

Gonzalez vs. Choi: How much will a name help — or hurt — in race for Washington State Supreme Court?

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In recent weeks, the state Supreme Court has gotten attention because of high-profile rulings overturning the death penalty and life without parole for juveniles, as well as a ruling upholding the reworked charter-school law.

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Six years ago, Steven Gonzalez's last name likely cost him votes in his first race for the Washington State Supreme Court.

He won nonetheless and hopes he can keep the seat as he [runs for re-election against an opponent, Nathan Choi](#), who has raised no money, has no bar ratings and has links on his website to YouTube videos about the "Deep State."

Gonzalez is one of three justices up for re-election this year and the only one with a challenger. Justices Susan Owens and Sheryl Gordon McCloud are running unopposed after their opponents were bounced from the ballot because they were disbarred lawyers.

In recent weeks, the Supreme Court has gotten lots of attention because of high-profile rulings overturning the death penalty and life without parole for juveniles, as well as a ruling upholding the state's reworked charter school law.

But the races for Supreme Court, like most judicial contests, have drawn scant attention. Now that ballots have been mailed out, Gonzalez is concerned that voters won't know he's the incumbent when they see his name and Choi's together on the ballot.

"His name comes first [on the ballot] and mine comes second, so it takes a little bit more effort and work to learn about and to cast an informed vote on judges," Gonzalez said.

A poll in May commissioned by the liberal Northwest Progressive Institute suggested that nearly three-quarters of voters didn't know who they would vote for in his contested Supreme Court race. Among those who did, the majority appeared to favor Choi.

In some ways, Gonzalez remains haunted by what happened in 2012, when he first ran for the Supreme Court, a seat he had been appointed to earlier that year. He had already spent a decade as a King County Superior Court judge.

Like now, Gonzalez faced a challenger who didn't raise any money and didn't actively campaign. Nonetheless, his opponent, Bruce Danielson of Kitsap County, won 29 of 39 counties in the August primary.

After the election, then-University of Washington political-science professor Matt Barreto and colleagues concluded — based on an analysis of voting patterns — that racially biased voting was at work in the race.

“It was definitely the case that Justice Gonzalez paid a penalty in some parts of Washington for his surname,” said Barreto, who is now at the University of California at Los Angeles.

According to Barreto, who's involved in voting-rights cases across the country, non-Anglo sounding last names are a potential liability for candidates — especially in nonpartisan races like a judgeship.

“We do see evidence of what the courts call racially polarized voting, meaning that the majority voters who are white are voting against candidates who they expect to be black, Latino or Asian American,” Barreto said.

Despite evidence of racially polarized voting in 2012, Gonzalez won 60 percent of the statewide vote with help from the vote-rich central Puget Sound region and advanced to the general election unopposed.

This year, Gonzalez and his opponent share something in common — neither has an Anglo surname.

Barreto said that makes this race different from in 2012. He predicts some voters might choose not to vote for either Choi or Gonzalez based on their last names.

“The most likely scenario is that we might see roll-off,” Barreto said. “They may choose to not vote in that election if they're looking for a representative that they believe will represent the white community better.”

In a brief phone interview, Choi declined to answer most questions.

“Just look at my website and find out what's really going on,” he said.

Choi's website calls for an end to taxation and homelessness, frames the race for Supreme Court as a battle between “slavemasters” and “We the People,” and includes links to YouTube videos with titles like “Desperate Deep State” and “One Family Rules the World.”

In 2017, Choi ran for the Washington Court of Appeals and was admonished by the King County Bar Association for violating the bar's guidelines on fair campaigns. The Washington Attorney General's Office said it's seeking a default judgment against Choi in a [campaign-finance lawsuit](#) stemming from the 2017 race.

In a recent endorsement of Gonzalez, [The Yakima Herald said](#) Choi "lacks any judicial experience and seemingly a modicum of ethical grounding."

Several bar associations have rated Gonzalez "exceptionally well qualified." So far, he has raised nearly \$320,000 toward his re-election.