



Commissioner Franklin Donahoe, Chair  
Representing Snohomish County

Commissioner Andrea Caupain  
Representing King County

Commissioner Will Howard  
Representing Pierce County

Commissioner Sara Franklin-Phillips  
Representing South King County

Commissioner De'Sean Quinn  
Representing South King County

Commissioner Sheila Reed Trahan  
Representing Tri-Cities

Commissioner Dr. James Smith  
Representing King County

Commissioner Dorian Waller  
Representing Pierce County

Commissioner Sandra Williams  
Representing Eastern Washington

Executive Director Edward O. Prince

**Public Commission Meeting Minutes  
East Central Community Center  
500 S. Stone, Spokane, WA 99202  
September 14, 2018 1:00 p.m. to 4:00 p.m.**

Members Present: Chair Donahoe, Commissioners Howard, Reed-Trahan, Williams, Executive Director Edward Prince and Executive Assistant Charlotte Kerney

Absent: Commissioners Caupain, Franklin Smith, Waller

**1:35 PM** – Meeting called to order. Quorum not established

**1:40 PM** – Minutes from previous meeting are not adopted due to lack of quorum

**1:45 PM – Director's Report**

- Poverty Reduction Group update
- Financial Capability discussion with credit union lobbyist
- Bi-monthly meetings with Sec. Sinclair of DOC to discuss re-entry of former offenders
- CAAA passes fiscal audit
- Children, Youth and Families, a new state agency, to speak at next meeting

**Chair Donahoe announces new initiative to discuss education directly with high school students to understand their perspective and gather information. Lynnwood to be the first school.**

**2:00 PM – Racial Disparity: Concerns of the Community**

Cam Zorroza, Staff Attorney for the Center for Justice

Safety and Justice Challenge, McArthur Grant report from 2015 & 2016 shows disproportionality in the criminal justice system.

Concerning pre-trial bookings in minority populations:

- An African American is 4.2 times more likely to be booked on a felony; Native Americans are 3.4 times more likely to be booked on a felony. Results are almost identical in 2016.

Within the sentenced population:

- African Americans compose 8% of pre-trial bookings when only 2% of the county population overall and 9% of the sentenced population within the jail.
- Native Americans are 2% of the population, but 5 % pre-trial and 6% of sentenced bookings

Concerning bond amounts among minorities with misdemeanor offenses:

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- \$165 higher for African Americans; \$294 higher for Latinos; \$131 higher for Asians, \$173 higher for Native Americans in comparison to similar or identical crime by non-minorities
- Disparities in length of stay, time waiting for trial, length of sentence, the sentence itself and legal financial obligations.
- In 2016, 108 incidents of use of force:
  - 35 were people of color (32% involving people of color when only 12% of the population in Spokane are minorities).
  - 22% pointing of a firearm incidents involved African Americans
  - Similar numbers for 2014 and 2015
- Disproportionate numbers for pointing of a firearm and use of a taser
- In a study, African Americans compose 10.5% of use of force cases
- Legal Financial Obligations: LFO are double the rate per capita compared to Caucasians in some cases.

Hate crimes research is consistent with national results; the top three motivations being race, LGBT and religion (anti-Muslim). Research shows hate crime investigations in the Spokane area aren't prosecuted; either the initial contact screens people out, the crime is downplayed as not being a crime or there is no identified suspect. Of 19 cases, only one is being prosecuted. The hate crime statute is defined as 'a malicious and intentional act including physical injury, property damage or threats of bodily harm or property damage motivated by the victims perceived race, color, religion, national origin, ancestry, gender, sexual orientation or mental, physical or sensory handicap.'

Nikki Lockwood, ACLU of Washington, parent/student organizer

Organized in 2016 to address the high rates of exclusionary discipline – about twice the state average- and student arrests. Spokane has about 30K students. Student arrests were high; equal to the average number that the state was expelling students. Working on expulsion and arrest policies.

- Arrest rates fell in 2016 from 800 to 100
- Discipline has remained lower after working on a resolution with the school district.
- Investments in restorative justice including staff training
- Will need to collect more data to substantiate the results. Data collection just started being collected in 2018 but states that calls to Community Resource Officers has fallen
- Comprehensive school policing policy was a collaborative effort

Still, more work remains:

- Reports disproportionate number of arrests among African American students: they have increased over the last two years. As of two years ago, Spokane School District spent more than any other district on school police.
- Concerns about warrants; 15 of the 16 warrants were served on African American students at school.
- Composition of staff does not reflect the diversity of students.
- Discussion about addressing student behaviors and the use of Community Resource Officers

### **2:30 PM - Spokane Public Schools**

Recognizes there is disparity in their data. Leadership has been working to reduce the disparities over the last three years and is working with the community to reach understanding.

**Discipline:** Looking at alternative ways instead of exclusionary discipline. Commission asks if there is an audit of the criteria to determine how the policy is being applied. Suggests individuals may be applying the policy differently and an audit would be a means to alleviate or understand whether the criteria is understood or robust enough. Also suggests an independent third party be utilized when trying to resolve situations). The district does employ mediation strategies in some cases and reports:

- Revised policy over the last few years after an audit by [The Burns Institute for Justice Fairness & Equity](#).
- Policy, procedure and practice.
- Alternatives to suspension are utilized.

Decrease in total number of disparities, but disproportionality in the groups remains. Works continues.

### **Student arrests/new policy regarding warrants.**

The District had concerns about their policy of serving of warrants on school property and District met with a judge to determine parameters for serving warrants on students.

District states Community Resource Officers (CROs) are not police officers, but are commissioned by Spokane Police Department. Informed they would lose their commission if warrants were not served on students.

District states a reduction in the number of student arrests over a two-year period from approximately 800 to less than 100 due to:

- Change in leadership of the CROs
- Implementation of new guidelines
- Staff training
- Safety Net strategies – multiple people utilized when making the decision to arrest a student instead of a single decision maker
- School is posting current data on the website monthly. Has been helpful to the workgroup conversations.
- Implemented new data metrics and collecting more data than previously.
- Developing an in-school diversion program
- Student engagement/re-engagement strategies figure out best practices, family engagement, quality assurance, disparities
- Student discipline rates. District's goal is for every student to matriculate to some form of post-secondary education. Expects the 2018 graduation rate to be the highest

### **Commission suggests:**

- An audit of some cases: Because of the disproportionality, make sure there is equitable application of the criteria. Individuals may be applying the criteria differently. An audit may help distinguish whether the policies are robust enough.
- Employ an external view: utilizing an independent individual may assist the district to address disparities.
- Gather community feedback by engaging with parents about the metrics that should be tracked

### **3:00 PM – Maggie Yates, Administrator and Carmen Pacheco of Spokane Regional Justice and Law Center**

Ms. Pacheco is Chair of the Racial Equity Committee

Vast amount are Pre-trial (arrested and waiting in jail for a trial date while presumed innocent). Pre-trial are filling the jails across the country in large numbers. Crime rates are relatively the same across racial groups, but the disproportionality is evident in jails.

2015-16 [Burns Institute](#) data compiled data for the Justice Center. Data reveals severe disproportionality among minority groups; African Americans make up 2% of the population in Spokane, but composes 8% of pretrial bookings.

Spokane Regional Law and Justice Council is in the process of revising their bylaws. A recommendation from the Burns Institute is to amend the mission statement and bylaws to reflect its commitment to addressing racial disparities in the system.

[The Safety and Justice Challenge](#) grant from the MacArthur Foundation addresses jail population and racial disparities is separate from the Spokane Regional Law and Justice Council but continues to be a commitment for the County. Safely reduce jail population and reduce racial disparity. Primed for the third and final phase. Spokane County was one of 40 jurisdictions selected for the grant. Implicit bias training for county personnel was conducted during the second phase.

**Commission:** What does equitable mean? What does it look like? We have heard the numbers but no description of what the goal is. When do we know what the acceptable number is? We have defined the problems, but what is the definition of equity in all the situations discussed today?

Once you get data, establish a baseline and commit to driving down numbers year over year.

SRJLC proposes to make the data transparent and available to the community. Need to figure out what the need is in our community and across communities. All of these overlapping systems contribute to each other and figuring out how to meet the needs and addressing them in the community justice system and looking upstream to divert people away from us (SRJLC). SRJLC also looking to hear from the community via organizations such as the Racial Equity Committee.

Spokane County is building a mental health stabilization center, some of which is state funded. Instead of jail, they can detox safely or get help. The City of Spokane plans for a one-stop facility to access resources and services. Their re-entry grant through the [Bureau of Justice Statistics](#) funds a pilot plan launching in November 2018 matching eligible individuals with community health workers once they leave the jail. These general efforts are not directly tackling racial disproportionality but have an effect on the criminal justice system.

Planned actions include creation of a racial equity toolkit and continued implicit bias training and expansion of training into the County.

**Commission:** People of color are not represented on the decision making body of the Law and Justice Council. Suggests substantive transformation of the council.

**Suggestion by CAAA: Correlate the incidence of youth homeless to the incarceration of parents**

**3:00 pm – Public Comment**  
**Open discussion from audience**

**3:30 pm – Motion Carried/Adjournment**