



**Washington State Minority and  
Justice Commission (WSMJC)**  
Friday, November 14, 2014  
8:45 a.m. – 12:00 p.m.  
Tukwila Community Center, Tukwila, WA



**MEETING NOTES**

**Commission Members Present**

Justice Mary Yu, Co-Chair  
Justice Charles Johnson, Co-Chair  
Judge Veronica Alicea-Galvan  
Judge Lisa Atkinson  
Prof. Lori Bannai  
Jeffrey Beaver  
Prof. Robert Boruchowitz  
Prof. William Covington  
Judge Theresa Doyle  
Bonnie Glenn  
Russell Hauge  
Uriel Iñiguez  
Carla Lee  
Judge LeRoy McCullough  
P. Diane Schneider  
Judge Lori Smith  
Travis Stearns  
Justice Debra Stephens  
Judge Vicki Toyohara

**Members Not Present**

Ann Benson  
Marie Eggart  
Judge Deborah Fleck  
Prof. Jason Gillmer  
Yemi Jackson  
Commissioner Joyce McCown  
Karen Murray  
Judge Mariane Spearman  
Judge Gregory Sypolt  
Judge Dennis Yule, Ret.

**AOC Staff Present**

Cynthia Delostrinos

**APPROVAL OF MINUTES**

The meeting minutes from the July 18, 2014, meeting were approved.

**CO-CHAIRS REPORT**

**MEMBERSHIP**

**New Commission Members – Judge Lisa Dickinson and Sgt. Adrian Diaz**

Lisa Dickinson was chosen to be the next representative from the Minority Bar Associations (MBAs). The Commission has set up a two-year rotation for representation from the MBAs, Jennifer Sheffield was the prior MBA representative. Judge Dickinson is the incoming president for the Asian Bar Association of Washington and is also a board member for the Washington State Commission on Asian Pacific American Affairs. She is a Pro Tem Administrative Law and Tribal Court judge, and currently has her own private law practice in Spokane.

The Commission has been looking to strengthen the presence of law enforcement representation on the Commission, and has identified Sgt. Adrian Diaz from the Seattle Police Department as a good candidate to fill that role. Sgt. Diaz is well known for being very active in the community. He recently served as one of the law enforcement panelists at the Commission's October 10, 2014, Courts Igniting Change Conference at Seattle University.

Both candidates were unanimously voted onto the Commission.

As member terms elapse, the Co-chairs will be having conversations with those members whose terms are ending, and also checking in with Commission members who do not regularly attend meetings. It is important that we continue to think about who needs to be at the table in order to make it an operative Commission.

### **SUPREME COURT SYMPOSIUMS**

On May 20, 2014, the Commission hosted a symposium to the State Supreme Court. The topic of the symposium was on Juvenile Justice, looking at adolescent brain development, and providing an update to the court on disproportionality in our juvenile justice system. The 2014 symposium was very well received and its impact can be felt around the state. It is important that the Commission continue to bring key issues to the Supreme Court's attention through the holding of annual symposiums.

The date for the 2015 symposium is set for May 28, 2015. The topic will be on reentry. The symposium will explore the issues that prevent successful reentry from incarceration, and also highlight the positive work and programs that are happening all over our state. A subcommittee was convened at the meeting, which includes: Jeffrey Beaver, Judge Theresa Doyle, Bonnie Glenn, Carla Lee, Judge LeRoy McCullough, Judge Lori Smith, and Travis Stearns.

## **COMMITTEE REPORTS**

### **JUVENILE JUSTICE SUBCOMMITTEE**

#### **Courts Igniting Change - Recap**

Over 150 attendees packed Seattle University on October 10, 2014, for the Minority and Justice Commission's Courts Igniting Change Conference. The intent of the Conference was to bring together a group of multi-disciplinary stakeholders to examine the interrelationship between schools and courts, establish new connections among the two systems, and to have a courageous discussion about how courts, schools, and law enforcement can address the forces that push and pull students out of school and into the justice system.

The Conference would not have been a success without its many partners. The Planning Committee wanted to thank the Seattle Journal for Social Justice whose spring 2015 journal will feature articles on the same topics presented at the Conference. The Committee also wanted to thank the youth participants from YouthVoice who moved the crowd to a standing ovation after the youth shared their personal stories. Lastly, the Committee wanted to thank the youth from Youth Undoing Institutionalized Racism for helping facilitate the breakout discussions at the end of the Conference. It is very important that we continue to involve the young people in our discussions around juvenile justice. They are the upcoming leaders and are in a position to help us rethink the systems that are currently in place. Youth active leadership in this conversation is such an important component of the work going forward.

A set of recommendations was developed by the Juvenile Justice Subcommittee based on the conversation and feedback we received from the Conference attendees. The greatest concern and interest from participants was to shift from punitive practices to restorative practices both in

the classroom and in the courts. Annie Lee, Executive Director of Team Child, presented the recommendations of the Juvenile Justice Subcommittee.

### **Recommendations**

- (1) Conduct a follow-up meeting to explore restorative justice models and to talk about the shift from punitive to restorative, and what that would look like in both schools and courts.
- (2) Provide more support to students and families by connecting them with community resources.
- (3) Address immediate needs interventions:
  - Give youth the ability to re-enroll in school on their own or allow courts to order enrollment;
  - Education should be provided at the moment when a student is suspended or expelled.
- (4) Hire a consultant to manage all of the Committee's projects and help move the recommendations forward.
- (5) Develop a statement from the Minority and Justice Commission supporting the end of school suspensions and expulsions.

A question arose about involvement of the Office of the Superintendent of Public Instruction's Discipline Task Force. It was mentioned that they are more focused on looking at school discipline data as it relates to the "other" discipline category. Justice Johnson will work with staff on making a statement on behalf of the Commission. It was suggested that the statement be submitted as an op-ed jointly between the OSPI Discipline Task Force and the Commission.

### **The specific ask to the Commission was:**

- To support the efforts of the Juvenile Justice Subcommittee to move the recommendations forward;
- For more staffing resources, including the hiring of a consultant to help with the upcoming projects;
- Make a public statement professing the Commission's values and principles as they relate to school discipline, disproportionality, and the court's role.

The Commission should expect to get a request from the Juvenile Justice Sub-Committee that will require it to take further action on the above recommendations.

### **Legal Financial Obligations**

The Commission's legal financial obligations (LFOs) resource guide was presented at the Annual Judicial Conference in Spokane this past September. The presentation and resource guide were well received by the majority of judges in attendance, however there was a strong minority of judges that were offended by it. One of the alarming takeaways from the presentation was the push back from some of the judges and their indifference to people who receive enormous LFO debts that they are not able to pay.

The Commission submitted proposals to both the District and Municipal Court Judges Association (DMCJA) and Superior Court Judges Association (SCJA) education committees to present on LFOs, and will be on the agenda for the DMCJA conference. It was recommended that the Commission look into doing smaller meetings with courts around the state to encourage

judges to have conversations amongst their own bench about this issue. With smaller groups there is more accountability. It was recommended that the LFO discussion can also be worked into the Perceptions of Justice presentation.

There are many intricacies when dealing with LFOs that many judges, public defenders, and prosecutors do not know a lot about. In order to continue to help educate the legal community around LFOs, Judge Alicea-Galvan and Judge Doyle will be participating in the Washington Defender Association's Conference in December, and will be distributing the LFO resource guide to all attendees. The presentation is open to the public. It is important that prosecutors are also included in the conversation. It was recommended that the LFO resource guide be shared with the Washington Association of Prosecuting Attorneys (WAPA). Another group that should be included in the discussion of LFOs are the clerks of the courts.

It was noted that the Commission needs to involve itself in LFO legislation this upcoming 2015 legislative session.

### **Racial Impact Statements**

There were two racial justice initiatives that were presented at the joint meeting that morning with the Sentencing Guidelines Commission. The first was on racial impact statements. The Commission voted to support racial impact statements moving forward. The second was the Sentencing Guidelines Commission's study proposal. The Commission agreed to also support the study proposal and agreed to write a letter of support to the Governor to include the study in his 2015 budget. *The notes from the joint meeting are attached as Appendix A.*

### **Possible New Issues**

Law Enforcement Use of Body Cameras—one issue that was brought up is whether or not officers should be required to wear body cameras.

## **STAFF REPORTS**

### **Perceptions of Justice**

Staff submitted proposals to each of the judicial associations' spring conferences and each of the proposals for the "Perceptions of Justice" program have been accepted. The task force that is working on this project will meet on December 19, to come up with the presentation objectives. The meeting will be held at the Administrative Office of the Courts in SeaTac and will be an in-person meeting.

The Study points out the differing perceptions that Washington residents have of our criminal justice system. This is an important thing for judges to understand because when there is community distrust it calls into question the legitimacy of the decisions that judges make. Also, when there is community distrust, we have situations that are more volatile, such as the recent events that took place in Ferguson and other places around the country. Judges need to understand the perceived interconnectedness of law enforcement and the courts. If individuals have bad experiences with the police it gets transferred to the court.

It is important that we address our own complicity in having similar situations continue. Judge Alicea-Galvan wrote an article in her local news reporter encouraging the residents to come and view her court, explaining to them that this is their court. Those are the kinds of discussions that we need to be having within our local communities.

The following are suggestions for the task force:

- First, one segment of the session should include a panel of people who feel there is no justice in our courts, who can represent the opinion that people don't think they have a fair shot at justice, or why they never feel they can get justice in the current system. One of the elements of our past presentations that has been very persuasive is actually hearing from people who have experienced injustice in the system, and having them explain why they believe there will never be justice in our system. It is important that we also include the youth's voice.
- Secondly, it needs to be pointed out that the distrust of the system by the groups identified in the study is important for judges to understand and to address because those negative perceptions can lead to a lack of participation in juries, not showing up to court, not following courts orders, and much more.
- Lastly, the presentation should also address the reasons why judges should care about how people perceive the police--because the police are directly tied to the courts.

The recent events in Ferguson have shown us that the public is tired and frustrated with our criminal justice system. What we are seeing in the news is the distrust of law enforcement, and courts are not insulated from that. It is going to take individuals who are actively and intentionally engaged in the community to try to move things forward.

It was also mentioned that we should not wait any longer before presenting the findings of the study to the community. Originally, the plan was to first engage the judges in the report and to give them enough time to respond. We do not want the study to become old and outdated. There is no reason why we can't engage the community sooner—the issues are ripe right now. We should maybe consider an op-ed on what the results of the Study mean for us as a Commission. Judge Doyle will be in charge of heading up the efforts on the community presentations.

**NEXT COMMISSION MEETING: February 13, 2015**

It was recommended that the Commission continue to reach out to and invite the community to our meetings and make a conscious effort to engage the community in our work.

The next meeting is scheduled for February 13, 2015, at the Administrative Office of the Courts, SeaTac Office.