

**Meeting Minutes**  
**November 18, 2019**

2:00 – 3:30

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

*Commission members in attendance: Justice Harper Jr., (Chair), Brian Austin Jr. (DCJ/OCSA), Carleton J. Giles (BOPP), David McGuire (House Majority Leader), Hakima Bey-Coon (OVA), Patrick Ridenhour (CT Police Chiefs Association), Preston Tisdale (Governor), Scott Jones (President Pro Temp of the Senate), Sharon Cheeks (Governor), Jodi Hill-Lilly (DCF).*

*Non-Commission members in attendance: Troy Brown (Judicial/CSSD), Aileen Keays (Contractor – IMRP), Brittany Kane (Contractor – IMRP), and Kitty Tyrol (special guest).*

- I. Welcome**
  - a. Meeting commenced at approximately 2:15pm
- II. Review and approve minutes from September 9<sup>th</sup> meeting**
  - a. Minutes were reviewed. Motion to accept made by Preston Tisdale and seconded by Brian Austin, approved by unanimous voice vote.
- III. Updates on other commissions, committees and task forces**
  - a. *Juvenile Justice Policy and Oversight Committee – Judicial/CSSD*
    - a. JJPOC RED Workgroup Update – Judicial/CSSD
  - b. [Racial Profiling Prohibition Project](#) – IMRP
    - a. At the October meeting, staff presented preliminary findings for the 2018 Traffic Stop Analysis. Preliminary findings identified the Bridgeport Police Department and CSP Troop K as having statically significant racial and ethnic disparities that warrant further analysis. Therefore, project staff will conduct comprehensive follow-up analyses for Bridgeport and Troop K. The full report will be published once the follow-up analyses are completed, with an anticipated release date of February 2020.
    - b. The Advisory Board is sponsoring a series of public forums throughout the state. Recent ones were held in Waterbury and New London. Bridgeport and Windham are next, with dates and locations TBD.
    - c. The Advisory Board is considering updating the 1999 statutory definition of “racial profiling” to better align with current national standards and best practices. May have proposal for 2020 legislative session.
    - d. The November 7<sup>th</sup> Advisory Board meeting featured a presentation on the Medical Effects of Urban Trauma, Racial Profiling and Traffic Stops, by Board member, Dr. Cato Laurencin. The presentation can be viewed on

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CT-N at: <http://ct-n.com/ctnplayer.asp?odID=16855> and begins at roughly the 9-minute mark. Also at the Nov. meeting, Police Chief Ronnell Higgins was appointed a member of the Advisory Board.

- c. CT Sentencing Commission – IMRP
  - a. Same studies/projects as outlined during the September meeting (below)
    - i. SB 1008, An Act Concerning a Study of the Disparities in Pretrial and Sentencing Outcomes of Criminal Defendants – The CSC is studying potential disparities in pretrial and sentencing outcomes related to the racial, ethnic, gender and socioeconomic status of a criminal defendant. Interim report is due January 1, 2020; final report is due January 1, 2021.
    - ii. Evaluation of the Impact of Risk and Needs-Based Sentencing in Connecticut
    - iii. Diversionsary programs study
    - iv. Firearms study – looking at offenses related to firearms. Report should be complete by the end of this year.
    - v. Study Concerning Inmates Established as Chronically Mentally Ill – the study shall include the # of chronically mentally ill inmates, if the population is completing longer portions of their sentences than non-mentally ill inmates, and whether they participate in programs assisting with reentry at a disparate rate.
    - vi. Collateral Consequences Subcommittee’s projects/studies:
      - 1. eligible to-vote population (people held pre-trial and convicted of misdemeanors) at DOC study
      - 2. automatic erasure of records
      - 3. fines, fees and cost of incarceration
      - 4. study on licensure
  - b. New project/studies
    - i. Last month, Sen. Martin Looney requested that the Commission study and develop recommendations for a proposal on pretrial justice that would 1) reduce the pretrial detained pop., 2) eliminate money bail and 3) ensure that public safety is not negatively impacted.
  - c. The CSC will hold its annual symposium on Jan. 17<sup>th</sup>. The focus this year will be on disparity with keynote address by Marc Mauer of The Sentencing Project and Ben Crump (attorney for families of Michael Brown and Trayvon Martin and currently representing family of Wethersfield teen, Anthony Jose Vega Cruz) as another speaker. They have approached this Commission to ask if we would be interested in co-sponsoring the symposium. This Commission requested a letter from the

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CSC to provide greater detail on what the ask is so that Chair Justice Lubbie Harper, Jr., can determine whether doing so is in-line with this Commission's mission.

#### IV. MacArthur 2016 Safety and Justice Challenge award – Kitty Tyrol

- a. Three-day implicit bias training was held during the award term, in June of 2019; welcoming criminal justice professionals along with community leaders and those with personal criminal justice system involvement. Of the 100 people invited, 52 completed all 3-days, receiving a certificate of training. Upon reflection, the 2-day training on facilitation would occur before the 1-day with training on content.
- b. Concerns were raised that some people still may not be ready to train on implicit bias; more oversight is needed for further implementation. E-mail language to inform completers that they are not to train on behalf of the Commission is awaiting approval.
- c. Training designed to be delivered in a pairing of a CJ professional with a community member.
- d. Recommended next-steps: Develop a strategic plan for implementation including oversight. Expand project goals once core components are satisfactorily completed. Consider:
  - i. Commission's capacity for implementation and oversight without MacArthur support.
  - ii. Outcomes to which the training is tied (changes in behavior).
  - iii. Fine-tune what we want to come out of it. If training can't translate into change in policy or practice, then what is its purpose? Look toward "implementation science" to inform how to create meaningful change through training; selecting the right people to train, training with fidelity to content and process, and coaching
  - iv. Expanding beyond the front end of the CJ system
  - v. Enhancing trainings beyond initial 3-hr module to move deeper into the topic.
  - vi. Who takes ownership of the project and provides oversight? Infrastructure and leadership is needed.
- e. Justice Harper is considering exploration of race and implicit bias amongst Commission members to better understand their values and alignment with the project. Goal – structural changes.
- f. Discussion – member recommended the book, Learning from the Germans: Race and the Memory of Evil, by Susan Neiman.

#### V. CT Implicit Bias Jury Instruction

- a. Reviewed new jury instruction language adopted by the Judicial Branch for use in criminal cases and the Commission's role in promoting the implementation of such language.

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### b. Discussion

- i. Probate could consider the impact of implicit biases in its cases, as well; however, they don't have jury trials.
- ii. It is not clear if this new instruction is a core charge or an optional one that attorneys and judges can choose whether to include. Could seek to increase awareness of the existence of the language, maybe through the Bar Association, while the Commission works on having the instruction adopted as standard instruction.

### VI. Website

- a. New Commission website is live and may be found at [www.redcjs.org](http://www.redcjs.org)

### VII. Membership

- a. IMRP is reaching out to appointing authorities to have new/renewed appointments formally made prior to the start of 2020 legislative session.

### VIII. Other business

- a. Chief Patrick Ridenhour received the Distinguished Chief Award

### IX. Meeting adjournment

- a. Meeting concluded at 3:16pm

## 2020 Meeting Schedule

January 13<sup>th</sup>

March 9<sup>th</sup>

May 11<sup>th</sup>

July 13<sup>th</sup>

September 14<sup>th</sup>

November 9<sup>th</sup>