

Commission on Racial & Ethnic Disparity in the Criminal Justice System

Connecticut Judicial Branch

Meeting Minutes

May 14, 2018

Community Court Conference Room, 80 Washington St., Hartford, CT

Commission members present: Justice Lubbie Harper, Jr. (Chair), Subira Gordon, William Rivera, Carleton Giles, Brian Austin, Scott Jones.

Staff and guests present: Mike Lawlor (Office of Policy and Management), Steven Hernández (Connecticut General Assembly Commission on Women, Children, and Seniors), Deb Fuller (Judicial), Troy Brown (Judicial), Shawna Woodard (Judicial), Esther Harris (Judicial), Ben Daigle (Institute for Municipal and Regional Policy).

- I. Welcome**
 - a. Justice Harper convened the meeting at 2:07 PM.
- II. Review and approve minutes from March 27th meeting**
 - a. Commissioners reviewed the minutes, and will vote when quorum is present.
- III. Welcome new commissioners**
 - a. Justice Harper and the Commission recognized and welcomed newly-appointed commissioners Scott Jones (appointed by Senate President Pro Tempore Martin Looney) (in attendance) and Avery Gaddis (appointed by Senate Republican President Pro Tempore Len Fasano) (unable to attend).
- IV. Updates on other commissions, committees, and task forces**
 - a. [Juvenile Justice Policy and Oversight Committee \(JJPOC\)](#) – Judicial
 - a. Deb Fuller: The JJPOC is developing its 2019 priorities, and is considering efforts around racial and ethnic disparity. SB 5041 passed; its provisions include the implementation of JJPOC recommendations and the transfer of juvenile services from DCF to CSSD (Judicial).
 - b. [Racial Profiling Prohibition Project \(CTRP3\)](#) – Ben Daigle, IMRP
 - a. The report on 2017 data should be completed by the close of the summer. Per previous Commission discussion, Ken Barone may present at a future CREDCJS meeting.
 - c. [Connecticut Sentencing Commission \(CSC\)](#) – Ben Daigle, IMRP
 - a. HB 5578, regarding overhaul of the sex offender registry, was not favorably reported by the Judiciary Committee. HB 5544, regarding the definition of misdemeanor sentences, did not pass the House or Senate.
- V. Review of the 2018 State Legislative Session, with Special Guests**
 - a. Mike Lawlor, Under Secretary for Criminal Justice Policy and Planning, Office of Policy and Management. Mike's presentation included data on the transition of youths in detention from DCF to Judicial, trends in various prison, pretrial, post-incarceration, and other populations by race, ethnicity, gender, and other characteristics (see handout). Of note, there is significant racial disparity in special parole. Additionally, special parole is being used more today than intended when the legislation was adopted; a law passed during the 2018 legislative session will limit the imposition of special parole (including for

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Connecticut Judicial Branch

persons being sentenced on drug convictions), in part to avoid the unintended consequences of special parole. The State has been working with Yale Law School on the parole revocation process because federal case law entitles persons to an attorney during that process; now, technical violations receive a preliminary hearing; Yale Law students (on a pilot basis) have represented persons at full hearings (further legal clinic, pro-bono, and other representation is being explored); parole violators returned to incarceration were denied programs, recreation credits, etc., but that is changing now. Commissioners discussed several aspects of the report, including how to sustain justice reform progress going forward. In closing, Mike encouraged commissioners to visit the prisons (nationally, this is called the Face-to-Face Initiative), and invited the Commission to have a tour.

- b. Steven Hernández; Executive Director; Connecticut General Assembly Commission on Women, Children, and Seniors. Steven noted the effort this past session to lower the age of juvenile prosecution as adults (undoing progress), and that school suspensions (within exceptions) reflect racial and ethnic disparity.
- c. William Rivera noted that DCF is in year 5 of its racial justice initiative, now focused on sustainability of impact.
- d. Esther Harris noted that discussion of criminal justice reform should include discussion of jury reform.
- e. Subira Gordon summarized legislation pushed/tracked by her Commission. One highlight was SB 256, Racial and Ethnic Impact Statements, to expand such statements beyond criminal justice legislation; the bill passed. Another was 'Unlock the Vote' to allow people on probation and parole to vote; CT is the only New England state without such a provision; the bill did not pass.

VI. Other business

- a. Brian Austin noted that training for all prosecutors will be held on 6/14 at CCSU. Chief Justice Robinson and Justice Khan will present a session on implicit bias.

VII. Upcoming Meetings & Events

- a. July 9, 2018 – Regular meeting
- b. September 10, 2018 – Regular meeting
- c. November TBA (Reschedule because Veterans Day is observed on 11/12/18.)

VIII. Adjournment

- a. Without objection, Justice Harper adjourned the meeting at 3:22 PM.