

Washington State Bar Association Board of Governors
c/o Bradford E. Furlong
President, Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101

Open letter to the Washington State Bar Association Board of Governors:

We—a significant part of Washington’s public interest and civil rights law sector, as well as members of the Washington bar, joined by Washington and national civil rights and community leaders who are not lawyers—write to challenge and object to the Washington State Bar Association’s (“WSBA” or “the Bar”) stance with respect to the amicus curiae (“friend of the Court”) brief many of us sought to file in the Washington Supreme Court, supporting the application of Tarra Simmons to sit for the Washington State Bar examination. The Bar asked the Supreme Court not to accept our brief. We don’t believe that stance should go unchallenged, as it says a great deal about who the Bar sees itself representing, and raises concerns that are broader than this one case.

Ms. Simmons’s record of remarkable accomplishment and dedication to rehabilitation, service to others, and to the legal profession over the past six years commands all of our respect. Her struggle to become licensed as a lawyer because of her past criminal history is detailed elsewhere and is only indirectly the subject of this letter.¹ It is also irrelevant to this letter that the Washington Supreme Court last week rejected the WSBA opposition to our brief, and that our brief will, in fact, be read by the Court. That the Bar did not persuade the Court to set aside our submission does not lessen the concerns raised by the fact that it made the attempt to shut down and set aside the views of this sector of its own membership, and the wider community concerned about these issues of access and stigma.

On August 7, 2017, the ACLU of Washington and 48 additional organizations, 34 attorneys, and 20 law school faculty members requested the Washington Supreme Court’s permission to submit their analysis of the Bar admission issues posed by Ms. Simmons’s case. The issues addressed by the Amicus Brief included whether evidence of rehabilitation is sufficient to establish character and fitness to practice law, and whether important public interests, including the reputation of the bar and advancing public confidence in the legal profession, are served by allowing rehabilitated

¹ Tarra Simmons applied to be admitted to the Washington State Bar in February 2017. Since her incarceration in 2011, Ms. Simmons’s achievements have been remarkable. She graduated magna cum laude from Seattle University School of Law, receiving the Dean’s Medal, awarded to an extraordinary graduate each year, as well as the Distinguished Graduating Student Award. She has been appointed by Governor Jay Inslee to two state boards addressing public defense and reentry issues, received a Skadden Fellowship, the first such fellowship awarded to a citizen returning from incarceration, and completed five internships, all the while maintaining her sobriety and raising three children. Nevertheless, the Washington State Bar Association Character and Fitness Board, by a 6-3 vote, recommended that Ms. Simmons be prevented from sitting for the Washington State Bar Examination. This recommendation has been sent to the Washington Supreme Court, which will review Ms. Simmons’s application and make the final determination as to whether Ms. Simmons can sit for the bar examination.

persons with criminal histories to pursue law licenses. The list of signatories to the brief is a catalogue of experts on, not only the issues and challenges of re-entry in the community generally, but also, issues of diversity in and access to the legal profession. The proposed “friends of the Court” included:

Organizations

ACLU of Washington
Black and Pink
CAN-DO Foundation
The Center for Justice
The Civil Rights Corps
Civil Survival
Columbia Legal Services
The Defender Initiative
Disability Rights Washington
Dorsey & Whitney LLP
The Drug Policy Alliance
Faith Action Network
Filipino Lawyers of Washington
The Fred T. Korematsu Center for Law and Equality
The Human Rights Defense Center
Incarcerated Mothers Advocacy Project
Justice Strategies
Just Leadership USA
The Kitsap County Continuum of Care
Kitsap SURJ
The Legal Foundation of Washington
Legal Services for Prisoners with Children
Legal Voice
The Loren Miller Bar Association
The National Association of Criminal Defense Lawyers
The National Coalition of Community-Based Correctional and Community Re-entry Service Organizations
The National Council for Incarcerated and Formerly Incarcerated Women and Girls
The National Employment Law Project
Northwest Justice Project
Pioneer Human Services
The Prison Policy Initiative
Public Defender Association
The Real Cost of Prisons Project
The Sargent Shriver National Center on Poverty Law
Seattle Goodwill
The Sentencing Project
The South Asian Bar Association of Washington
The Southern Center for Human Rights



The Southern Poverty Law Center
The Statewide Poverty Action Network
The Statewide Reentry Council
Surge Reproductive Justice
The Tacoma Ministerial Alliance
TeamChild
Washington Appleseed
Washington Association of Criminal Defense Lawyers
The Washington Defender Association
What's Next Washington
YWCA of Kitsap County

Attorneys

Francis Adewale
Deno Alo-Colbeck
Emma Aubrey
Phil Brenneman
Elise Buie
John Cain
Patrick Carter
Marsha Chien
Catherine N.L. Connell
Boris Davidoskiy
Jessica Elekes
J. Engels
Jessica Fleming
Veronica Freitas
Maria Fujiye
Emily Gause
Anthony Gipe
Mary Hammerly
John Hardie
Lillian Hewko
Sonja Jacobsen
David LaCross
Erin Lecocq
Ken Masters
Megan McCloskey
Colleen Melody
Kelley Ann Orr
Kristin Relyea
Charlie Robbins
Daryl Rodrigues
Jennifer Smith
Adrienne Stuart

Josh Treybig
Brent Williams-Ruth

Law School Faculty Members

Janet Ainsworth
Kimberly D. Ambrose
Steven Bender
Lisa Brodoff
Mark A. Chinen
Margaret Chon
Annette Clark
Brooke D. Coleman
Janet K.G. Dickson
Charlotte Garden
Paul Holland
John B. Kirkwood
Jackie McMurtrie
Daniel Medwed
Anna Roberts
Mimi Samuel
Julie Shapiro
Andrew Siegel
Ronald C. Slye
Dean Spade

It is worth pausing to consider that the WSBA set itself in an adversarial posture with respect to many of its own members, asking that the Supreme Court shut the door and not even hear from this wing of our profession. We understand that the Bar had a formal role to take in defending the decision of its Character and Fitness Committee to recommend against allowing Ms. Simmons to sit for the bar exam. While we disagree with the Committee's position and the substantive position the Bar therefore is going to take before the Supreme Court against Ms. Simmons's admission to legal practice, that is not the point of this letter. The Bar can make its case. Our objection here is that the Bar attempted to use its procedural advantage as a party to this case to artificially limit the conversation at the Court to one between Ms. Simmons, as a single applicant, and the Bar, trying to keep her out of the profession—at a time when many among the Bar's own membership, and many community leaders, feel there are larger issues at stake that should be submitted to the Court.

The Bar is, or is supposed to be, us—not an organization that pursues the parochial impulse to vindicate the views of some of its staff and committees. It should advance the interests of its members and of the public, which means, at a minimum, not attempting to silence or sideline those members and public leaders. Obviously we would expect there to be a diversity of views on most issues among WSBA members, and we would not oppose an amicus brief by Bar members or community leaders with relevant expertise bearing on why Ms. Simmons should not be allowed to join our profession at this time. (It's noteworthy, and reflective of Ms. Simmons'

remarkable accomplishments, that no such brief was offered.) The Bar should have taken no position on, or supported, the application to file our amicus brief, even though our brief was for the most part at odds with the Bar's own institutional position.

Though a nominally private association, the WSBA is part of the judicial branch, exercising a governmental function authorized by the Washington State Supreme Court to license the state's nearly 35,000 lawyers. The WSBA both regulates lawyers under the authority of the Court and serves its members as a professional association. The Bar should not be in the business of encouraging Washington courts to shut their doors to the advocacy efforts of its own members and distinguished community leaders. It's unseemly, and a misuse of the gatekeeper role the WSBA plays in our profession.

Sincerely,

Aaron Mosher, Attorney
Adam J. Berger, Attorney
Adam J. Yanasak, Attorney
Addiction Haven
Adrienne Stuart, Attorney
Airen Lydick, Community Organizer
Al Burk
Alana Gregoire
Alex Bergstrom
Alex Hur, Community Advocate
Alex Mayo, Community Advocate
Alexandra Cox, Lecturer, University of Essex
Alexandra Kory, Attorney
Alice E. Gerard
Amanda Beyersdorf
Amanda DuBois, Attorney
Amy Bouldin, Attorney
Amy Gibbs
Amy Waldrup
Anastasia Karson, Attorney
Andra Kranzler, Attorney
Andrea James, Organizer
Andrea Pirkey
Andrew H. Fuller
Andrew Kashyap, Attorney
Andrew N. Pierce, Attorney
Angela Araque
Angela Casola
Angeline Thomas, Executive Director, Washington Appleseed

Angie Geren, Community Advocate
Angie Madison Hardin
Ann M. Wooten
Anna Hallows, Community Organizer
Anna Roberts, Associate Professor, Seattle University School of Law
Annie Strout
Anthony Hertel, Attorney
Anthony K. McDonald, Trinity Law School '18
Anthony Nelson
Antoinette M. Davis, Attorney, Antoinette M. Davis Law, PLLC
April Thomas, Attorney
Arthur E. Ortiz, Attorney
Ashleigh M. Carter, Community Leader & Activist
Ashley E. Kingsley
Audrey Gilliam, Attorney, Northwest Immigrant Rights Project
Austin Mallory
Barbara Hampton
Barbara Lodge, Attorney
Barbie Brendalen,
Beth Curtis MSW, Director, Life for Pot
Beth Terrell, Attorney
Black and Pink
Bob Cooper, Managing Partner, Evergreen Public Affairs
Brac Giavanno
Bradford J. Fulton, Attorney
Brent Williams-Ruth, Attorney
Brian Wright, Attorney
Brittany A. Madderra, Attorney, Terrell Marshall Law Group
Brooks de Peyster, Attorney
Bruce Neas, Attorney
C. Erika Bleyl, Attorney, Snohomish County Public Defender Association
California Families Against Solitary Confinement
CAN-DO Foundation
Carol Isaac
Carol Soto, Project Coordinator, Youth Arts New York
Carole Leonard, Advocate
Carolyn Schwebel, EdD, Rehabilitation Counselor
Carrie Bates, Advocate
Catherine O'Toole, Attorney
Cathy Overfield
Chad Hansen, Attorney, Disability Law Center of Alaska
Chad Law

Chandra Bozelko, Journalist
Cherie Cruz
Christine Breland Lobre, Program Director
Christine Frausto, Public Defender
Christopher Beasley, Assistant Professor, University of Washington
Christopher Harbolt, Assistant Program Director, Sober Living
Christopher R. Poulos, Attorney
Chrysztyna Rowek
Cindy Washbourne
Circle of Change
Civil Survival
Claire Ward, Criminal Defense Attorney
Corey Guilmette, Attorney
Cory Walster, Community Advocate
Cristal S. Harris, Student, University of San Francisco School of Law
Cynthia Brady
Cynthia Yeung, Associate Director, Access to Justice Institute, Seattle University School of Law
D'Adre Cunningham, Attorney, Washington Defender Association Incarcerated Parents Project
Daisy M. Hernandez B.S.W., Gandara Mental Health Center
Dallana Battle
Dana Blech, Student, University of Maryland School of Law
Daryl A. Rodrigues, Public Defender
Daryl Campbell, Attorney
David A. Douglas, Senior Lecturer
David A. Sinclair, Attorney
David B. Richardson, Law Offices of David B. Richardson, PS
David Charles Snell, Shareholder SSWC and Former President, Tacoma-Pierce County Bar Association
David Cullison, Hastings College of the Law '18
David Keenan
David Lawyer, Attorney
David Mann, Attorney
David S. Roth
Dawn R. Harrington, Systems Manager, National Council of Incarcerated and Formerly Incarcerated Women and Girls
Dean Spade, Professor, Seattle University School of Law
Debbie Hansen
Deborah A. Bianco, Attorney
Deborah Gates, Attorney
Deena K Ledger, Attorney
Dena Alo-Colbeck, Attorney
Denise L. Hansen, Attorney

Derrick H. Carter, Registered Alcohol and Drug Treatment Specialist
Desiree L. Good, Attorney
Diane Shea
Disn Perez, Community Organizer
Dominique Scalia, Attorney
Douglas Hyldahl, Attorney
Douglas L. Stevick, Attorney
DuBois Cary Law Group
Durell Green, Community Outreach, Washington Statewide Reentry Council
Edwin S. Budge, Attorney
Eleuthera Lisch, Community Organizer
Elise Buie Family Law
Elizabeth Berman Lovell, Attorney
Elizabeth LePley, Attorney
Elizabeth Quick, Quick Law Group, PLLC
Elizabeth Reid, Re-entry Researcher
Elizabeth Tierney
Emily Cordo, Attorney (inactive)
Emily Hahn, Attorney in recovery
Emily R. Kahn
Emily Hoffman
Emily M. Gause, Criminal Defense Attorney
Enrique Gonzalez, Community Advocate
Eric Nusser, Attorney, Terrell Marshall Law Group
Erika Pablo, Attorney
Erika Nusser
Faith Action Network
Faith Ireland, Attorney
Fallen Up Ministries
Families for Justice as Healing
Felicia Coombs
Florida Rights Restoration Coalition
Formerly Incarcerated College Graduates Network
Fox Rich
Francis Adewale, Community Activist
Free Hearts
Gail Stone, Attorney
Gause Law Offices PLLC
Ginga Merritt, Community Organizer
Glenn E. Martin
Grace to Change
Greg S. Nelson, Attorney

Gregory Lewis, Mental Health Therapist
Hank Balson, Civil Rights Attorney
Heather Barden, Attorney
Heather McKimmie, Attorney
Helen Wallace
Help Not Handcuffs, Inc.
Holli Griffin, Associate Attorney, The Law Offices of Kurt D. Bennett, PLLC
Holly Scott Laukkonen, Attorney
Hon. Anne Haskell, Retired Maine State Senator
Incarcerated Mothers Advocacy Project
Irma Gonzalez-Blanco
J. Denise Diskin
Jackson Transitions
Jacqueline McMurtrie, Professor, University of Washington School of Law
James Jackson, Community Organizer
Jamie L. Baxter, Attorney
Jamie Lieb
Jamila Johnson, Senior Supervising Attorney, Criminal Justice Reform at The Southern Poverty
Law Center
Janet L. Thoman, Attorney
Jeff Vest
Jefferson Coulter, Attorney
Jeffrey Ellis, Attorney
Jeneice LaCross, Attorney
Jenilyn Drake Van Vechten, Public Citizen of Tacoma
Jennifer Aragon, Attorney
Jennifer Gogert
Jennifer Horton
Jennifer Manley
Jennifer Smith, Co-Executive Director, Seattle Clemency Project
Jennifer Werdell, Executive Director, JustLead Washington
Jennifer Yockey, Recovery Advocate
Jeremiah Holman
Jessica Means, Community Activist and Organizer
Jessica Schmidt, Attorney
John C. Pavlich
John C. Hardie, Attorney
John Cain, Attorney
John G. Cooper, Mediator-Arbitrator
John Goldmark, Attorney
John Groseclose, Attorney
John H. Branson, Attorney

John Luke McKean, Attorney, McKean Law Office P.S.C.
John McGilliard, Retired Attorney
John Vernicci
Joseph Koplun, Attorney
Joshua Horton, Law Student in Recovery
Joshua Treybig, Attorney, King County Department of Public Defense
Judith Riner
Julia Cummings, Community Organizer
Julia Jacobs
Julie M. Herber, Attorney
Juneau Recovery Community
Justin Olson, Attorney
Justine Moore
K. Kemp, Certified Recovery Coach
Karen Campbell, Attorney
Karen Halverson, Attorney
Karen Lee, Attorney & CEO, Pioneer Human Services
Karen M. Phillips, Attorney and Board Member of Law Advocates
Karlton Daniel, Community Organizer
Kasia Rutledge, Capital Defense Attorney
Katherine Weber, Attorney
Kathleen Card, Advocate
Kathleen DiMillo Whittaker
Kathryn Schneck, RN BSN
Kathy Frasier, Advocate
Keith Scully, Attorney
Kelley Ann Orr, Attorney
Kelsie Dore
Kelly Fisher, Attorney
Ken Keenan
Kerry E. Brink, Attorney
Kerry Wiltzius
Kim Gunning, Attorney, Columbia Legal Services
Kimber Falkinburg, Founder of a Recovery-Oriented Business
Kimberly Goforth, Activist
Kimberly Gordon, Attorney, Gordon & Saunders, PLLC
Kimberly Sullivan
Kirsten Barron, Attorney
Kris Nyrop
Kristin Hudson, Addiction Treatment Professional
Korina Barry, Social Worker, Director of Outreach, Adjunct Faculty, Community Organizer
Krista K. Van Amerongen, Attorney, Yakima Department of Assigned Counsel

Kristin Relyea, Attorney
Kyle Drinnon, Attorney
Lani White
Lara A. Wilcox, Attorney
Laura Brunson
Laura Dawson
Laura Hawes Young, Attorney
Lauren Johnson
Lauretta Gomez, Student, University of Washington School of Social Work
Law Offices of David A. Bufalini
Law Office of Fred Peters
Law Offices of Greg S. Memovich, PLLC
Legal Voice
Leo Flor, Attorney
Leslie Fenton
Lilly Ettinger
Linda Krogh, Community Activist
Linda Thompson
Lindsay Halm
Lisa Brodoff, Associate Professor of Law
Lisa Campbell, Community Activist
Lisa Daugaard, Attorney
Lisa L. Atkinson, Trial Court Judge
Lisa O'Brien
Lisa Waldvogel, Attorney
Lori Mitchell
Lynn Davis
Maddie Flood, Law Student
Madisyn Coniglio
Margaret Chon, Professor, Seattle University School of Law
Margaret M. MacEachern, Advocate
Margaret "Mitzi" Vaughn, Attorney
Maria Brown
Mariah Ferraz, Attorney
Mariah Hanley, Attorney
Marisa Ordonia, Attorney
Marissa McCall Dodson, Public Policy Director, Southern Center for Human Rights
Mark A. Chinen, Professor of Law, Seattle University School of Law
Mark Leemon, Principal, Leemon & Royer PLLC
Mark Mayers
Marshaun Barber, Attorney, TeamChild
Martina Kartman, University of Washington School of Law '17

Mary B. Reiten, Attorney
Mary Corral
Mary Ken
Matthew G. Johnson, Attorney
Maureene Griese, RN BSN CCM
Maya Trujillo Ringe
McLean Law Office, PLLC
Melissa A. Huelsman, Attorney
Melissa Crews, Community Organizer & Recovery Advocate
Melissa Manus
Melissa McCombs
Melissa Perez, Student, Berkeley Law School
Melody Rose Spidell, Attorney
Mercedes Donchez, Attorney
Merredith Cunniff, Nurse in long term recovery
Micaela Manganello
Michael Charbonneau, Attorney
Michael Hallas, Attorney
Michael Nagle, Attorney
Michael S. O'Meara, Attorney
Michael Trujillo
Michelle Anderson
Michelle Dellino, Attorney
Michelle Mendelowitz, Attorney
Mick Woynarowski, Public Defender
Milan Gail Ryder, Attorney
Monica Cary, Attorney
Monika Batra Kashyap, Professor, Seattle University School of Law
Najja Morris
Natasha Fecteau, Community Organizer, Kitsap County
National Employment Law Project
New Beginnings Reentry Services, Inc.
Nicole Thomas-Kennedy, Attorney, King County Department of Public Defense
Nicole Transue
Nora Milligan
Not One More!
Nunn Vhan & Lang PLLC
Olga Owens, Attorney
Omari Amili, Faculty, South Seattle College
Operation Restoration
Oscar Sisk
Paige Miller

Pam Hall
Pamela Kirgin, Advocate
Pat White
Patricia Kaspar, Attorney
Patricia Murphy
Patricia Sully, Attorney
Patricia Tierney
Patricia Williams
Paul Arons, Attorney
Peg Campbell
Peggi Erickson
Peter Ehrlichman, Past Governor of Washington State Bar Association
Phillip Griffiths
Phyllis Hardy, Advocate
Pinky Stanseski, Criminal Justice student, University of Scranton
Project Liberation
Public Defender Association
RaeDeen Keahiolalo PhD, Academic, Administrator, Advocate
Rachel Gezerseh, Attorney
Ramon Garrido, Community Leader
Real Cost of Prisons Project
Rebecca Cotton, Social Worker
Rebecca Roe, Attorney and former Prosecuting Attorney
Rebecca Waxman
Rebecca Whitaker, Attorney
Reentry Central
Reggie Smith, Recovery Mentor
Regina Rabinovich MD, Health Care Provider
Release Aging People in Prison (RAPP)
Resident Action Project
Reverse The Cycle of Incarceration
Richard Warner
Robert C. Boruchowitz, Professor from Practice, Seattle University School of Law
Roisin Brady, Teacher
Roger Leishman
Ronald Slye, Professor, Seattle University School of Law
Root & Rebound
Rose Huggett
Roxanne Espinosa
Ruby K. Aliment, Attorney
Ruth Emily Vogel, Attorney
Ryan Dreveskracht, Attorney

Ryan Hampton
Ryan J. Pauley, Attorney and Washington State Association for Justice Eagle Member
Ryan Thomas Smith
Samantha Callahan
Samuel Muli, Community Organizer
Sandra L. Blume, Teacher
Sara Hart
Sarah Lippek, The Public Advocate NPSC, Public Interest Attorney
Sarah P Ahern, Recovery Advocate
Sarah Phipps, Community Organizer
Sean Hemmerle, Community Health Outreach Worker
Shankar Narayan, Attorney and Policy Advocate
Shannon Bishop, Attorney
Shannon M. Kilpatrick, Attorney
Shannon Strom
Sharon Grace, Attorney
Sharon W. Holley, Paralegal
Shaun McComas, Social Worker & Person in long term recovery
Shelley VanFleet
Sherry Appleton, Washington State Representative
Smith-Barbieri Progressive Fund
Sokha Danh, Neighborhood Safety Advocate
Sonja Trio, Attorney
Sophia Byrd McSherry, Attorney, Washington State Office of Public Defense
Southern Center for Human Rights
Southern Recovery Advocacy
Spread Hope Like Fire
Stacie Siebrecht, Attorney
Stacy Soria, Advocate
State Senator Jeannie Darneille, State Senator, Tacoma
Steered Straight, INC.
Stephan M. Thomas, King County Prosecutor
Stephen G. Johnson, Attorney
Stephen Kirby, Attorney
Steve Paul, Member of the Board, Dallas Texas Association of Addiction Professionals
Steven M. Lewis, Attorney
Steven M. Malek, Attorney
Sue Shipman
Susan Fridland, Educator
Susan Helf, Retired Attorney and University of Washington Adjunct Professor
Susan Mason
Tara Dowd, Community Organizer

Tara Moss
Tara O'Connor, Teacher
TeamChild
Terri L. herring-Puz, Attorney, Welch & Condon
Terria Walters, Advocate
The Chris Atwood Foundation
The EVAC Movement
The Ladies of Hope Ministries
The Law Office of Joshua L. Turnham PLLC
The Prison Consultants
The Sober Living Network
Theresa Anderson
Theresa Schalau
Thomas Fairchild, Activist & Counselor
Thomas M. Adkins, Attorney
Toby Marshall, Attorney, Terrell Marshall Law Group
Todd C. Nichols, Attorney
Tom Roman, Attorney
Topeka K. Sam, Soros Justice Fellow
Vanessa Hernandez, Attorney
Vanessa J. Fimhaber Oslund, Attorney
Veronica Greer
Veronica L. Villalpando
Virginia Burton, Program Supervisor & former prisoner
Virginia Wagner
Washington Appleseed
Washington Association of Criminal Defense Lawyers
Washington Defender Association
Washington Employment Lawyers Association
Wendy Golenbock
William C La Velle
William L. Bowden
Women In Transition
Women With A Vision
Yalta Waheed