Black Lives Matter Seattle King County Endorsement Questions

Hello, my name is Hillary Madsen. I am running for King County Superior Court, Position 13. The Washington State Code of Judicial Conduct, Cannon 4, prohibits judicial candidates from making statements about issues that could come to the courts for decisions. Since the King County Superior Court has been called upon to make rulings on several of the topics raised by the important questions below, I must limit my responses. I apologize in advance and thank you for your understanding.

1. **If elected, give examples of how your priorities will support the liberation and protection of Black Lives locally and across the state?**

   I am running on a platform of administering justice and supporting court rules in a way that is equitable for everyone. While people often consider the legal system as reflecting racism, our courts also create racism. To give a recent example, I am currently representing a Black mother in family law court. I had to explain to her the advice that I would have given to a White mother, and why I could not give the same advice to her, as we worked together on a legal strategy for moving her case forward. Racism is the greatest barrier to justice today and only in recognizing and working with communities and people negatively impacted by racism, can we transform our legal system.

2. **Do you believe racism is a public health crisis? Explain your answer?**

   Yes. As a lawyer working with adults and children caught in our homelessness response, child welfare, and juvenile legal systems, I have seen firsthand the barriers that people of color confront in accessing necessary healthcare. To give you an example, I am currently representing two Native youth in foster care. These youth have been managed by our courts for years, but one has never received therapy through the lens of her Native heritage and the other has only recently been offered the opportunity to participate in culturally competent care.

3. **Do you support defunding the police? Explain your answer.**

   My decision to go to law school was inspired by my work with teens experiencing homelessness in the U-District. I have spent my legal career working with children and youth; too often my clients have been expelled from preschool, pushed out of public schools, and put into the back of police cars. They have seen family members and close friends arrested. Our legal system does not prevent crime. Police officers, lawyers, and judges *react* to crimes that have already been committed. The answer to community safety lies in community. We must reimagine together how we do community safety.

4. **What is your position on charging officers with bodily harm-related crimes when excessive force is used? Explain your answer.**

   I support the need for lawmakers to reevaluate qualified immunity.

5. **How does your racial identity shape your perspective of public policy? Explain your answer.**

   I am the culmination of my experiences, and these experiences inform my views on public policy. To focus on race, specifically, I am white. I am also a Jewish mother. My spouse was a volunteer and committee member with the Jewish Federation of Greater Seattle when one of his friends was murdered during a mass shooting. Our children attend programming at a synagogue that was defaced last year. This week (10/10/2020) my six-year old was playing with a pretend sword and my husband
cautioned that we practice non-violence in our home. Our son said: “But Daddy, what about the people who hate Jews? I will need a sword for them.” A Black attorney that I admire greatly, Twyla Carter, said recently “nobody should be fully defined by their worst decision. And we can’t judge people’s decisions without knowing what their options were.” I believe everyone, and especially judges, have an obligation to understand multiple perspectives, and must engage in our community to understand the lived experiences of others. Judges should visit prisons, build relationships with communities and people impacted by our legal system, and ask how they can contribute to transformative change.

6. Do you support the restoration of voting rights for Washingtonians who are incarcerated or have been previously incarcerated or owe fees and fines? Explain your answer.

I had the privilege to lead multi-forum advocacy at Columbia Legal Services to re-write the laws on legal financial obligations (LFOs) in juvenile court so that LFOs are no longer imposed on children and youth. I also volunteer actively in the Latino Development Organization at Monroe and as a mentor through the IF Project at the Washington Corrections Center for Women. As a member of the Institutions Project at Columbia Legal Services, I have also had the privilege to engage in programming with the Black Prisoners Caucus at prisons across Washington and investigate abuse in jails, prisons, and immigrant detention centers. I believe incarceration should never be allowed to present a barrier to participation in civic life.