

Dear NAACP Supporters and Community Members,

The comments made by Judge Zimmerman last week in a private conversation with another court official are concerning and clearly reflect his lack of ethical and cultural competency to continue serving on the court presiding over criminal or civil cases. Judge Zimmerman should resign or be removed from the bench now.

The audible comments discerned in Zimmerman's rant revealed unsettling commentaries, among them:

An intolerance for independent investigations of police shootings; rendering him incapable of impartiality on the bench on criminal or civil cases involving local law enforcement.

Unethical conduct and undue influence involving obtaining information on case matters outside of appropriate channels.

The inability to grasp the ethical and humane concept of equity and fairness so as to adjudicate in such a manner that ensures that a black father or the BIPOC community (sharing the same concern that he has for his son) should expect and seek full accountability under the law in cases involving police shootings. We know now that Judge Zimmerman presents an intolerable, unacceptable and unnecessary risk to BIPOC defendants, and a potential liability to Clark County and Clark County Courts.

Prosecutor Tony Golick is absolutely correct in seeking to have Judge Zimmerman disqualified on criminal cases. We applaud his leadership and quick action. We urge Prosecutor Golick, the Commission on Judicial Conduct (CJC) for the State of Washington, and other appropriate officials to ensure a thorough investigation of past criminal cases involving BIPOC defendants and the Clark County Sheriff Department to ascertain that the judge acted in an ethical and lawful manner.

We also urge Prosecutor Golick and the CJC to further assess Judge Zimmerman's fitness to continue to serve in any courtroom capacity. Everyone must answer the simple question of knowing what we know now from Judge Zimmerman, why should the community, and the BIPOC community in particular, have confidence in his ability to serve in a manner that is just, equitable and in accordance with the law? Knowing what we know now, can these officials reasonably vouch for Zimmerman's ethical and cultural competency?

Several organizations have taken positions on the matter of Judge Zimmerman. The Vancouver Defenders, a criminal defense law firm which holds the contract for misdemeanor public defense cases in Clark County, and the Columbian Newspaper have called for his resignation. We applaud these calls for just action. The local Bar Association has stated that they "are gravely concerned" over his statements, and the Clark County District Court has "condemned" his behavior. We urge the latter groups to reconsider the implications of not going the distance to call for his resignation.

Zimmerman issued an apology and has announced that he is taking "time off" to reflect on his statements. He and his attorney have implied that the question of his fitness for duty should not be assessed solely on the basis of one bad day out of his career. We disagree. What the Judge expressed on that one day underlies his courtroom conduct everyday and cannot be simply "excused". We do hope that Judge Zimmerman will decide to work in the community to help rid our judicial system and our community of racial bias whether overt, implicit or systemic. But for the good of Clark County, he needs to do that off the bench and as a former judge.

We encourage our members and the community to continue filing complaints with the CJC. Go to CJC - Commission on Judicial Conduct for the State of Washington. We also encourage our members to join our Legal Redress Committee (contact legalredress@naacpvancouverwa.org) or our Political Affairs Committee (contact politicalaffairs@naacpvancouverwa.org) to help strengthen the Branch's ability to advocate and continue the fight for equity and justice in our community.

In Solidarity,

NAACP Vancouver Branch 1139