

# Commission on Racial & Ethnic Disparity in the Criminal Justice System

## MINUTES November 16, 2009 Meeting

### *Persons Present*

*Judge Lubbie Harper, Jr. (Chairperson), Deborah Fuller (Judicial), Aileen Keays (IMRP), Andrew Clark (IMRP), Andrew Moseley (BOPP), Ann-Marie DeGraffenreidt (DCF), Gary Roberge (CSSD), Glenn Cassis (AAAC), Hakima Bey-Coon (OVA), Judith Rossi (OCSA), Kay Berris (Judicial), Maureen Price-Boreland (CPA), Merva Jackson (AFCAMP), Pat Hynes (DOC), Paul Fitzgerald (Police Chief's Association), Tracey Gove (House of Rep's appointee).*

### *Hand-outs*

Meeting agenda, Working Groups' membership, Working Groups' Strategic Plans, State of Connecticut Judicial Branch Court Support Services Division Adult Bail Services October 8, 2009 PowerPoint print-out, Bond Rating Scale Form, CSSD Pre-trial Risk Assessment Point Scale, CSSD Case Data Record, draft minutes from September 21, 2009 meeting.

Meeting Commenced at 12:33 pm

- I. Welcome
- II. Approval of Minutes
  - a. Minutes were unanimously approved
- III. Presentation of the results of CSSD's evaluation of its revised policies to enhance offenders' accessibility to financial and non-financial bail – Gary Roberge
  - a. In 2003, the Judicial Branch initiated a multi-year project to develop a more systematic & consistent bail determination process
    - It has been a 6-7 yr process and CSSD continues to work to improve its policies and practices
  - b. Project ultimately resulted in:
    - Increased number of defendant's released on non-financial bonds
    - Increased use of the service provider network
    - A decrease in the number of failures to appear
    - More consistent and equitable financial bond recommendations
  - c. Three significant developments resulted from this project:
    - 2003 Validation of the Case Data Record
    - 2005 Bail Decision Aid
    - 2008 Financial Bond Guideline

d. Hand-outs were reviewed and discussed

*Discussion/questions*

- Have you looked at the affect of race?
  - No, not yet
- What was the rate of arrest during this time period?
  - It went down
- There are still a high number of people in prison pre-trial: a person held pre-trial is more likely to be sentenced to prison than someone not held pre-trial. Is CSSD looking to aid that disparity?
  - No, not particularly. However, other programs target that disparity including jail re-interview
- It would be great to see some evidence that these programs help racial disparity; the majority of accused people who were incarcerated pre-trial were minorities. It seems to me that CSSD is on the right track with this project.
  - CSSD can talk with its data people to see if they can look at race.
  - Would feel can certainly break it down by race and ethnicity.
  - Gary will look into CSSD's ability to break the data down by race
- Being held pre-trial may have been the biggest point in the system of disparity
- Marriage was identified as the primary indicator for appearance in court, yet if think of it in terms of race, the unmarried are more likely minority
- When Judicial looked at this, the single most determining factor was prior criminal record
- Did CCSU consider not married but a common law living situation?
  - CSSD has been talking about that internally & will ask CCSU to take this into account during follow-up assessment

IV. Working Group Updates

- a. No updates were shared
- b. Commission members in attendance were asked to join one of the three Working Groups: Media; Education, Training and Cultural Competence; or the Pre-arrest, Prevention, Diversionary and Community-based Programs Working Group
  - i. The pre-arrest and prevention working group needs the most new recruits
    - 1. Hakima Bey-Coon will join as a member
  - ii. Education has the most members

V. Budget Update

VI. Other Business

- a. Val LaMotte of JJAC was invited to return to the Commission to present on the DMC training by police for police
  - i. Val said she would be happy to return but also invited members to attend some of a two-day training this Wed and Thurs to observe
- b. OJJDP featured JJAC's training at their national conference
- c. Find-out from Val how many members the training can accommodate without being disruptive to the training environment. The entire Commission?
  - i. Ann-Marie will find-out the 2010 training schedule from Val

VII. Meeting adjourned at approximately 2 pm