



**MINORITY AND JUSTICE
COMMISSION**
ZOOM VIDEOCONFERENCE
FRIDAY, JULY 30, 2021
9:00 A.M. – 12:30 P.M.
JUSTICE MARY YU, CO-CHAIR
JUDGE VERONICA ALICEA-GALVÁN, CO-CHAIR



MEETING NOTES

Commission Members

Justice Mary Yu, Co-Chair
Judge Veronica Alicea-Galván, Co-Chair
Jeffrey Beaver (emeritus)
Annie Benson
Professor Bob Boruchowitz (emeritus)
Lisa Castilleja
Judge Faye Chess
Professor Mark A. Chinen
Judge Linda Coburn
Theresa Cronin
Grace Cross
Chief Adrian Diaz
Judge Bonnie Glenn
Kitara Johnson
LaTricia Kinlow
Judge LeRoy McCullough
Karen Murray
Brianna Ortega
P. Diane Schneider
Judge Ketu Shah
Judge Lori K. Smith
Leah Taguba
Joshua Treybig
Judge Dennis Yule

Staff

Moriah Freed
Patty Lally
Frank Thomas

Liaisons

Laura Edmonston, *Embedded Law Librarian*
Denise Chen, *Seattle University Law*
Maggie Esquivel Torres, *Gonzaga Law*
Jenny Wu, *Seattle University Law*

Guests

Judge Sara Dannen
Lori Bannai
Kelley Amburgey-Richardson
Justice Sheryl Gordon McCloud
Timea Soos
Callan Oki
Sierra Rotakhina
Dr. Dana Raigrodski
Andrea Vallejos Velasquez
Cait Nold
Cole Story
Deborah Espinosa
Maddi Story
Priya
Quinci
Kema Jones
Jommel Pastores
JR Manaois
Kai
Mari Shibuya
Willie McIntyre
Jamie Hawk

CALL TO ORDER

The meeting was called to order at 9:00 AM.

Welcome and Introductions

- Justice Yu and Judge Galván welcomed everyone to the meeting.

Approval of May 14 Meeting Minutes

- The minutes were approved as presented.

Welcome Newest Commission Member Professor Mark A. Chinen and Acknowledge Service of Professor Loraine Bannai

- Justice Yu recognized Professor Bannai for her work on the Commission in establishing the law student liaison program and ongoing work on racial equality.
- Professor Bannai introduced Professor Chinen and his work at Seattle University, including his commitment to issues of diversity and inclusion at the law school.

GUEST PRESENTATIONS

Gender Justice Study Report – Justice Sheryl Gordon McCloud and Dr. Dana Raigrodski

- Justice Gordon McCloud gave a brief overview of the last 3 years of the Gender Justice Study. The final report is nearly 1000 pages.
- 5 overall goals were identified in the study and can be found on page 12 of the meeting packet. They include improving data collection, increasing access to courts, addressing the increase in convictions and detentions, reducing reliance on revenue from court users, and determining what evidence-based curricula work for judicial and legal education on gender and race bias
- Part of the research was done through 5 pilot projects. One such pilot project highlighted jury selection, using formerly collected Minority and Justice Commission data.
- Many of the recommendations call for stakeholders to convene or review access to justice areas. One such area calls for the Minority and Justice Commission to convene a workgroup.
 - Justice Yu called for the Minority and Justice Commission to support moving forward to cover follow-up with the report and the formation of a Committee. Judge Glenn will lead this area as a liaison.
- Justice Gordon McCloud thanked Judge Coburn, Judge McCullough, Justice Montoya Lewis, and Karen Murray for serving on the Gender Justice Study Advisory Committee, Judge Glenn for serving as a liaison, Cynthia Delostrinos and Frank Thomas for their guidance, Judge Smith and Annie Benson for their feedback, Justice Yu for her honesty, and various other members for their work on the study.
- Judge Galván emphasized the importance of having data to reflect BIPOC voices in making policy changes.
- There were a number of areas of recognized need that got omitted during the brainstorming stage and did not get included in the final report. Hopefully they will be covered in the future.
- The Race and Criminal Justice Task Force will be completing its report in September, and there will likely be overlap with the Gender Justice Study, especially in the need for data collection.

ACTION: The Minority and Justice Commission was named in the Gender Justice Study to convene a workgroup. As liaison to the study, Judge Glenn will lead these efforts.

Community Reparations Initiatives Research - Seattle University School of Law Calhoun Fellows

- Professor Bob Boruchowitz, Maddi Story, Cole Story, Cait Nold, Timea Soos, Andrea Vallejos Velazquez, and Callan Oki presented on the group proposal to center the priorities of well-established community voices in development of 2022 Symposium on Reparations.

- A planning document, including compiled research, is included on page 16 of the meeting packet. The Movement for Black Lives put out a reparations tool kit that the fellows are using in their definition.
- The Fellows touched on the following ideas in their presentation:
 - Decriminalization and divestment.
 - Importance of centering impacted voices.
 - Link between slavery and mass incarceration - restoration of rights for incarcerated persons and formerly incarcerated persons.
 - Commissioner Joel Caston - DC
- The Minority and Justice Commission was encouraged to expand and continue the reparations research by Commission members. Most research included in the presentation was centered around King County. Eastern Washington impact and restoration of parental rights should be explored.
- Justice Yu is meeting with the fellows next week to discuss the Symposium. The Commission will be seeking volunteers to help plan the Symposium.

ACTION: Contact Frank Thomas if you are interested in assisting with planning for the 2022 Supreme Court Symposium.

CHAIR & STAFF REPORTS

Racial Justice Consortium – Patty Lally

- Patty Lally shared the Racial Justice Consortium road map that outlines the work of the Consortium through spring of 2022. The group is currently focusing on the idea of belonging.
- By winter 2021, work on an action plan for every level of court will begin.

2021 Symposium Debrief: *Behind Bars* – Justice Yu and Frank Thomas

- Justice Yu recognized Frank Thomas for his role in planning a successful Symposium. It was acknowledged that having Angela Davis present at the Symposium was amazing and that her goals can align with the state, when at one time they would have seemed too radical.
- Frank Thomas directed members of the Commission to share the Symposium web page with their friends and colleagues. Documents and videos from the event are available on the Commission’s website.
- Commission members commended how engaging the Symposium was. In the midst of many Zoom calls and conferences, this one was particularly engaging. It was very well organized and seamless, and highlighted the importance of setting the stage for an academic leader to speak to the Washington judiciary.
- The Symposium also emphasized the importance of how incorporating lived experience with quantitative data creates a whole picture – creates empathy and a holistic approach.
- Cheryl Lidel, one of the lived-experience presenters, was recently resentenced and released since speaking at the event.

MJC and DMCMA “Silence=Acceptance” Race Equity Training – LaTricia Kinlow

- The training was created by King County District Court and encourages people to think about the whole court experience, not just what happens in the court room. How experiences at the counter, over the phone, etc. impact individuals.
- It highlights lasting effects of racist laws in Washington, like redlining.
- Hundreds of people from across the state attended the multiple sessions.

Convening LFO Work Group – Frank Thomas

- The LFO Convening will be held on the morning of Wednesday, October 6th and chaired by Judge David Keenan and Kelley Olsen of Civil Survival.
- Voices of people directly impacted by LFOs are encouraged to attend.

MJC FY22 Research Initiatives and Invitation for Proposals – Frank Thomas

- The Minority and Justice Commission will undertake a plea bargain research project, and finalize and publish the research into bail decision racial disproportionality in this fiscal year. Frank Thomas has been asked to join the interview panel for the newly formed Equity Researcher position at WSCCR, who will work closely with the Commissions to advance equity-based quantitative research. Additionally, we have unallocated discretionary funds with which we can invite members to propose research projects or other productive initiatives.

ACTION: A general invitation was extended to the Commission to submit research proposals. Email Frank Thomas if you have any ideas.

PRESENTATION BY FRANKLIN HIGH SCHOOL ART COLLECTIVE

Presentation of 2021 MJC Artwork – Art of Resistance and Resilience (ARR)

- JR Manaois introduced the Franklin High School art collective, ARR. The MJC Commissioned ARR to paint a piece of art for the annual poster. The students joined the meeting to present their artwork and answer questions from the Commission.
- *What does Justice feel like to you?*
 - Fair – justice is like freedom.
 - Reparations, providing the community with what they need and want
 - Desire to resolve what happened, whether big or small
 - Fairness, being seen. How you treat one another.
- *What were some of the intentions behind this mural?*
 - Taking an amazing opportunity and being bold with it. Wanting to be seen. Lately feeling discontent with a lot of issues. Showing what and how we're feeling.
 - Want someone to see what you see.
 - Youth vision
- *What does it not represent?*
 - This mural represents now. Not the distant future.
 - Does not represent blatant vandalism – not our goal.
 - We're not here to destroy, we want justice, making ourselves seen and heard.
- *If there was anything you could add to the mural, what would it be?*
 - The people tearing down the statue – personalize them more like youth.
 - More details, especially in the fire.
- *If you could place this mural anywhere other than the court system, where would that be and why?*
 - In my own home – proud of the mural
 - Somewhere to educate people on these issues and inspire others to help with the change. Somewhere to encourage others to join the movement.
 - Where it can be handled. Where the message of the mural can be appreciated.
- Kai read the description of the mural that the students drafted:
 - "The statue of Lady Justice looms over the turmoil of her surroundings, racism, injustice, and death reigning supreme. She is not blind to this; she cannot see through the cloth of the American flag. What she cannot see through the flag, are the fire and flames of the forests, and the projections of our strife and our fight. We came

here to remove her blindfold, and make her finally bear witness to the human and environmental injustice."

- The students asked Mari and Kema, the group facilitators, *What does this project mean to you?*
 - Young people inheriting our future. What is our responsibility as adults in this time to listen and truly learn, internalize what our young people are asking us to hear?
 - Proud. Celebrate power of voice and creativity.
- Justice Yu thanked the students and their willingness to share their mural. The Court cherish the art. Commission members shared their excitement about the mural and their gratitude towards the students for creating an inspirational and provocative piece.

COMMISSION LIAISON & COMMITTEE REPORTS

Education Committee – Judge Lori K. Smith

- *LFO Reconsideration Days: The Big Waive* – LaTricia Kinlow
 - Attendees heard from Representative Simmons on the impact of LFOs. Each attendee received a copy of "A Pound of Flesh."
- The education committee is working on programs for the 2022 spring conferences. One idea being explored covers decision making and bias at the appellate level.

ACTION: Reach out to Frank Thomas if you have education ideas regarding timely issues and standalone CLE events.

Fall Conference Colloquium Planning Group (2022)

- Colloquium Judicial education series on facially neutral laws with racialized impact; racial disproportionality as evidence of racism and systemic racism.
- Planning group that broke off from our Racial Judicial Discussion group to pursue holistic educational programming looking critically at the role of systemic racism in our state's legal system. Group is ready to submit 2022 SCJA Spring Conference Plan, which is centerpiece of the multi-conference program. Judge Johanna Bender and Judge Maureen McKee are heading that working group. The finalized proposal is ready to be submitted next week.

Outreach Committee – Lisa Castilleja and Judge Bonnie Glenn

- Seattle Youth & Law Forum
 - Judge McCullough is requesting \$1500 for the event.
- Tri-Cities Youth & Law Forum
 - One large group is not possible, so three smaller gatherings will be facilitated. It will be conducted as a hybrid event.
 - \$3000 is being requested to host the program this year due to event being held in three different locations. The event was not held last year, and it is important to hold programming each year in Eastern Washington.
- Spokane Youth & Law Forum is awaiting news from Spokane Schools on new regulations and feedback on feelings of Zoom fatigue.
- Justice Yu recommended allocating \$1500 to each of the three Youth and Law forums. If more funds can be allocated at a later date, it will be discussed with Frank Thomas.
 - The motion to approve allocation of \$1500 to each of the three Youth & Law Forums was unanimously approved.
- Moriah Freed will be working with the Outreach Committee moving forward. A survey was sent out to the Outreach Committee listserv to set a recurring meeting date. A reminder will be sent to the listserv – please respond.

Juvenile Justice Committee – Frank Thomas

- The Committee did not meet in July.
- Moving into FY22, the Juvenile Justice Committee's priorities for FY22 include: juvenile records privacy reforms; juvenile decline research and policy analysis; analysis of COVID-19 protocols on juvenile detention racial disparities.

Tribal State Court Consortium – Judge Lori K. Smith

- The TSCC is planning an in-person meeting at Fall Conference. The TSCC is requesting an allocation of funds from MJC to cover costs from the meeting that cannot be covered by grant funds. The group is still awaiting a quote on food before requesting an allotment formally. It is estimated that between 20-30 people will attend in-person.

MJC Liaisons

- **Access to Justice Board**
 - The 2021 ATJ Conference, *Crisis and Reckoning: A Call to Dismantle Unjust Systems*, will take place August 11-13. It is free to attend unless seeking CLE credits.
- **Bar Licensure Task Force**
 - Frank Thomas is representing the Minority and Justice Commission on the Task Force. He will be joining the *equity outcomes* and *evaluating alternatives to the bar exam* work groups.

Race and Criminal Justice Task Force 2.0

- The Task Force has been working since last summer on research projects. They are now moving towards considering research and developing recommendations.
- Tremendous overlap between this Task Force's scope and the Gender Justice Study and Racial Justice Consortium.
- The Task Force is scheduled to present findings to the Washington Supreme Court on September 29th from 9-12.

ADJOURNMENT

The meeting was adjourned at 12:21 PM.