

COMMISSION ON RACIAL & ETHNIC DISPARITY IN THE CRIMINAL JUSTICE SYSTEM

MINUTES

January 24, 2011 Meeting

Persons present: Judge Harper (Chairperson), Deb Fuller (Judicial), Brian Austin (new Executive Assistant to Chief State's Attorney), Judith Rossi (retiring Executive Assistant to Chief State's Attorney), Gary Roberge (CSSD), Tracey Gove (House of Reps appointee), Andrew Clark (contracted consultant – IMRP/CCSU), Aileen Keays (contracted consultant – IMRP/CCSU), Hakima Bey-Coon (OVA), Andrew Moseley (BOPP), Glen Cassis (AAAC), Werner Oyanadel (CT Puerto Rican and Latino Affairs Commission), Ann-Marie DeGraffenreidt (DCF/BJS), Preston Tisdale (former OCPD appointee), Kay Berris (Judicial), Donald Green (OCPD), Chief Fitzgerald (Police Chief's Association), Shawna Johnson (Judicial)

Meeting commenced at 12:40pm

I. Welcome

- a. Brian Austin introduced as new Executive Assistant to the Chief State's Attorney. Former Undersecretary to OPM. Will be attending with Judith Rossi for a while until eventually attending in place of her on behalf of the OCSA

II. Annual Report

- a. Chief Fitzgerald requested clarification on the origin of the statement on page 37 that the Commission supports the repeal of mandatory minimums for carrying small amounts of marijuana
 - i. Statement was a recommendation stemming from the conference held in October 2008.
 - ii. Will change the word "recommendations" to "suggestions" and move the comment to the section discussing the conference.
- b. Werner reminded the group that the Latino & Puerto Rican Affairs Commission would like to see two issues addressed by the Disparity Commission and would like for it to be included in the report: to diversify the judicial bench and to have more court interpreters
 - i. Werner will review the report and provide suggested language to be included
 - ii. Judith pointed out that to "higher more bilingual and bicultural staff" is included in the report.
 - iii. Discussion over its inclusion in the report since the issue has not been discussed by the Commission at-length during the reporting period.
 - iv. Could also look to increase diversity of Judicial Selection Commission
 - v. Decided would review the current diversity on the bench to see if disparity exists and if so, by how much?

- c. Will draft a revision and re-submit to Commission members for review

III. Working Group Updates

- a. Education, Training and Cultural Competence Working Group – Tracey Gove
 - i. Tracey provided an update on their work drafting language for jury instruction on implicit bias
 - ii. Members reviewed a draft hand-out
 - iii. Preston recommended the inclusion of the language “racial and ethnic” between “generalizations” and “stereotypes”
 - 1. Discussion over the proposal
 - 2. Commission decided to include the language “racial and ethnic, or other biases”
 - iv. Tracey will revise the instruction and send it to Kay on behalf of the Commission
 - 1. Judith Rossi would like it stated that the OCSA does not make the formal recommendation of language for jury instruction; it is up to Judicial to determine language for instruction.
 - v. Andrew C. made recommendation that the instruction include a hypothetical example for those who may not fully grasp the meaning of the instruction
 - 1. Along with the submitted language will be a suggestion that the Judicial committees would may want to consider drafting an example of implicit bias for the instruction
- b. Media Working Group – Aileen Keays
 - i. Update on recruitment of media representatives. Continue to reach-out to Dave Ward of channel 3.
 - ii. Update on creation of a research team to review media portrayals of minorities
 - 1. Researching potential journalism professors to partner with
- c. Pre-Arrest, Prevention, Diversionary and Community-based Programs Working Group – Ann-Marie DeGraffenreidt
 - i. Aileen and Ann-Marie have been working on drafting survey questions for service providers to identify interventions that are available in various parts of the state
 - 1. Will identify gaps in services including geographical areas in which various services are not available
 - ii. Ann-Marie has also drafted a list of groups to target for survey completion
 - 1. The list was read and feedback requested from members

IV. Summary of “Think Tank” meeting - follow-up from “Achieving the Goals of Criminal Justice: A Role for Mediation”

- a. Event held at Univ. of New Haven discussing restorative justice
- b. Break-out sessions: one focusing on youth and the other on adults
 - i. Youth group wanted to identify restorative justice programs in existence and/or revitalize ones that have fizzled
 - 1. Peer mediators in schools

- c. Chicago school system has implemented peer mediators in school discipline program
 - d. Pillsbury's program in NH was very well-liked but utilized mediation post-arrest

- V. Update on meeting with CT NAACP's Scot Esdaile
 - a. Judge Harper, Deb, Aileen and Preston met with representatives of CT NAACP
 - b. NAACP is very interested in hosting a joint conference with the Commission
 - c. Will continue to meet with them and will report-back progress to the Commission

- VI. Update on the changes in state government – new Governor, new Undersecretary
 - a. Mike Lawlor has taken Brian Austin's old position as Undersecretary
 - b. With the Governor and most of the new government on same page, will likely move toward reducing prison population and more toward restorative justice – more probation/parole programming
 - c. Many criminal justice issues that may have been proposed prior, or not even due to expected Governor veto, now can be pursued
 - d. Judge Shortall will chair the Sentencing Commission to be created Feb. 2011
 - e. Thoughts on revising bail system
 - i. A lot of competition between bail/bondsman so a lot of undercutting
 - ii. Domestic Violence Commission is interested in revising bail/bond system
 - iii. Lawlor is also interested in such an initiative

- VII. Other Business

- VIII. Adjourned at 1:45pm