



**Washington State Minority and Justice Commission
(WSMJC)**

Friday, April 7, 2017

8:45 am – 12:45 pm

Seattle University School of Law

Teleconference: 1-877-820-7831

Passcode: 358515#



MEETING NOTES

Commission Members Present

- Justice Charles Johnson, Co-Chair
- Justice Mary Yu, Co-Chair
- Justice Debra Stephens
- Judge Veronica Alicea-Galvan
- Judge Lisa Atkinson
- Prof. Lori Bannai
- Prof. Robert Boruchowitz
- Ms. Lisa Castilleja
- Mr. Steve Clem
- Ms. Katherine Svoboda
- Judge Linda Coburn
- Sgt. Adrian Diaz
- Mr. Mike Diaz
- Judge Lisa Dickinson
- Judge Theresa Doyle
- Professor Jason Gillmer
- Mr. Anthony Gipe
- Judge Bonnie Glenn
- Mr. Abdullahi Jama
- Ms. Kitara Johnson
- Ms. Angela Jones
- Judge Linda Lee
- Judge LeRoy McCullough
- Ms. Kim Morrison
- Ms. Karen Murray
- Ms. Jasmin Samy
- Mr. Benjamin Santos
- Judge Lori K. Smith
- Mr. Travis Stearns
- Ms. Lisa van der Lugt
- Ms. P. Diane Schneider

Guests

- Ms. Aneelah Afzali
- Dean Annette Clark
- Mr. Kerem Levitas
- Ms. Lalita Uppala

Student Liaisons Present

- Ms. Renee Ambacher
- Ms. Kidane Astor
- Ms. Lia Baligod
- Ms. Maia Bernick
- Ms. Geraldine Enrico
- Mr. Peter Alexander Gale
- Ms. Jodilyn Gilleland
- Mr. Jamison Nichols
- Ms. Kate Sanburn

AOC Staff Present

- Ms. Michelle Bellmer
- Ms. Carolyn Cole
- Ms. Cynthia Delostrinos
- Ms. Nichole Kloepfer

CALL TO ORDER

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

The meeting minutes from the February 27, 2016 meeting were approved as presented.

The Commission welcomed the following guests:

- **Dean Annette Clark**, Seattle University School of Law
- **Lalita Uppala**, Director, India Association of Western Washington (IAWW) <http://www.iaww.org/>
- **Kerem Levitas**, past President and Community Engagement Board member of Middle Eastern Legal Association of Washington (MELAW) <http://melegal.org/>
- **Aneelah Afzali**, Executive Director, American Muslim Empowerment Network <http://www.mapsredmond.org/2016/12/18/how-you-can-help/>

CO-CHAIRS REPORT

New Member Introductions, Re-Appointments, Recognition of Emeritus Members

Welcome new members:

- Diana Bob – Native Law PLLC
- Lisa Castilleja – UW School of Law
- Katherine Svoboda (WAPA alternate) – Grays Harbor Prosecuting Attorney
- Anthony Gipe – Shatz Law Group PLLC
- Abdullahi Jama – Independent Consultant
- Kitara Johnson – Excelsior Youth Center
- Angela Jones – Eastern Washington University
- Judge Linda Lee – Washington State Court of Appeals
- Rosalba Pitkin – Clark College
- Jasmin Samy – Council on American-Islamic Relations Washington State
- Ben Santos – King County Prosecuting Attorney's Office
- Lisa van der Lugt – Commission on Hispanic Affairs
- Judge G. Helen Whitener – Pierce County Superior Court

Re-appointed members:

- Judge Bonnie Glenn – Office of Administrative Hearings
- Judge LeRoy McCullough – King County Superior Court
- Karen Murray- King County Associated Counsel for the Accused Division

Emeritus members:

- Professor Bob Boruchowitz – Seattle University School of Law
- Russell Hauge – Washington State Sentencing Guidelines Commission
- Uriel Iniguez – Past Director, Commission on Hispanic Affairs
- P. Diane Schneider – WA State Coalition for Language Access
- Judge Dennis Yule – Retired, Superior Court Benton and Franklin Counties

STAFF REPORT

Judges and Commissioner of Color Directory – Judge Glenn and Judge Alicea-Galvan

The Workforce Diversity (WFD) Committee considered feedback from Commission membership at the February 27th meeting and made the following recommendations:

1. The directory should be renewed as originally intended as it serves an important purpose to identify and showcase our Judges and Commissioners of color, making it easier for Judges and Commissioners of color, and those persons of color aspiring to be Judges and Commissioners to network and build community.
2. The Commission should retain the term “judges of color” and changing the title of the directory to “Bridging the Gavel Gap: A Directory of Judges and Commissioners of Color of the State of Washington.”
3. The WFD Committee should send out an email to all judges who responded to the directory survey informing them of our intent to publish and distribute to ensure that we can the correct information and confirm that they understand that at their request they will be included in the directory.
4. Earmark \$1,000 to support the renewal of the directory.

Vote: The Commission discussed the recommendations and voted unanimously to approve all four recommendations.

Recommendations and next steps:

- The foreword of the directory should include an explanation of the rationale that was presented to the Commission:
 - The mission of the Minority and Justice Commission is clear: to identify and to eradicate the effects of ethnic, racial, and cultural bias in our state court system.
 - This Directory does not prohibit the creation of other directories or other tools to build relationships within other groups. This in no way diminishes other kinds of oppression prevalent in our society.
 - The purpose and need of the directory is more relevant than ever to inspire persons of color and communities of color to aspire to be Judges and Commissioners. There is a continued gap of those on the bench that is real.
People of color are 40% of the population, but less than 20% of state judges. When 90% of US cases are tried in state courts, diversity matters. (Gavel Gap Report)
- Make clear how judges are supposed to respond to the email and what will happen if they do or do not confirm their information (confirmation = inclusion in the directory and self-identification as a person of color).
- WFD Committee will re-word the foreword and email to judges for clarity and will run it by the Commission.
- This directory does not prohibit the creation of other types of directories. The Commission should discuss ways that it can support other identity groups who wish to do something similar (i.e., women judges directory, LGBTQ judges directory, religious minority judges directory).

Follow-up from February 27th Meeting

Following our discussion about the ramifications of recent federal immigration executive orders:

- Annie Benson will be enlisting the help of UW law student, Francisco Carriedo, to make updates to the MJC immigration bench guide. Annie's team hopes to have the updates completed by June 30.
- Judge Lori Smith invited Annie Benson to speak to her court about family emergency plans developed in the event that a parent is deported.

LFO Stakeholder Consortium

The Commission has brought on two researchers to help with data collection:

Michelle Bellmer worked for the Thurston County District Court for 10 years as a Clerk. She started as a civil clerk and worked her way up to being a court clerk. She most recently served as an accounting clerk.

Joel McAllister managed LFO operations in King County for over 15 years before his retirement. He has been responsible for the collection and analysis of the data behind the Clerks' Association's annual statewide reports to the legislature since 2003.

Research areas will be expanded to include victims and restitution because it isn't well understood and is often used as an argument against LFO reform. Consortium will begin working with Microsoft to develop the LFO Calculator at no cost to the Commission.

Pre-Trial Justice Task Force

The launch has been rescheduled for June 22 at the AOC's SeaTac Office (18000 International Blvd., Suite 1106). The task force is a joint effort between the SCJA, DMCJA, and the Commission, and Washington has officially joined the Pretrial Justice Institute's 3DaysCount Campaign. Stakeholders invited include representation from all three government branches, bail bondsmen, and community/advocacy organizations.

<http://projects.pretrial.org/3dayscount/>

Legislative Updates

The LFO bill has been stalled in the Senate, but may be revived. Racial Impact Statement bill is dead. Did not make it out of the Senate Rules Committee.

Jury Diversity Symposium

Planning group is still in the process of confirming all presenters. Still trying to locate any individuals who have been excluded from jury service on the basis of race or defendants tried by homogenous juries.

Youth Events

UW Law Academy

Event was held on March 10 at the law school. Lisa Castilleja reported that the event was a success. High school students from diverse backgrounds were invited to participate in a day of workshops to connect with law students, attorneys, and judges and learn about how to make a difference in their communities by choosing a career in the law. Sponsored by the UW School of Law and the Law School Admissions Council as part of Discoverlaw.org events.

Wenatchee Diversity Justice Day for Youth

Event was held on March 28 at Wenatchee Valley College. Carolyn Cole reported the event was very well-organized and included diverse student representation. Approximately 200 students attended.

Seattle Youth and Law Forum: April 29, 8 a.m. – 3 p.m., First A.M.E. Church (1522 14th Ave., Seattle)

Flyer included in the meeting packet. Attendance highly encouraged. The event will include a thought-provoking keynote address by Angela Rye, an American attorney and the Principal and CEO of IMPACT Strategies, a political advocacy firm in Washington, DC. She currently is running the boards of the Congressional Black Caucus Institute, Congressional Black Caucus Political Action Committee, Seattle University School of Law Alumni, and Women in Entertainment Empowerment Network. The Forum will also feature guests from our local and federal court system, local Police and Sheriff Offices and the WA State Bar. Against the backdrop of recent political and election issues, it is critical that we have representation from young men and women from all racial, cultural and socioeconomic backgrounds.

Spokane Community Forum Event with Ron Davis: April 24, 5-8 pm, Eastern Washington University

The Washington State Minority and Justice Commission, in partnership with Eastern Washington University and the NAACP Spokane Chapter, will screen the award-winning movie *3 ½ Minutes, 10 Bullets*. The movie screening will be followed by a forum on productive community responses to hate featuring Ron Davis, father of Jordan Davis and founder of the Jordan Davis Foundation, and Spokane community leaders. Heavy appetizers and refreshments will be served. The event is free and open to the public. Attendance is encouraged and travel for first 5 Commission members to RSVP will be covered.

Event page: <http://www.courts.wa.gov/index.cfm?fa=home.sub&org=mjc>
Facebook event: <https://www.facebook.com/events/409216202769032/>

Panel:

Phillip Tyler – President, NAACP Spokane Chapter

Judge Aimee Mauer – Spokane County District Court

Chief Craig Meidl – Spokane Police Department

Caleb Dawson – Gonzaga University Student Body President and Act Six Scholar

Dulce Gutierrez Vasquez – Diversity Outreach, Associated Students of Eastern Washington University

Eliminating the Pipeline School Discipline Series Part 1: April 27, 5:30 – 8:30 pm, Tukwila Community Center Social Hall

The free five-part workshop series will focus on disrupting the school-to-prison pipeline, with the overall goal of improving the educational experience for students of color and lessening the number

of children of color in juvenile justice systems in King County and Washington State. The series will culminate with a conference dedicated to action steps for change at the intersection of education and the juvenile justice system. Future workshops will take participants through the school-to-prison pipeline covering the topics of early learning and discipline, discipline in the school building, action and reaction to disciplinary measures and involvement with the courts. The Commission is thankful for the opportunity to partner with the Equity in Education Coalition on this initiative. Please contact Discipline@eec-wa.org with any questions or for more information. Attendance highly encouraged.

Will be reaching out to members, possibly the Juvenile Justice Committee, to help plan the last workshop session on Courts Igniting Change scheduled for 2018. Have reached out to Judge Saint Clair.

Annual Report

Carolyn has begun the process of putting together the Annual Report. She will be reaching out to members to help provide content. The cover will be the portrait of Justice Smith. Hope to have it available by the May symposium.

Budget

Commission has spent approximately \$36,925 of its \$70,000 available funds to date. Will be pushing to make sure all funds are used before fiscal year ends on June 30th.

LAW STUDENT LIAISONS

Seattle University School of Law

Liaisons were commended for the success of their second campus event on the topic prosecutorial discretion and implicit bias held on March 8. Speakers included Judge Bill Bowman (King County Superior Court), Travis Stearns (Washington Appellate Project), Professor Jan Ainsworth (Seattle University School of Law), and Stephan Thomas (King County Prosecuting Attorney's office).

Gonzaga School of Law

Liaisons will hold their Careers in Law event on April 19 on campus and give an update at the next Commission meeting.

University of Washington School of Law

Vote: Funding for Youth Justice Film Screening proposal was unanimously approved.

Update: Planned event canceled. Liaisons encountered problems securing rights to screen the film and securing a venue. Liaisons will continue to support the Race Equity Training at UW Law's 1L Orientation by the Seattle Office for Civil Rights, which was approved for \$400 funding by the Commission for the fall.

COMMITTEE REPORTS

Outreach Committee – Judge Yule

Committee mission statements and goals have been updated on the Commission website. Working on updating the member bio and picture information on the website. The committee welcomes suggestions for locations for future meetings and guest presentations to help build community outreach.

Workforce Diversity Committee – Judge Bonnie Glenn

Judge Glenn shared that the committee would like to move forward with planning another Judges of Color reception. **Looking for a location.** She also shared the law school award resolution for Justice Smith and reported that it is **awaiting signatures from the deans and Commission Co-Chairs.** The law school award will begin in 2018. Each law school chooses a student award winner and the location of the award ceremony will rotate between the law schools. Seattle University School of Law will host the first award ceremony.

The WA Supreme Court Memorial Service for Justice Smith will be held on June 1 at 9 am at the Temple of Justice. Judge Glenn will present the Commission's framed resolution to Justice Smith's family. All are welcome to attend and the event will be livestreamed by TVW.

Education Committee – Justice Stephens

Justice Stephens announced Judge Lori Smith as the committee's new Co-Chair.

Appellate Conference

- "Beyond Balls and Strikes: Judging in a Diverse Society"
- April 5, 8:30 am – 12 pm, Walla Walla, Washington
- Mr. Bob Chang and Professor Anna Roberts presented. Session included a mock Batson hearing. Justice Stephens reported that it was a well-received session with full participation.

SCJA Spring Conference

- Davenport Grand Hotel, Spokane, Washington
- Sunday, April 23: Ron Davis – 3 ½ minutes 10 Bullets (Judge McCullough)
- Monday, April 24: Professor Butler – Race, Law, and Politics: Implications for the Court in the 21st Century (Judge Darvas)
- Tuesday, April 25: Professor Anna Roberts - Juror implicit bias (Judge Doyle)
 - This session will give judges an opportunity work through the new U.S. District Court for the Western District of Washington implicit bias jury instructions and video.

Fall Judicial Conference

- Heathman Lodge, Vancouver
- Better Judging Through Science (Sept. 18th 1:30-5 pm plenary session) – Prof. Tony Greenwald
 - In the process of collecting research and putting together a panel.
- ER 609 (September 19th 10:30 am – 12 pm choice session) – Prof. Anna Roberts
 - **Justice Yu asked that the committee make sure that the session is balanced and isn't only pro-ER 609.**

ATJ Conference Proposals not accepted

ATJ felt that the audience wasn't correct for the proposals we submitted and they could not guarantee enough time for the Commission to do the poverty simulation. Committee agreed that we needed enough time to do it well. **Will work to schedule it for another date/time.**

Juvenile Justice Committee – Annie Lee

Justice Yu is interested in finding data about LFOs for juveniles' parent recoupment for incarceration costs. **Judge Glenn suggested contacting the Office of Financial Recovery for the data.**

Smart on Juvenile Justice Reform Grant Project under the Department of Social and Health Services has launched. It's a two-year grant to address racial and ethnic disparities in juvenile justice and the significant proportion of lower-level delinquent and status offenders being held in detention facilities.

GUEST PRESENTATIONS

- Lalita Uppala presented information about the IAWW's Hate Crime Info Sessions <https://www.youtube.com/watch?v=sqnw8fScFUk&feature=youtu.be>. They plan to replicate the event in communities across Washington. **Would appreciate any funding for future sessions. They are also seeking volunteers to serve on the panels, especially judges. If interested, please email her at lujab@hotmail.com.**
- Kerem Levitas presented on the recent executive orders and how they have created increased fears of engaging with the government in the Muslim community. Muslim community members are canceling travel plans and making contingency plans with immigration attorneys. He also shared that MELAW will be holding legal clinics in February and April. MELAW would like to sponsor more legal clinics and know your rights workshops with CAIR. **Recommendations for Commission action:**
 - Implicit bias training on Islamophobia mandatory for judges at Judicial College
 - Training for court staff on how to serve Muslim community members and language access issues.
 - Support GR 36 and implicit bias jury instructions.
 - Members should participate and support campaigns to promote interactions with Muslims. CAIR has a program that allows professionals to host Muslim high school students and the "Eat with Muslims" campaign – can sign up to attend a dinner. Important to promote positive stories on social media.
- Aneelah Afzali shared that MAPS will be hosting various events, including a Hate Crime forum in Renton on April 20 and a banquet on April 22. Supports more judicial education around Islamophobia and would be willing to help with that.

Meeting adjourned at 1 p.m.

NEXT COMMISSION MEETINGS:

- "Jury Diversity in Washington: A Hollow Promise or Hopeful Future?" Symposium, May 24, 9 am – 12 pm (reception to follow) at the Temple of Justice
- June 30, 8:45 am – 1 pm, AOC SeaTac Office (18000 International Blvd., Suite 1106)