services, pretrial risk assessment, and data collection. This effort will conclude in January 2019, with a report and recommendations made available to the public.

Juvenile Justice Committee – Judge LeRoy McCullough

The committee is currently focusing on the following projects:

- Spring 2019 Webinar focusing on the exercise of judicial discretion and sentencing disproportionality.
- Building a curriculum for an accreditation program for judges and court staff that work in juvenile courts.
 - Request to build a work group to help with curriculum content.
 - Planning to offer first educational session at Fall 2019 Judicial Conference.
 - Work with youth partners to develop relevant content and language suitable for juveniles.

Education Committee – Justice Debra Stephens and Judge Lori Kay Smith

- The committee was not successful in getting programs onto the DMCJA and SCJA Spring Conferences. The two that were not selected were Managing Immigrant Families and Legal Financial Obligations because the content strayed from the main theme (mental health) of the Superior Court Judge's Spring Program.

Tribal State Court Consortium – Judge Lori Kay Smith

- The Tribal State Court Consortium is working on a proposal for a project that will address the enforcement of tribal court protection orders. They are looking to hire a part-time staff to support the work of the Consortium and the project.
- They also proposed a regional meeting that could be held at Temple of Justice, inviting one of the nearby tribal courts to co-host with the Supreme Court.

Outreach Committee – Judge Michael Diaz

- Judge Diaz recommended that the Outreach Committee assist with Justice Yu's prior request for a research committee.
- Currently moving forward with PSA which is in the production stages.
- Attended the Tri-Cities Youth and Justice Forum and highlighted a youth led presentation called *Jenny Did What*, a skit and discussion forum that revolved around cyber bullying.

Judge Whitener requested that the Outreach Committee come up with ways to document their efforts. Facebook, event updates, and including law library information on their website was suggested.

Workforce Diversity Committee – Judge Bonnie Glenn

The committee is putting together a proposal for the Commission to host a future National Consortium on Race and Ethnic Fairness in the Courts Conference.

They will also create materials and begin planning for the following projects:

- Gavel Gap Reception
- Prison Privatization
- Judges of Color Directory

The meeting was adjourned at 2:00 p.m.

NEXT COMMISSION MEETING:		
Friday, February 8th, 2019	9:00 a.m. – 2:00 p.m.	University of Washington (Tacoma Campus)