



## MEMORANDUM

**TO:** Councilmembers  
**FROM:** William Bridges and Rebecca Chapman  
**DATE:** October 20, 2022  
**SUBJECT:** Final Report of Equity Review Committee

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### **Brief Summary**

The Equity Review Committee (ERC), an advisory committee created by the Pierce County Council in August 2021, met from December 2021 to September 2022. It sunset on October 3, 2022. As its final act, the ERC recommended the following action to the Council:

The Pierce County Council should create a permanent and adequately funded board, commission, or similar structure to engage and collaborate with impacted communities and to advise Pierce County government on equity issues as identified by the board, commission, or structure.

In addition, ERC members were sent a survey requesting they prioritize the five most important issues the Council should consider as it continues its equity work. The survey results were reviewed by the ERC during its final meeting. While not formally adopted by the ERC, the results were discussed without any objections. The prioritized survey results are included below.

### **Background**

2020 Resolution Requesting a Review of Law and Justice Systems in Pierce County. In June 2020, the Pierce County Council adopted Resolution No. R2020-43, recognizing the diverse communities of Pierce County, the factors leading to systemic racism, and the principle that the rights of every citizen are diminished when the rights of one citizen is threatened. The Resolution also requested several executive law and justice departments and the judicial branch to review their current policies, procedures, and best practices considering the County's commitment to community inclusivity, and to submit the reviews to the Council.

Criminal Justice Workgroup. The Pierce County Executive formed the Criminal Justice Workgroup in July 2020 to analyze the County's criminal justice data in response to Resolution No. R2020-43. The workgroup members represented the Office of the Executive, the Office of the Prosecuting Attorney, the Department of Assigned Counsel, the Pierce County Sheriff, Pierce County Corrections, and the Clerk of the Superior Court.

Public Review Committee. In September 2020, the Council adopted Resolution No. R2020-76, creating a 14-member Public Review Committee to review the submissions requested by Resolution No. R2020-43, and to

provide recommendations to the Council. Facilitated by Pierce County Superior Court Judge Frank Cuthbertson (Retired), the Public Review Committee met seven times from September to November 2020 and presented its report to the Council on November 18, 2020. Among the findings were three principal recommendations: (1) a continuation of the Public Review Committee as is or in some form; (2) a further analysis of criminal justice data; and (3) the adoption of countywide Diversity, Equity, and Inclusion (DEI) initiatives.

Resolutions Requesting DEI Initiatives. On August 3, 2021, the Council adopted two resolutions requesting the Executive to develop and recommend specified DEI initiatives and to submit the recommendations to a new Equity Review Committee (ERC) by August 15, 2022.<sup>1</sup>

DEI initiatives to be recommended by the Executive:

- A countywide equity index.<sup>2</sup>
- An analytical framework (called an “equity note”) that uses the index to evaluate legislation and actions proposed by the Executive.<sup>3</sup>
- A DEI policy to guide all Executive Department and Council decision making.<sup>4</sup>
- Assessment tools for promoting cultural competency in County operations.<sup>5</sup>

In addition, the following tasks were requested of the ERC:

- Monitor and review the continuing data analysis conducted by the Executive's Criminal Justice Workgroup.<sup>6</sup>
- Provide its own recommendations on moving the County to a more culturally competent organization.<sup>7</sup>

The Equity Review Committee was requested to make recommendations to the Council’s Committee of the Whole on a periodic basis but no later than October 3, 2022.

ERC. The ERC is a facilitated, 22-member advisory committee created by the Pierce County Council in three Council Resolutions.<sup>8</sup> The ERC’s purpose was to review and recommend (DEI) polices as specified by Resolution.

ERC Membership. Fourteen voting members were appointed by the County Council as follows: Councilmembers recommended two persons from their respective districts, with at least one of the two representing marginalized and/or underserved communities. One voting tribal representative was appointed by the Executive.

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<sup>1</sup> Resolution No. R2021-108s (requesting Equity Index and Equity Note); Resolution No. R2021-109 (creating ERC and requesting DEI initiatives).

<sup>2</sup> Resolution No. R2021-108s.

<sup>3</sup> Resolution No. R2021-108s.

<sup>4</sup> Resolution No. R2021-109.

<sup>5</sup> Resolution No. R2021-109.

<sup>6</sup> Resolution No. R2021-109.

<sup>7</sup> Resolution No. R2021-109.

<sup>8</sup> Resolution No. R2021-109 (creating ERC with 14 voting members and 7 non-voting members); Resolution No. R2021-192 (adding a non-voting tribal representative); and Resolution No. R2021-218 (changing tribal representative to a voting member).

ERC Voting Members	
Scott Harrison	District 1
Tiffany Robson	District 1
Jmarie Johnson-Kola	District 2
Paul Herrera	District 2
Harvey Gilchrist	District 3
Russell Alfaro	District 3
Andre Jimenez	District 4
Dr. Latoya Bracket	District 4
Fahren Johnson	District 5
Dr. Angie Hambrick	District 5
Jim Cook	District 6
Darwin Peters	District 6
RoxAnne Simon	District 7
Priya Saxena	District 7
Tim Reynon	Tribal Representative

Seven non-voting members were appointed as follows:

- Three members appointed by the Executive representing the Human Resources Department, the Finance Department, and the Department of Assigned Counsel.
- One member appointed by the Prosecuting Attorney.
- One member appointed by the Sheriff.
- One member appointed by the Superior Court.
- One member appointed by the District Court.

ERC Non-Voting Members	
Gary Robinson	Finance
Judy Archer	Human Resources
Michael Kawamura	Assigned Counsel
Nina Caldwell	Prosecutor
Judge Karl Williams	District Court
Judge Clarence Henderson	Superior Court
Lauren Wallin	Sheriff

By Resolution, the Council appointed retired Superior Court Judge Frank Cuthbertson as facilitator.<sup>9</sup>

ERC Meetings. The ERC held 10 meetings from December 2021 to September 2022. The schedule and meeting summaries are attached as an Appendix. Public comments submitted to the ERC can be found at the [ERC's website](#).<sup>10</sup>

<sup>9</sup> Resolution No. R2021-192.

<sup>10</sup> Letters were submitted from Kristy Gledhill, Sally Perkins, and Heather Benedict.

## ERC Recommendations

The first and only ERC recommendation to the Council was adopted on September 8, 2022:

Motion recommending the Pierce County Council create a permanent and adequately funded board, commission, or similar structure to engage and collaborate with impacted communities and to advise Pierce County government on equity issues as identified by the board, commission, or structure.

In preparation for the September 8 meeting, ERC voting members were asked to prioritize their five most important issues the Council should consider as it continues its equity work.<sup>11</sup> The following is a summary of responses in order of priority:

### A. Criminal Justice Workgroup

1. Establish definitions for key terms and datasets for continuity and reporting.
2. Review available data and conduct further analysis on gaps, reliability, and collection.
3. Cross reference law enforcement reported demographic data with legal records (e.g., jail intake records) to verify data such as race.

### B. Diversity, Equity, and Inclusion (DEI) Policy

1. Clarify the County's Commitment to DEI.
  - a. Establish if the policy is meant to apply to County employees or if the policy is meant to influence all County functions.
2. Expand the Proposed DEI Policy
  - a. Establish a DEI advisory workgroup to advise HR on DEI policies and issues.
  - b. Create a more robust DEI policy for non-union employees. Bargain this policy rather than adopt a more basic policy for all employees.
  - c. Require additional DEI training for law and justice staff.
  - d. Fund professional development for all County staff regarding DEI.
  - e. Perform biennial audits of County DEI initiatives.<sup>12</sup>
3. Boards and Commissions
  - a. Adopt a consistent policy for audio and visual recordings.
  - b. Consider need-based stipend to members.
  - c. Require DEI training for members.

### C. Pierce County Equity Index

1. Involve public input on determining data indicators.
2. Incorporate indicators and performance measures from the Executives Strategic Plan into the Index.
3. Include demographics such as race, ethnicity, and gender inclusion in Index.

### D. Pierce County Equity Note

1. Require community engagement as part of the analysis.
2. Specify the actions that require an equity note analysis.
3. Require narrative explanations to supplement checked boxes.

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<sup>11</sup> Four responses were received.

<sup>12</sup> The ERC added this issue by motion on September 8, 2022.

4. Include effect on tribes as part of the analysis.
- E. Cultural Competency in County Operations
    1. Change name from Cultural Competency to Cultural Awareness or Cultural Humility.
    2. Use local experts who know the communities.
  - F. Creation of Permanent Equity Committee or Commission
    1. Create Commission to assist in making recommendations for creation of a permanent Equity Office.
      - a. Establish an Equity Commission.
      - b. Establish an Equity Office to advise all County departments for the evolution of policy and processes.
    2. Provide adequate funding and staff for the Commission and Office.

Date	Discussion Items	Summary
<a href="#">December 8, 2021</a>	<ul style="list-style-type: none"> <li>Review of <a href="#">R2020-43</a></li> <li>Equity Review Committee duties</li> <li>Schedule discussion</li> </ul>	Mr. Bridges reviewed the legislation creating the ERC and the DEI actions requested of the Executive and the ERC. The ERC logistics and operating rules were discussed. <a href="#">Meeting Summary</a>
<a href="#">January 13, 2022</a>	<ul style="list-style-type: none"> <li>OPMA and PRA review</li> <li>County DEI Initiatives</li> <li>Criminal Justice Workgroup overview and use-of-force report (Finance)</li> </ul>	DPA Sommerfeld reviewed OPMA and PRA and advised best practices. HR Director Archer reviewed the county's current DEI initiatives. Finance Dep. Dir. Demuth and Finance Dept. Analyst Izenman reviewed use-of-force findings of the Criminal Justice Workgroup. <a href="#">Meeting Summary</a>
<a href="#">February 10, 2022</a>	<ul style="list-style-type: none"> <li>Civilian Review Board proposal</li> <li>Criminal Justice Workgroup overview</li> <li>Use-of-Force Report (Finance)</li> <li>Use-of-Force Presentation (Sheriff)</li> </ul>	Executive Dammeier presented a draft ordinance for a Civilian Review Board and DAC Attorney Freeman provided details. Finance Dept. Analyst Izenman continued the use-of-force report from the previous meeting. Chief Roberts reviewed the Pierce County Sheriff's Department's use-of-force data and discussed mental health challenges of law enforcement. <a href="#">Meeting Summary</a>
<a href="#">March 10, 2022</a>	<ul style="list-style-type: none"> <li>Local Law Enforcement Oversight Models</li> <li><a href="#">I-940</a> and Other Investigatory Bodies</li> </ul>	Anne Bettsworth, City of Seattle, and Adrienne Wat, King County, reviewed their law enforcement oversight programs and fielded questions. DAC Attorney Freeman reviewed I-940 and other independent investigation models. ERC members voiced concerns about making recommendations on an oversight program. <a href="#">Meeting Summary</a>
<a href="#">April 14, 2022</a>	<ul style="list-style-type: none"> <li>Review of ERC Scope of Duties and Operating Guidelines</li> <li>Discussion of Definitions of Equity and Cultural Competency</li> <li>Future Schedule of ERC</li> </ul>	ERC members discussed their scope of duties and expressed frustrations regarding the Civilian Review Board presentation and meeting over Zoom. Due to time constraints, definitions were not discussed. HR Director Archer confirmed discussion of DEI policy at next meeting. <a href="#">Meeting Summary</a>
<a href="#">May 12, 2022</a>	<ul style="list-style-type: none"> <li>Review and Adoption of Operating Guidelines</li> <li>County DEI Policy</li> <li>Civilian Review Board Recommendation</li> </ul>	ERC members discussed the operating guidelines and concerns over the timely availability of meeting materials. ERC members passed a motion to continue recording the ERC meeting but not to post the recordings on the ERC website. HR Director Archer presented the County DEI policy and solicited feedback from members. <a href="#">Meeting Summary</a>
<a href="#">June 9, 2022</a>	<ul style="list-style-type: none"> <li>Review and Adoption of Operating Guidelines</li> </ul>	Amended Operating Guidelines were adopted. ERC members discussed their support for a permanent equity commission and

	<ul style="list-style-type: none"> <li>• Creation of Permanent Body</li> <li>• Equity Index</li> </ul>	office. Finance Dep. Dir. Demuth presented the Equity Index and fielded questions from members. <a href="#">Meeting Summary</a>
<a href="#">July 14, 2022</a>	<ul style="list-style-type: none"> <li>• Equity Index</li> <li>• Cultural Competency Tools</li> <li>• Creation of Permanent Equity Body</li> </ul>	Finance Dep. Dir. Demuth addressed the Equity Index and its current limitations. Demuth fielded questions. HR Director Archer reviewed the county's cultural competency tools. ERC members encouraged engagement with local consultants and experts. ERC members also expressed support for the creation of a permanent equity structure. <a href="#">Meeting Summary</a>
<a href="#">August 11, 2022</a>	<ul style="list-style-type: none"> <li>• Equity Community Engagement Coordinator</li> <li>• Equity Note</li> <li>• Creation of Permanent Body</li> </ul>	The new HS Equity Community Engagement Coordinator Love introduced herself and reviewed her duties. Finance Dep. Dir. Demuth reviewed the Equity Note. Community engagement was discussed. ERC members continued discussion of creating a permanent equity structure. <a href="#">Meeting Summary</a>
<a href="#">September 8, 2022</a>	<ul style="list-style-type: none"> <li>• Creation of Permanent Equity Body</li> <li>• Review of ERC Survey</li> </ul>	Motion to recommend a permanent equity body passed. ERC survey results were reviewed and amended by adding a recommendation that biennial performance audits of county DEI initiatives. <a href="#">Meeting Summary</a>

## Glossary:

DEI: Diversity, Equity, and Inclusion

DAC: Department of Assigned Counsel (Public Defender's Office)

DPA: Deputy Prosecuting Attorney

ERC: Equity Review Committee

OPMA: Open Public Meetings Act (Chapter 42.30 RCW)

PRA: Public Records Act (Chapter 42.56 RCW)