

Commission on Racial & Ethnic Disparity in the Criminal Justice System

Connecticut Judicial Branch

Meeting Minutes

January 10, 2022

2:00 – 3:30

Virtual Meeting via WebEx

Commission members in attendance: Justice Lubbie Harper, Jr. (Chair), Scott Jones (President Pro Temp of Senate), Werner Oyanadel (CWCSEO), Hakima Bey-Coon (OVA), Denise Drummond (CWCSEO), Preston Tisdale (Governor), David McGuire (Appointee of Majority Leader of the Senate), Gail Hardy (DCJ), Claud Chong (Chief's Public Defender's designee), Avery Gaddis (Appointee of Minority Leader of the Senate), Alex Tsarkov (Majority Leader of the House), Malik Ramiz (Appointee of Speaker of the House of Representatives), Carleton Giles (Chairperson of the Board of Parole), Patrick Ridenhour (Representative of the Municipal Police Chiefs).

Non-commission members in attendance: Deb Fuller (Judicial/CSSD), Aileen Keays (UConn IMRP), Irvine Peck's-Agaya (UConn IMRP), Ken Barone (UConn IMRP), Troy Brown (Judicial/CSSD).

I. Welcome

- a. Meeting commenced at approximately 2:07 pm

II. Review and approve minutes from November meeting

- a. Draft minutes were reviewed. Passed via unanimous voice vote.

III. Updates on other commissions, committees, and task forces

- a. *Juvenile Justice Policy and Oversight Committee (JJPOC)* – Deb Fuller, Judicial/CSSD
 - i. Recently adopted a new strategic plan to guide them through next few years.
 - ii. Several proposals intending to pursue
 1. Educating juveniles in custody proposal - already passed but an amendment is needed Currently, their education is not coordinated; this would have DCF coordinate their education across residential programs.
 2. Divert minor crimes (including disorderly conduct) from court. Would not be under discretion of police – would divert to JRB if one is available. This is expected to be controversial
 3. For Juveniles to remain in juvenile detention system even if their case is moved to adult court. Case would still be heard in adult court but while proceeding, the juvenile would be held in juvenile detention.
- b. [*CT Racial Profiling Prohibition Project*](#) (CTRP3) – Ken Barone, IMRP
 - i. Released preliminary findings in November. Identified 3 depts - Torrington, Middletown, Hartford. Met with all 3 to further investigate the

Commission on Racial & Ethnic Disparity in the Criminal Justice System

Connecticut Judicial Branch

cause(s) of those disparities. Will then release full 2020 analysis April/May.

- ii. As part of follow-up work, discovered that Hartford Police Department (HPD) had not submitted about 7,000 stops (about half of their stops). Did now submit all missing data and CTRP3 will now re-analyze their data. Determining how to proceed as HPD was in significant violation of the Alvin Penn Act by failing to submit complete data.
 - iii. Traffic enforcement down 53% due to COVID. In the second half of 2021, began to see traffic enforcement resume.
 - iv. Working with new Chief in Wethersfield, which is a significant positive development for that town.
- c. [CT Sentencing Commission](#) (CSC) – Alex Tsarkov, IMRP
- i. Restoration of voting rights for those in prison - will raise this legislative session. Would restore voting rights for almost everyone incarcerated
 - ii. Sex offender registry removal mechanism – have not yet voted on whether to raise this. Working on a proposal, hoping to submit a consensus proposal to the legislation.
 - iii. Cost of incarceration – will raise in Judiciary Committee. Will prevent state from charging formerly incarcerated individuals with costs associated with their incarceration
 - iv. Sentence modification clarification - will pursue clarification
- d. [Police Transparency and Accountability Task Force](#) (PTATF) – Ken Barone, IMRP
- i. Meeting tomorrow to share draft final report. Will forward more than 20 recommendations to legislature for additional changes to consider for police reform. Will likely vote to approve that report within the next two weeks. It will then be made available to the legislature and public.

IV. Program Utilization by Formerly Criminalized Persons: Linking Recidivism Data to Data Held by US Census Bureau – Aileen Keays, IMRP

- a. Researchers are applying for high security clearance to receive federal data.
- b. No need to provide regular updates unless new information is available

V. CREDCJS conference on race and policing – Aileen Keays, IMRP

- a. Budget has been approved by Judicial providing significant funding for event.
- b. Secured [Lorenzo Boyd](#) and [Anne Li Kringen](#) as speakers. Invited [Seth Stoughton](#), as well.
- c. Put a hold on Chrysalis Center in Hartford for May 25th. Reviewing cost and other options. Want break-out sessions to accommodate proposed sub-topics.
- d. Chief Ridenhour suggestion – potential collaboration/endorsement from NOBLE and CT Police Chiefs Association

VI. Jury Selection Task Force update – Preston Tisdale

Commission on Racial & Ethnic Disparity in the Criminal Justice System

Connecticut Judicial Branch

- a. Goal – to address the fact that *Batson* was toothless in its ability to deter racial discrimination in the exercise of peremptory challenges, during jury voir dire.
 - b. *State v Holmes* – implicit bias can be just as pernicious as intentional discrimination.
 - c. As a result of the task force, numerous safeguards implemented for attorneys to use *Batson* challenge but also provided specific guidelines for judges. This included that when the judge cites race-neutral reasons for eliminating a potential juror, that the judge can only reference reasons specifically given by an attorney in the case and on record.
- VII. Other business**
- a. None
- VIII. Meeting adjournment**
- a. Concluded at 2:44pm

2022 Meeting Schedule

January 10th
March 14th
May 9th
July 11th
September 12th
November 14th