

## CRC Justice & Equity Committee Notes 3/1/21

Start time: 4:05pm (approx.)

End time: 5:40pm (approx.)

In attendance: Kyle, Sharon, Jane, Kevin

Minutes approved.

Agenda approved.

Kevin on motivations, goals, perspective:

True equity within county govt structure – his motivation is for the county to be a beacon of hope and real justice – the county govt needs to lead by example – not sure we have. Our law enforcement agency has had deputies totally out of line in years past. Questions in all of law and justice around how can the status quo be improved and more equitable for anybody going through that system. Idea for a commissioner committee that would be independent.

We have an equal pay law as of two years ago in WA State – we haven't done an audit to see if gender equality truly exists in our county. Are there women being paid less for the same jobs? How far can we push these things as a Charter as opposed to individual ordinances and policies. Possible opportunity to address these things within the Charter – like an annual audit to be done by this commission. Motivation to make SJC be a really bold and exciting example of what it can mean to be just and equitable across the board – gender, racial justice, sexual preference – whatever. One priority is building relationships with the Coast Salish tribes – look at names in the county and addressing the colonial playbook that has been played well here. Kevin is working with some Lummi elders on this – writing the colonial playbook and how it's been used.

Discussion on format for reporting to full commission. Who/What/How: Each committee to give an update beginning this Wednesday. Are there topics beginning to rise to a higher level within a committee? Subjects that we'll want to bring back to the full commission for consideration, in order to get other commissioners and the public going to our town halls, thinking about what ideas are coming up. Some may need legal input, and send them to Randy as they come up. There may be some topics not within the scope of the

CRC, so we don't want to spend time on those. Will give about 45 minutes to that part of the agenda on Wednesday.

Try to keep our presentation to 4 or 5 bullet points.

We can take turns presenting updates – Sharon will present this week.

Lessons learned from other Charters/outside resources:

Jane: Resolution 312020 referenced by Mike Thomas last week – where the county stands on issues of justice and equity – SJCC passed a resolution on issues of diversity, equity and inclusion last year – she found the signed resolution on the website – wasn't easy to find the final version online. It's a solid resolution in many ways, but it's policy and does not direct the county govt or elected offices to do anything. She wrote to Mike and asked what that resolution resulted in. Is there any oversight, any requirements to fulfill? Mike offered to have a conversation but that hasn't happened yet. Randy said court and prosecutors' office has had some training about unconscious bias and what they need to be mindful of in their decision-making. She'll follow up with him on that. Let's find out what teeth this resolution has. It's not an ordinance, so it's not law, but it is a statement by our county council that they care about this. Use of force is not in the resolution, so she wants to have that conversation with Mike. She went to MRSC page on DE&I – there are examples across the state on these issues, but didn't find something for us to bring into our county Charter. So we need to explore and discuss what might something structural be? Olivia's offer to bring Peter Fisher in on tribal issues – let's consider that.

Kevin: Last year, in the height of the BLM movement, our county passed a resolution on “shall vs. should” – specifically on resolutions vs. ordinances – resolutions are not for taking action. We need law around this. Reach out to Sharon Kinley and Jay Julius from the Lummi Nation to speak with us – good ideas came out of their meeting on Orcas around Covid.

Discussion of what to review and who to hear from on topics:

Sharon: Continue looking into already existing documents we can draw from; Incorporate feedback from people in SJC.

Kevin: Could have separate meetings on our various discussion points.

Jane: Law & Justice Oversight Committee established for King County – invite someone from that county govt to talk with us about how that will play out now that it's been approved by the voters.

Kyle – teeth could come through a citizen board. Articles 8 & 10 on the personnel system and general provisions part where you can add a board or

stipulate that SJC requires any contractors to adopt the same perspectives and standards.

How are hires made? Are fairness and representation considered?

Where in the Charter would we create the structure? Need the Charter to create a mechanism to hold feet to the fire. He shares the beacon of hope aspiration that Kevin shared. It has to have structure and get passed by the voters.

Kevin: Issues of justice and equity and climate are going to pass the voters. It's our job to put the structure in place so it's workable. BLM shone a spotlight that there's still an underbelly of racism in SJC. It's why we have to do this in the county Charter. The example of Trump is perfect – many of us thought there was less racism in the society but we found out there's still a lot of racism. We need to know how does the Charter implementation get interpreted – legislative intent – what did the lawmakers actually intend when they passed a certain law. How specific do we need to be when we write this up, and then how will it be interpreted on the ballot?

Jane: The language of the Charter has to be extremely clear.

Kevin: Kevin Carter has been running the justice & equity work in the county for the last year. They presented the resolution to the county council – didn't realize they should have done an ordinance. The early drafts had a lot in there that changed dramatically when they sat down with the sheriff.

Kyle: Focus on where we can impact the Charter, how to do an oversight committee/board. Choose a couple of people to hear from and make that our agenda for next week. We need to consider other aspects, like people with disabilities, the elderly, etc.

Kevin: We need to bump our meetings to 1.5 hours when we have speakers, so we can have time to digest what they said and come up with actions.

Sheriff Krebs will speak to the whole commission on March 10. Kevin wants him to cover the basics of his office and also wants us to bring in ideas from our committee.

Jane: At least the resolution exists – it's an opportunity to talk with the sheriff about it. We need to ask people elected or appointed what is being done with this resolution? Can we have a conversation with Kevin Carter and maybe one or two others involved in writing it. It sounds like Randy is open to speaking with his staff about this resolution. We need to get some info, evidence – ask the SJCC – the past councilmembers and current councilmembers.

Kevin: The fact it was adopted 7 months ago and Randy hasn't had an opportunity to talk with his office yet indicates the difference between a resolution and an ordinance. We need to be specific and put date certain in it.

If you go to [newdealsanjuanislands.com/justice](http://newdealsanjuanislands.com/justice) – there's an entire draft ordinance there.

Jane: What should we do in advance of next week's meeting?

**Kyle:** Let's give the sheriff an idea of what we want to ask him. **And ask to speak with Kevin Carter ahead of that. Can he speak for 20-30 minutes at next week's meeting?** We need active language and potentially creating new structural elements to address this. Kyle will reach out to Kevin Carter.

**Jane will gather some more background info from Mike.**

**Sharon will continue talking with friends of color on Orcas about their experiences.**

Kevin: Attorney Kyle Loring wrote the justice and equity ordinance – knows what can be done at the county level – circle back to him about what's possible. His wife Katie is a judge in SJC – maybe she can speak with us – she's fantastic. What would this look like for her in the courtroom?

Kyle: For next week, propose more than three people for us to hear from in committee and why. How we hear from them, structure the time we have with them.

Jane: We need to know why this ordinance has come about – we need to do some problem identification – what is not working or what can be improved in the county? How big are the problems here and where do they exist?

Kevin will send us a report done by the OICF this summer/fall that led to several work groups being formed, one of which is the justice & equity group. New Deal SJIs was working for a year on a justice resolution and then the racial justice and equity group started working on their own, so the NDSJI group pulled back because they're a bunch of white people.

**Kyle:** **See if we can have Kevin Carter and maybe the Lorings speak with us on March 8.** And then at the end of that meeting discuss who we'd like to bring in for the following week.

Jane: We need to do something with this list of issues in terms of how they come together – is there something that encompasses them all. Let's spend a few minutes talking about these next week.

Kevin Carter, Berto Gandara, member of Lummi Nation – **Kyle will reach out to Kevin Carter, Kevin R will reach out to Berto to see if they can attend next week's committee meeting.**

**Kevin R to put together some specific questions for the sheriff.**