

CALL TO ORDER

Welcome and Introductions

The meeting was called to order at 9:00 a.m. Justice Yu reminded attendees that the Commission meetings are public, and that the meeting is being recorded by TVW.

Members, guests, and staff gave introductions.

Commission Renewal Order

The Minority & Justice Commission was renewed through 2025.

Approval of Minutes

The November 14 meeting minutes were approved as presented.

Personnel and Membership Update

- Special Recognition of Justice G. Helen Whitener - In December, Justice Whitener notified the Commission that she would be stepping down as Co-Chair and focusing her time on the Supreme Court. We decided to thank Justice Whitener for her commitment and willingness to serve us with a framed commemorative MJC poster that will be presented to her at a later time due to COVID.
- Justice Yu has invited Judge Galvan to step into the position of MJC Co-Chair, a position traditionally held by a trial court judge. A vote will take place via email.
- Welcome DMCJA Representative Judge Karl Williams as the newest Commission member.
- Frank implored Commission members to continue to build community relationships with those who are interested in the work of the Commission.
- As of January 15th, MJC has 33 of the 35 Commission seats filled, if we still include Judge Diaz and Chief Diaz in the member count. There is a group members up for reappointment in 2021. Currently, MJC does not have any Tribal Court representation, and is in need of SCJA representation outside of King County.

ACTION: Send nominations for Commission members to Frank Thomas and Justice Yu.

CHAIR & STAFF REPORT

Racial Justice Consortium: A Judicial Branch Commitment to Race Equity in the Courts – Cynthia Delostrinos and Justice Mary Yu

On June 4th, 2020 the Washington Supreme Court released a letter calling for the judicial and legal community to work together on racial justice. A group is now being organized to bring together the judicial branch so that concrete steps can be taken to address racial justice seriously through collaborative and collective work. The goal of the group is to look inward and reform institutions, transform structures, and try to understand systemically how racial structures have been perpetuated.

The Commission would serve to assist and organize the Consortium. A dedicated staff person is needed to facilitate the group. The one year long position would work with Cynthia and the Commission to guide the group to meet their objectives. Work is currently being done to collect resources to fund the full time position. Grant funding is also being sought, and judicial branch entities are being asked to match the grant amount. There are no specified commitment levels, but there is a goal of 100% participation.

A copy of the initiative proposal is included on page 19 of the meeting packet.

ACTION: If your organization has concerns over making a commitment to the consortium, let Cynthia and Justice Yu know so that a dialogue can be opened.

MJC Research Project Updates

➤ LFO Work Updates – Cynthia Delostrinos

There are currently three LFO projects in various stages of completion:

- Earlier this week, we were able to present the Pierce County LFO Reconsideration Day Report findings to Pierce County and Representative Simmons. Representative Simmons will be sponsoring an omnibus LFO reform bill this session. The findings might possibly be presented before the legislature.
- The LFO Calculator is still up and running. AOC has been supporting the LFO Calculator up until this point. Funding to maintain the calculator is included in AOC's legislative budget this session.
- The final report from the LFO Consortium is being completed. Two law students are helping Cynthia finalize the report. Living with Conviction will be consulted to include firsthand stories of how LFOs are impacting everyday people. We will work with them to review the report and provide recommendations.

➤ Ongoing MJC Research Projects

There are two ongoing research projects that stemmed from the Symposium Steering Committee:

- Understanding racial disproportionality in bail – release vs. remand. MJC is partnering with WSCCR to retrieve county information.
- Plea bargaining pilot project – The goal is to codify the plea bargaining process. We are seeking partners at the prosecutor level to gather data from 10 counties.
 - Chad Enright expressed interest.

The data needed to conduct the studies was not initially collected. There is a long-term goal to improve the quality of data captured in relation to racially disparate outcomes. Often data is only as good as police capturing, so part of capturing better data is informing law enforcement on how they can collect better data.

Chief Diaz gave an update on what Seattle is doing to collect better data. A report from the Center for Policing Equity, which places Seattle as one of the top 3 precincts for data collection, will be coming out in about a month on their partnership with Seattle. Often, police data programs are “off the shelf” and only include 5 classifications for race.

ACTION: Contact Frank Thomas if you know of jurisdictions interested in partnering on the plea bargaining pilot project.

COMMISSION LIAISONS & COMMITTEE REPORTS

Education Committee – Judge Lori K. Smith

- January 8th Webinar, “*End of the Eviction Moratorium: Issues Facing the Judiciary and Use of Discretion*”
 - The Committee hosted its first live webinar for mainly Superior Court Judges. The recording is available on the MJC website.
- **Judicial College 2021**
 - **Emerging Through Bias** – Judge Veronica Alicea-Galvan
Judge Galvan will be presenting at Judicial College and will be revamping the presentation. She is hoping to take the presentation beyond the introductory to a more intermediate level. The state cannot have beginners on the bench, as bias is no longer a ‘nice to know’ issue. We have to have higher expectations for those who serve us.

- **DMCJA 2021 Spring Conference**
 - Proposed: “Legal Status” of LFO Collections, and Legal Debt as a Historical Means of Oppression
- **SCJA 2021 Spring Conference**
 - 2020 Rollover: Immigrant Families Tool Kit
 - Still being planned for April Session. Re-tooling it for completely online format.
 - 2020 Rollover: Juvenile Justice Session

Rules & Legislation Committee – Judge Theresa Doyle (ret.) and Justice Mary Yu

- The Commission is expecting an LFO Reform Bill to drop this session, sponsored by Representative Tarra Simmons.
- We were approached by Senator Pedersen to provide feedback on a Uniform Pretrial Release and Detention bill. The Committee provided feedback through a letter and expressed some concerns with the bill. The letter was provided in the meeting packet.
- The Commission also shared a letter with the BJA sharing the purpose of MJC’s new Rules and Legislation Committee, encouraging the BJA to look at proposed legislation through a race and equity lens.

Jury Diversity Task Force – Cynthia Delostrinos

- There is an update on the Jury Diversity & Community Engagement Pilot Project on pg. 29 of the meeting packet.
- MJC is still actively engaged in jury diversity efforts. We are working with King County Superior Court, Pierce County Superior Court, and Snohomish County Superior Court on a survey to look at the demographics of jurors from the beginning to the end of this fiscal year. We want to see what impact COVID has had, specifically what the demographic makeup of online versus in-person juries is.

Jury Instruction Video – Leah Taguba

- Due to COVID, the filming team has encountered many challenges, and progress is moving slowly. Animation was proposed as an alternative, but it was decided that this would not reflect the goals of the video.

MJC Liaisons

- **Gender Justice Study** – Judge Bonnie Glenn
 - Materials are included on pg. 42 of the meeting packet.
- **Sentencing Task Force** – Judge Veronica Alicea Galvan
 - The full 60 page report is included in the meeting materials. Work on this task force was done by consensus of a large group of diverse stakeholders. The task force resulted in 47 recommendations where consensus was reached. Many likely will pass as legislation due to bipartisan support.
 - Some issues of concern to the Commission did not reach consensus from the Task Force. One of these issues was retroactivity of sentencing enhancement changes.
- **Access to Justice Board** – Esperanza Borboa
 - The Access to Justice Board has identified 8 priorities for 2021 to address racial equity.
 - The ATJ Conference will be held from August 11-13, 2021.
 - The ATJ Board is participating in JustLead Racial Justice Initiative. Consider having your organization sign on.
- **Office of Equity Task Force** – Kitara Johnson

- The Office of Equity was developed to lead the State's DEI activities and serve as a resource.
 - The final Task Force meeting was in July. A summary of the recommendations can be found online.
 - The Director of the Office of Equity position is waiting to be filled.
- **SCJA Self-Represented Litigants Workgroup** – Theresa Cronin and Josh Treybig
- Materials are on pg. 50 of the meeting packet.
- **Race and Criminal Justice System Task Force 2.0** – Lorraine Bannai
- The Task Force is comprised of a diverse group of stakeholders who have come together to examine the issues of race in the criminal justice system.
 - A number of committees have been formed with the goal of doing research identifying issues, collecting data, and identifying solutions and areas of potential disproportionality.
 - The final report is due in July, with a presentation before the Supreme Court to follow in October.
 - Various Committees have been meeting and working regularly. More information on their progress will be forthcoming.

ACTION: Contact Lorraine Bannai to be involved with the Race and Criminal Justice System Task Force 2.0.

- **Bar Licensure Task Force** – Frank Thomas
- The newly formed Task Force is co-chaired by Justice Raquel Montoya Lewis and Dean Rooksby of Gonzaga Law.
 - The group has not yet convened, and is still in the early stages of getting members named.
 - The goal of the task force is to examine the bar exam and its intention, impact and practice to see if it is the best way to continue to license attorneys in Washington.

ACTION: Contact Frank Thomas with questions or interest in the Bar Licensure Task Force.

ANNOUNCEMENTS

Upcoming Events

- The diversity section of the Spokane Bar is hosting an event next Wednesday with the Chief Diversity Officer from Gonzaga. Contact Briana Ortega if interested in attending.

Upcoming Meetings

- The next MJC meeting will take place on Friday, March 19th at 9:00 AM via Zoom.

The meeting was adjourned at approximately 12:00 PM.