



Civil Rights Law Section

WASHINGTON STATE BAR ASSOCIATION

Executive Committee Meeting Minutes

February 15, 2017, 11:00 AM to 12:30 PM

Conference Call Only

Call-in Number # 1-866-577-9294; Enter Participant Code: 5016530

1. Welcome and attendance –

Voting Members: Kelli Schmidt, Alec Stephens, Sara Derry, Kathleen Kline, Kristi Cruz, Amy Kim, Kathleen Kline, Bridget Bourgett-Shaw, Dan Gallagher, and Beverly Grant (who arrived during item

Nonvoting Members: Will Pickett, Julianne Unite,

2 Dr. Martin Luther King, Jr. Statement – was it further disseminated? Posted on the website.

There were about 20 people who didn't receive it from the list serve. Kelli will get the list of those folks from Julianne and send it to them.

3 Resolution for A Day of Remembrance – At the January 26-27, 2017, meeting, the BOG passed a resolution for A Day of Remembrance that recognizes the 75th Anniversary of Executive Order 9066 and reaffirms WSBA's mission and guiding principles. During World War II the United States government imposed curfews, removal, and incarceration of more than 120,000 Japanese Americans, including U.S. citizens, residing in Washington and other western states, citing military necessity. These actions followed President Franklin D. Roosevelt's Executive Order 9066 issued on February 19, 1942, and those that did not comply with the Order were prosecuted. Lawyers and courts in Washington played a role in both the imposition and enforcement of these actions as well as in the efforts 40 years later to vacate unlawful convictions and obtain judgments of governmental misconduct. ([See public materials beginning at page 131.](#))

4 Re: GR12 Concerns about political statements, we are having a conversation with WSBA on Friday February 24, 2017, at 11 a.m. Kelli, Alec, and LaRond will participate in that to get some clarity from WSBA since they've had feedback to our newsletter and seem to have some concerns. From our perspective, we want clear guidelines so that we can respond to civil rights attacks that are occurring, and that are anticipated, quickly and with a clear understanding of what needs to go through WSBA and through whom.

5 Approval of Meeting Minutes:

- a. **January 18, 2017, minutes**, which had been disseminated in advance – **Approved** by all except Kristi who abstained because she was not present for the meeting.
 - b. **September 23, 2016, Annual Meeting** – in progress, Bridget is looking for her notes, but we can also go off of the agenda if we need to do that.
 - c. **December 3, 2016, retreat** – Dan just got those to Kelli, so we will disseminate next month.
6. **Finance and Membership Update – Bridget** – don't have the new numbers for 2017 but we are at 25% through the annual fiscal budget. November of 2016 we had a rough month that contributed \$540 in dues/revenue. Payout of \$750 for leadership retreat for facilitator. At end of November used 20.10% of the budget. In September 2016 had a significant jump in dues of \$1,200. As of December 31 we were at 25% for the fiscal year. Alec – the total treasury is not just this year's budget so what is that? Also, how many members do we have? Likely a big bump after January. Bridget – yes, we had a surplus from last year and the total fund balance is \$9,640.50 as of December 31, 2016. Kelli – also interested in membership numbers. Julianne – the fees numbers come monthly. She knows there's a bump up this past month. Alec – how many section members do we have? And is there a breakdown of the profile of membership? Can request contact info for section members and expect a 2-3 day reply. Shout out to Dan for drafting a new member welcome letter. Dan will send an email to Julianne regarding additions and subtractions to section page on website. Alec – is there a calendar for when the upgrade to the section page will happen? Julianne – the timeline changes daily but at this point asking sections to review their pages for updates. Supposed to happen in March 2017 and new site would go live in April. Asking the sections to let them know if individual want the info on their lawyer directory profile.
7. **Open Sections Night, Thursday, January 19, 2017 – Kelli & Kathleen** - Kathleen - there was pretty good attendance and it went well. We don't know if there were any new member signups. Kelli – it was interesting meeting other group leaders. It's one of the better bar networking opportunities. Recommend participation in the future. Some of the other sections had banners with the section name on them. Some sections had bling like screen cleaners, pens, pencils. There was a raffle for attendees, we gave a Section membership.
8. **Newsletter Update** – Callie? Kelli will follow up with Sara tonight. Use of List Serve – How is it going? – Kelli uses it and posts. Does anyone else use it? Alec – we should encourage folks to use this. Kelli has been using other listservs in other sections and she finds them very useful. It's a good way to see who is active on section issues even if we don't hear from them. Maybe reach out to them and bring them to the CREC in the future.
9. **CLE Planning – LaRond, Alec and Others – Kelli –**

- a. **Spring CLE** – Alec has a draft and has reserved a date? Alec – May 16 is our date. Alec will begin working on this tomorrow. Will send out a ‘save the date’ on the listserve. Dan will help as needed. Alec will check in with Nancy Talner also.
- b. **Fall CLE** – during annual meeting, any updates? Kelli - Not at this time.
- c. **In the works:** Kelli and Jodi followed up with Shanthi Raghu about a potential allyship training. We will be working with Dana Barnett, WSBA’s Diversity and Inclusion Specialist for a diversity themed Legal Lunchbox. (They take place every last Tuesday of the month, is a free webcast only 90 minute program for 1.5 CLE credits. Typically attendance is around 1500 people.) This way the content could have broadest reach, and attendees would be able to register for the live program for free as well as for CLE credit. **Scheduled for 5/30/17 from 12pm to 1:30pm**
- d. **WSBA Justice Forums: The Death Penalty in Three Parts.** The forums are intended to share information and convene a dialogue, not take a position on specific issues. Our first series will focus on the death penalty. Kevin Plachy, Education Programs Manager at the WSBA is developing three upcoming one-hour forums. These will continue throughout the year and they are looking for additional topics.
 - Overview of the Death Penalty, Thursday, March 2, 12:00 – 1:00 p.m., WSBA Offices & Webcast
 - Cost & the Death Penalty, Monday, March 13, 12:00 – 1:00 p.m., WSBA Offices & Webcast
 - The Death Penalty: Arbitrary & Disproportionate Impacts, Thursday, March 23, (tentative), 12:00 – 1:00 p.m. WSBA Offices & Webcast
- e. **Of note: event to take place after the Goldmark Luncheon** and hosted by the Access to Justice Board: The Road Ahead: Strategizing for Justice in a New Political Landscape, Friday, February 17, 2017, 2:00 to 5:00 p.m. at the Washington State Convention Center.

8. **Legislative Subsection – Priority Bills and GR12 votes** – Kelli & Kathleen – This Friday, February 17, 2017, is the last day to read in committee reports (pass bills out of committee and read them into the record on the floor) in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees, which have until February 24, 2017.

Thank you to all who voted, we had 11 bills that we wanted to take a position on and we were approved on 10 of them! (The exception being the Ban the Death Penalty Bill). **See the previously sent spreadsheet.**

We also have 5 bills (3 different topics) that we would like to take a position on and would like to vote on today:

- a. **Washington Voting Rights Act [House Bill 1800](#) and [SB 5267](#):** Relates to the administration of justice because no voter or community should ever be denied an equal opportunity to effectively participate in local elections and elect representatives that reflect their community's interests because of the color of their skin, the language they speak, or the sound of their last name. The protections of the WVRA improve election processes, empower local governments, and promote fair representation, ensuring that our democracy and its related systems of justice work for everyone. **[NOTE: these are the bills we've supported before, but the wrong bill was sent up to some of you for the prior vote. We did not receive full votes and did not sent that to the BOG for approval]** The House Bill moved out of committee, but the Senate bill seems to have stalled.

Relates to the administration of justice? Yes / No – Kelli Yes; Dan Yes; Alec Yes, Bridget Yes, Amy Yes, Kathleen Yes, Kristi abstains

Take a position to support? Yes / No – Kelli Yes, Alec Yes, Dan Yes, Sarah Yes, Bridget Yes, Amy Yes, Kathleen Yes, Kristi abstains

Note: 7 yes votes is not sufficient for a 2/3rds majority so Kelli will follow-up with LaRond and Beverly to establish their votes.

[Beverly joined the call]

- b. **Legal financial obligation bill [House Bill 1783](#).** It was heard in the House Judiciary Committee on Feb. 8. Prime-sponsored by Rep. Jeff Holy, R-6, HB 1783 relates to the administration of justice as it seeks to make changes to the state law related to legal financial obligations (LFOs). These changes include eliminating interest accrual on non-restitution LFOs; prohibiting courts from imposing costs on defendants found to be indigent at the time of sentencing; and establishing payment plans and priority payment of LFOs. This bill has also been referred to WSBA's Criminal and Juvenile Law Sections, as well as the Council on Public Defense for review. HB 1783 is scheduled to be voted out of committee on Feb. 16.

Relates to the administration of justice? Yes / No – Kelli Yes, Alec Yes, Dan Yes, Sara Yes, Bridget Yes, Amy Yes, Kathleen Yes, Beverly Yes, Kristi abstains

Take a position to support? Yes / No – Kelli Yes, Alec Yes, Dan Yes, Sarah Yes, Bridget Yes, Amy Yes, Kathleen Yes, Beverly Yes, Kristi Abstains

Note: 8 votes IS sufficient to establish a 2/3rds majority so

- c. **Establishing a statewide policy supporting Washington state's economy and immigrants' role in the workplace.** [SB 5689](#) and companion bill [HB 1985](#) Establish the keep Washington working act. Creates statewide steering committee established within the department of commerce. Requires the attorney general, in consultation with appropriate stakeholders, to publish model policies for limiting immigration enforcement consistent with federal and state law at public schools, health facilities operated by the state or a political subdivision of the state, courthouses, and shelters, to ensure they remain safe and accessible to residents, regardless of immigration or citizenship status. Requires state agencies to review their confidentiality policies and identify changes necessary to ensure that information collected from individuals is limited to that necessary to perform agency duties and is not used or disclosed for any other purpose. Prohibits a state agency, department, or law enforcement from using agency or department funds, facilities, property, equipment, or personnel to investigate, enforce, cooperate with, or assist in the investigation or enforcement of unconstitutional or illegal registrations or surveillance programs that target residents on the basis of race, religion, immigration status, citizenship status, or national or ethnic origin. Prohibits state and local law enforcement agencies and school police and security departments from using agency or department funds, facilities, property, equipment, or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes.

Relates to the administration of justice or practice of law? Yes / No

Take a position to support? Yes / No

- Discussion, do we think we can take a quick vote on this? No, probably need more info. Kelli will send out additional information to the CREC for evaluation of this bill this weekend, if it is still alive after Friday.
 - **Shout out to Kathleen** who has been working hard on this. Kelli - Anti-LGBT law is likely dead. Kathleen – big shout out to Kelli for her efforts too. Alec – thank you both and think about maybe at the end of session doing something that will go out to the section regarding our activities in this area. We want to publicize to our section the bills and our positions. (Sara departs meeting at 11:49) Kelli - The legislative agenda and priorities are posted on the WSBA site.
9. **Reminder and discussion of Bylaws related to Member participation** - Alec – what’s the process in terms of when our section will need to update our bylaws and how does that happen? Julianne – the staff is working on an implementation process so that they are in compliance. May, July and September are the final three BOG meetings for reviewing so we need amended section bylaws by the May meeting. They will create a checklist for sections to amend their bylaws. Minimal compliance redline for sections bylaws so that if sections don’t amend they will apply their minimum. So we need to submit our amendments by April 27 for May meeting and by June 29 for the July meeting

10. Good of the Order – Are we allowed to be on FB? No, but some were grandfathered in.

11. Adjourn at 12:26