

# **COMMISSION ON RACIAL & ETHNIC DISPARITY IN THE CRIMINAL JUSTICE SYSTEM**

**March 11, 2013 Meeting**

**2:00 – 3:30**

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

## **MINUTES**

*Persons present: Justice Lubbie Harper Jr. (Chair), Deb Fuller (Judicial), Esther Harris (Jury Administrator), Garvin Ambrose (Victim Advocate), Hakima Bey-Coon (OVA), Kim Weir (DOC), Preston Tisdale (Governor's appointee), Erika Tindill (BOPP), Andrew Moseley (BOPP), Glenn Cassis (AAC), Ann-Marie DeGraffenreidt (DCF), Ernest Green (OCPD), Andrew Clark (Consultant – IMRP), Aileen Keays (Consultant – IMRP).*

**I. Welcome**

- a. New state Victim Advocate, Garvin Ambrose, attended to introduce himself and meet the committee's members.

**II. Review and approve minutes from January 14<sup>th</sup> meeting**

- a. Unanimously approved by voice vote.

**III. “Reducing Disparity in Connecticut’s Criminal Justice System” December summit**

- a. Survey results

- i. Most was positive.
- ii. Recommendation: to allow for more discussion amongst audience; had diverse audience that wanted to further deliberate the issues with each other.

- b. Racial Impact Statements – Andrew Clark

- i. Iowa & CT have passed legislation to include racial impact statements in proposed legislation. In CT, the use of racial impact statements has been included in the joint rules: whenever a bill is passing out of committee that may affect the make-up of criminal justice-involved in a racially disparate manner, a racial impact statement is required to be attached. Thus far, only one impact statement has been included in proposed legislation. After REDCJS’s December summit, Marc Mauer sent a letter to chairs of CT’s Appropriations and Judiciary committees recommending the use of racial impact statements. Years ago, the IMRP facilitated a meeting between Ryan King of The Sentencing Project and Chris Reinhart of Office of Legislative Research (OLR) to discuss how to draft racial impact statements.

1. Justice Harper will send a letter to CGA on behalf of the Commission in support of the use of racial impact statements in proposed legislation.

IV. Waterbury collaborative pilot project

- a. Justice Harper interested in establishing a pilot program in Waterbury to help deter at-risk youth from entering the juvenile or criminal justice systems. Current Waterbury Superintendent had been Superintendent in Manchester and led an initiative there to reduce school-based arrest. Educators (including administrators, SROs and parent liaisons) received training on trauma to learn how it affects kids and how it may present in children's behavior
  - i. DCF participates in a condensed version of the training.
- b. CHDI's Bob Franks is implementing a project in Waterbury, too

V. Updates on other commissions, committees and task forces

- a. [Access to Justice Commission](#) (A2J) – Aileen Keays
  - i. Has not met since last REDCJS meeting
  - ii. New chairs have just been appointed, Judges Kahn and Solomon
  - iii. 1<sup>st</sup> meeting with the new chairs is this Thursday
- b. [Criminal Justice Policy Advisory Committee](#) (CJPAC) – Deb Fuller
  - i. Has been dealing mostly with gun laws
- c. [Racial Profiling Prohibition Project](#) (RP3) – Andrew Clark
  - i. Submitted progress report to Judiciary Committee.
  - ii. Was part of Judiciary Committee's informational forum last Friday updating the committee on its work.
  - iii. RP3's Advisory Board has been meeting regularly. Suggested changes to Penn Law.
  - iv. Penn Law implementation date is July 2013, will be ramping up public awareness campaign in months prior.
- d. [CT Sentencing Commission](#) (CSC) – Andrew Clark
  - i. [Annual report](#) is on CSC's website, off of OPM's site
  - ii. CSC drafted nine proposals for this legislative session. All have become bills and have had a public hearing. Information on all of them is posted on the CSC website.

VI. Legislative session update

- a. CGA had been hosting a lot of hearings on gun legislation, which just concluded.
- b. CGA voted on all of Judicial's bills and held a hearing on the Sentencing Commission's. The bills REDCJS would be most concerned with would be the CSC bills.

VII. Membership update

- a. Newly-appointed Child Advocate, Jamey Bell.
- b. Still have several vacancies; if anyone has recommendations for members please let Deb Fuller know.
  - i. Ann Smith, acting director of AFCAMP, may be interested.

VIII. Other business

a. Jury Service

- i. Jury Administration is revamping its outreach. Targeting areas with the highest no-show rates, predominantly urban areas. If anyone has a way to reach primarily the African-American community please let Esther Harris know. There are a lot of misunderstandings regarding one's ability to serve on a jury.
- ii. Jury Administration conducts a study on response rate and demographics of those that respond. Demographics changed from elderly suburban white male to much more diverse population. Now has changed again some, but not quite back to where it was.

b. FOI requests of BOPP for pardon applications

- i. Complaint filed by Journal Inquirer reporter, Alex Wood, requesting pardon applications. BOPP is fighting the request because it feels the information contained within the application is highly personal and releasing it would be a violation of the applicant's privacy. Furthermore, the intent with a pardon is to erase the criminal record, releasing application information to the media would negate that very process. BOPP and Journal Inquirer met with FOI Commission. Attorney Tindill also testified before Judiciary Committee on the apparent oversight in that provisional pardons do not remove criminal record, as opposed to full pardon. Governor's bill 846 now includes provision pardon applications becoming confidential. About 53% of pardon applications are granted. Recidivism rate is about 1% for those who received a pardon. Most of the applicants not receiving pardons are Spanish-speaking because Spanish-speaking do not apply as often. Trying to translate forms into Spanish but don't have Spanish-speaking pardon officers. Need support for the bill from victim's advocates, legal process, etc. The public's right to know does not outweigh the potential harm of releasing the information. Media wants the application *before* the hearing. The results of hearings are already public, including who the applicants were and minutes from the public meeting (but not the confidential deliberation conducted during Executive Meeting) after the hearing has concluded. When applying, they are a private person; they are not mandated to report their address, their employment, etc. anymore because they are no longer under the supervision of the state – they are at that time a private person.

IX. Adjourned at 3:13PM