



Washington State Minority and Justice Commission (WSMJC)
Friday, August 9, 2013, (8:45 a.m. – 12:00 p.m.)
University of Washington School of Law,
Seattle, Washington



MEETING NOTES

Commission Members Present

Justice Charles W. Johnson, Co-Chair
Judge Mary I. Yu, Co-Chair
Judge Veronica Alicea-Galvan
Jeffrey A. Beaver (via phone)
Robert C. Boruchowitz
Judge Vickie I. Churchill (via phone)
Jennifer Davis-Sheffield (via phone)
Callie Dietz
Judge Deborah D. Fleck
Bonnie J. Glenn
Russell D. Hauge
Uriel Iñiguez
Yemi F. Jackson
Carla C. Lee
Judge Leroy McCullough
Commissioner Joyce J. McCown (via phone)
Rosa Melendez
Karen W. Murray
P. Diane Schneider
Travis Stearns
Justice Debra Stephens
Judge Gregory D. Sypolt

Members Not Present

Ann E. Benson
Sandra E. Madrid
Judge Mariane C. Spearman
Jeffrey C. Sullivan
Judge Vicki J. Toyohara
Judge Dennis D. Yule

AOC Staff Present

Kathy Bradley
Jennifer Creighton
Cynthia Delostrinos
Pam Dittman

Other Guests

Jessica Erickson
Nora Gay
David Keenan
Isabel F. Peres
Sondra Richani
Lyna Sarapai
Michele Storms
Hayley Umayam

The meeting was called to order at approximately 8:45 a.m. The meeting notes from the June 14, 2013, Minority and Justice Commission meeting were approved.

CHAIR REPORTS

Justice Johnson

- **Juvenile Detention Alternatives Initiative (JDAI)** – Justice Johnson has been actively involved in efforts to expand JDAI in Washington’s juvenile courts. JDAI has provided a template to eliminate the inappropriate or unnecessary use of secure detention of juveniles. Justice Johnson, along with Commissioner Hauge, recently attended a conference in Princeton, NJ, on the topic. To learn more about the Juvenile Detention Alternatives Initiative in Washington State, visit: <http://dshs.wa.gov/ojj/JDAI.shtml>.
- **Action Needed by Commission Sub-Committees** – In order to appropriate the limited funds the Commission has in its budget, the Co-Chairs are asking for your help in

identifying the ongoing or prospective projects being undertaken by each of the sub-committees for this fiscal year 2013-2014. Cynthia Delostrinos will be following up with each sub-committee chair in the near future to have these discussions.

Judge Yu

- **Regional Reentry Conference** – Judge Yu was the keynote speaker at the 2013 Regional Reentry Conference which was held July 30-31, at the University of Puget Sound. More than 200 attendees shared their expertise, networked with other community agencies, and learned about best practices around reentry. Judge Yu presented the question on how the Commission can become involved in efforts to address barriers to reentry—such as facilitating a conversation on ways that courts and prosecutors can work together to allow individuals who are incarcerated to take care of any outstanding warrants before they reenter society from incarceration.

The *King County Prosecutor's Office* is currently undertaking an initiative around reentry by exploring ways that they can eliminate systemic barriers to reentry. The office has set up an Advisory Committee around this issue and anyone can join. Contact Carla Lee (Carla.lee@kingcounty.gov) if you are interested in joining the Advisory Committee.

- **September 27, Joint Commission Meeting with the Sentencing Guidelines Commission** – Mark your calendars for the next upcoming Commission meeting which will be held jointly with the Sentencing Guidelines Commission on September 27, at Seattle City Hall, Bertha Landes Room. Councilmember Sally Clark is hosting. The meeting will be made open to the public. Dr. Katherine Beckett of the University of Washington will be presenting her work in conjunction with the King County Prosecutor's Office on the impact of drug conviction history on sentences. Judge Nancy Gertner will also be presenting (via Skype), along with Dan Satterburg, King County Prosecuting Attorney. We will also be discussing racial impact statements, so if you have not done so already, please take a moment to read the documents provided in the meeting packet, re: racial impact statements. You can find them here: http://www.courts.wa.gov/programs_orgs/pos_mjc/pdf/20130809MJCMeetingMaterials.pdf. A reminder for the meeting will be sent out.
- **New Commission Appointments—Law School Representatives** – The co-chairs are pleased to announce that three additional Commission members will be appointed, who will represent Washington's three law schools. They will be joining us at our future meetings.
 - **UW:** Bill Covington
 - **SU:** Lori Bannai
 - **Gonzaga:** Jason Gillmer
- **State v. Saintcalle** – The Washington Supreme Court's recent decision in State v. Saintcalle caught headlines for its diversity of opinions and topic of racial discrimination in the use of peremptory challenges in jury selection. The Commission is in a unique position to facilitate a conversation on this topic. Judge Yu raised the question of what sort of role should the Commission play in facilitating an educational seminar or CLE on this topic?

PRESENTATION

- **Website** – Rosa Melendez gave a presentation on the current status of the website. A link to a mock of the website will be sent in early September to each commission member soliciting their feedback. One new idea for the website will be to ask artists to submit artwork to the Commission and include an order form for ordering posters.

If you have not already sent your short bio and picture to Judge Yule, please do so as soon as possible. The AOC staff is looking into ways on getting the website up and running even though it may still be a work in progress. Keep your eyes open for an email from this Committee in the near future.

COMMITTEE REPORTS

- **Racial Impact Statements** – Carla Lee, Bonnie Glenn, and Travis Stearns followed-up on the progress of the racial impact statements. At their last meeting with the Sentencing Guidelines Commission (SGC), they looked at different ways of making proposals to identified agencies that collect data necessary to create racial impact statements. The next SGC meeting will be hosted by Dan Satterberg on August 13, at 2 p.m. at the King County Prosecutor's Office.

WDA intern Jessica Erickson has been working with Travis Stearns and Carla Lee in putting together a position paper showing the effects of racial impact statements on states that have passed legislation. There are a lot of resources outside of this state that shed light on this issue, showing a growing trend towards the use of racial impact statements. The federal Justice Integrity Act of 2008, which calls on 10 U.S. districts to collect race and ethnic data in order to develop and implement plans to address racial disparities, is being used as a model for Ms. Erickson to draft a similar piece of legislation for Washington. Both projects are still in the drafting stage and are not ready to be distributed.

(See earlier section on September 27, joint meeting with the Sentencing Guidelines Commission)

- **Collaborations Committee**
 - **Organizations and Associations Collaborations** – Jennifer Davis-Sheffield has been in contact with the Commission on Asian Pacific American Affairs (CAPAA), Washington State Institute of Public Policy (WSIPP), Access to Justice Board, and the Office of Civil Legal Aid. All were excited about possible collaborations with the Commission in the future. Jennifer is planning to work on putting together a memo identifying the areas of potential collaborations with these organizations.
 - **Law Enforcement Collaborations** – Jeffrey Beaver and Russ Hauge have been making progress and have been working very hard on bringing law enforcement to the table to discuss the issue of racial disproportionality. They have a meeting scheduled on October 29, with Ed Holmes, Mercer Island Chief of Police, and Mitch Barker, Executive Director of the Washington Association of

Sheriffs and Police Chiefs, and Travis Stearns of the Washington Defenders Association. Rosa Melendez expressed interest in joining the efforts of this Committee as a former law enforcement official.

- **Juvenile Justice Committee**

- **DMC Project** – The Commission contracted with Tim Jaasko-Fisher on a project aimed at helping counties facilitate conversations around their Juvenile DMC data and ways that their counties can address the disproportionality. Tim visited Kitsap County and Snohomish County as part of a “test run” on the project. He put together a report on the experience. The Juvenile Justice Committee is in the process of scheduling a meeting to debrief the visits, Tim’s report, and decide on next steps for the project.
- **Prosecutorial Discretion CLE** – The Prosecutorial Discretion CLE held at Seattle University School of Law on July 9, was a success! Many were in attendance. The Commission sponsored two national speakers for the CLE.

Next steps involve developing a clear focus for continued conversations on how to keep kids out of the system. The Committee would like to start discussions with prosecutors on figuring out ways to collaborate in the future. Many counties have already begun making efforts to bridge the gaps between law enforcement, prosecutors, and youth. For example, Judge Sypolt mentioned that the new police chief in Spokane has started an informal basketball league with the youth in his community which is receiving a lot of publicity for its success in fostering positive contacts. Carla Lee mentioned that in Seattle the Chief of Police agreed to work with YouthCare and YouthBuild, and that Kim Ambrose at the University of Washington School of Law has a program that brings together youth and law enforcement to work together on ways to deescalate contacts.

We must continue to be leaders in this arena by continuing to put pressure on and hold people accountable. Callie Dietz will keep the Commission informed on whether there will be a Models for Change Conference in Washington in the near future.

- **Report to the Supreme Court** – The Committee has put this project on hold indefinitely. However, the Committee is going to work on putting together a report for the Supreme Court on what has been accomplished so far.
- **Youth and Justice Forum** – The 11th Annual Youth and Justice Forum will take place on November 1, in Pasco, Washington. Registration for the students starts at 8 a.m. and the program ends at 2 p.m. All Commission members are encouraged to come as there are plenty of opportunities at the Forum where Commission members can get involved.

The three goals for the forum are: 1) to expose middle and high school students from communities underrepresented in the legal professions, to employment opportunities in the judicial system, 2) to enhance students’ legal education, and 3) to build trust between students and those in the justice system.

A planning committee was created at the meeting to plan a community forum on behalf of the Commission, separate from the Youth and Justice Forum. Commissioner Uriel Iniguez has agreed to be the chair of the planning committee. The committee will report back to the Commission about a proposed plan for the community forum. If you would like to join the committee in planning the community forum, please contact Cynthia at (Cynthia.delostrinos@courts.wa.gov).

There is a call-out for sponsorship of the event. Please contact Cynthia (Cynthia.delostrinos@courts.wa.gov) if your organization/company/firm is willing to sponsor the event or contribute materials for give aways. Any sort of help is appreciated!

The Commission approved \$2,000 to provide transportation for students traveling to the Forum by bus due to the school districts' lack of ability to provide funds.

Judge Yu asked that Commission members make a solid commitment on whether or not they will attend the Forum, and who would be willing to save costs by carpooling in a van.

- **Civil Legal Aid Study** – Jim Bamberger approached the Commission about a new updated Washington State Civil Legal Needs Study. The last Civil Legal Needs Study was done back in 2003. The proposed new study is currently still in its beginning planning stages and the RFP calling for researchers goes out in October. David Keenan was appointed as the liaison to the Commission for the study, and is currently sitting on the research methodology workgroup for the study. David asked for the Commission's input on types of concerns the Commission has for the study so that he can raise them at future meetings. At the meeting, commission members raised concerns about whether there will be efforts to reach out to the communities we care about, such as individuals with potential language barriers and other unreachable populations.

MISCELLANEOUS BUSINESS

- **Governor's Office** – The Governor's Office is developing its goals for the next 2-3 years. To date, nothing has been seen in regards to issues involving racial disparity or addressing disproportionality. Commission members should think about how we can start a conversation with the Governor about some issues we feel should be a part of his agenda.

NEXT COMMISSION MEETING

The next meeting is a joint meeting with the Sentencing Guidelines Commission and is scheduled for Friday, September 27, 2013, at Seattle City Hall, Bertha Landes Room.