

Race and the Criminal Justice System Task Force  
Third Meeting  
Justice Fred H. Dore Courtroom  
Seattle University School of Law  
January 20, 2011

## Meeting Notes

### Agenda

- I. Brief introductions and summary of previous meeting (10 minutes)
- II. General progress report + participation as continuing action item (5 minutes)
- III. Reports from Working Groups and Discussion (25 minutes)
- IV. Discussion of next steps (10 minutes)
- V. Next meeting, adjourn general meeting, and convene working groups (40 minutes)

- I. Brief introductions and summary of previous meeting

Meeting convened by Judge Steven González, Chair of ATJ Board and by Robert Chang, Director of the Korematsu Center for Law and Equality, Seattle University School of Law.

Attendees introduced themselves and their institutional affiliations. Attendees, in order on the sign-in sheets included the following: Van Chu (King County Sup. Ct.); Joey Cronen (King County Sup. Ct.); Keith Talbot (ABAW); Monto Morton (Minority & Justice); Sheriff Sue Rahr (King County Sheriff, Liaison, WASPC); Eric Holte (SU Law); Associate Dean Paul Holland (SU Law); Ken Schubert (Garvey, Shubert, Barer and Korematsu Center); Judge Mary Yu (Minority & Justice, King County Sup. Ct.); Chief John Diaz, Seattle Police Department; Professor Emeritus Julius Debro (UW Law & Justice); Professor Chuck Reasons (Law & Justice, CWU); Damon Shadid (MELAW); Bob Boruchowitz (Defender Initiative, SU Law); Chach Duarte White (WSBA); Lapa Zarowsky (Innocence Project NW); Lisa Daugaard (TDA); Travis Stearns (WDA); Darby DuComb (Seattle City Attorney's Office); Myra Downing (Gender & Justice); Tisha Pagalanan (FLOW); Krist Costello (WWL); Judge Ann Schindler (Gender & Justice); Fé Lopez (LBAW and SU Law); Diana Singleton (ATJI, SU Law); Paula Littlewood (WSBA); Jackie McMurtrie (UW Law, Innocence Project NW); David Perez (Korematsu Center); Taki Flevaris (Korematsu Center); Sahar Fathi (MELAW); Anita Khandelwal (TDA); Jonathan Segura (SU Law); attending by teleconference: Mary Whisner (UW Law Library); Tracy Flood (WSBA); Judge Deborah Fleck (King County Sup. Ct.); Dean Mark Niles (SU Law). Those who were in attendance in person and by teleconference but not listed here should contact Bob Chang at [changro@seattleu.edu](mailto:changro@seattleu.edu) so the attendance list can be made more complete.

Judge González noted some new members, including Sheriff Susan Rahr, King County Sheriff, who was attending as a liaison for the Washington Association of Sheriffs and Police Chiefs; Chief John Diaz, Seattle Police Department; Darby DuComb, Seattle City Attorney's Office; Professor Charles Reasons, Department Chair, Law and Justice Program, Central Western University; Professor Emeritus Julius Debro, Law, Society & Justice Program and former Associate Dean, University of Washington Graduate School.

Previous meetings were summarized. Working groups created at Dec. 2 meeting; brief reports later in meeting from Research and Recommendations and Implementation.

## II. General progress report + participation as continuing action item

March 2, 1:30pm presentation before Washington State Supreme Court in Olympia. There will be limited seating. The Oversight Working Group, working with the Court, is determining presentation and attendance parameters.

May 1-4, 2011, statewide judicial conference of superior court judges. Task Force has been invited to give presentation.

Organizational or institutional participation. People were encouraged to formalize organizational/institutional participation on the task force.

**Continuing Action Item: Participation.** Attendees were asked to have their respective organizations address the issue of participation and to decide whether their organizations would agree to formally participate. It was also agreed that our meetings are open and the documents such as the agenda, meeting notes, and attendees of meetings would be made public and available on the task force website.

An organizational or institutional participant would agree that the organization's name can be included in Task Force materials, including on the Task Force web site. By agreeing to be a participant, an organization or institution would not be endorsing in advance the findings, recommendations, or implementation plans of the Task Force. Participants will be given the opportunity to review and endorse each report that includes findings, recommendations, or implementation plans. The Task Force endeavors to seek consensus for each report but anticipates that in certain circumstances, participants will be unable based on their institutional limitations or unwilling to endorse a particular report. As the Task Force is not an official body, this model of participation is deemed to be a pragmatic choice for moving forward.

## III. Reports from Working Groups and Discussion

Working Group 2: Community engagement. Reported the following:

- Creating listserv of committee members to encourage communication between working groups; Jamila Taylor has taken lead on this

- Working to reach out to community organizations outside of legal community

- Announced CLE on police and police misconduct taking place on Thursday, Feb. 24, at Seattle University School of Law starting at 3pm and being followed by a reception. Plan for reception was to have breakout groups and to have task force members available to meet in small groups with community members to inform them of our activities and to listen to their concerns

### Discussion

- The need for communication was emphasized.

- In response to a question about whether we were extending beyond King County, goal was expressed to create hubs around the state. For example, it would be great to create a local

group of judges, prosecutors, law enforcement, defense bar, community organizations, etc. who might meet independently to discuss local needs and develop local implementation plans. Professor Jason Gillmer at Gonzaga Law School has agreed to begin this in the Spokane area. We need people to take the lead to develop similar hubs in other parts of the state.  
--Need to get more involvement of legislators and other policymakers.

#### Working Group 3: Research

--Mary Whisner, UW Law Library, reported on collection efforts that are still underway  
--Taki Flevaris, Korematsu Center, outlined stages of research work: (1) collection of studies and statistics; (2) review and selection; (3) analysis and synthesis; (4) presentation. As of the meeting, still in stage 1. Shifting now to 2 and 3.

#### Discussion

--Bias in the operation of human discretion is important, but in addition, need was emphasized to pay attention to facially neutral policies that result in racial disparities  
--Pay attention to legislative and other policy decisions that have disparate impact, especially at the intersection of race and class  
--Review earlier reform efforts

#### Working Group 4: Recommendations and Implementation

--Judge Mary Yu and Lisa Daugaard reported on their Jan. 6 meeting, at which Mark Larson, Lisa Daugaard, and a representative from the Seattle Police Department discussed past efforts in Seattle to address racial disparities.  
--Waiting on Research for its findings before developing its recommendations and preliminary implementation plans.  
--Their next meeting has been set for Feb. 3

#### V. Next meeting, adjourn general meeting, and convene working groups

Next meeting will be on Feb. 17, 2011, from 7:30am-9:00am, at Seattle University School of Law. Agenda will be distributed at beginning of that week. General meeting was adjourned and then working groups were convened to meet in the brief time remaining.