

Commission on Racial & Ethnic Disparity in the Criminal Justice System

Connecticut Judicial Branch

Meeting Minutes

November 14, 2016

2:00 – 3:30

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

Commission members present: Justice Lubbie Harper, Jr. (Chairperson), Brian Austin (OCSA/DCJ), David McGuire (Majority Leader of the Senate appointee), Kimberly Weir (DOC), Hakima Bey-Coon (OVA), Carleton Giles (BOPP), Preston Tisdale (Governor appointee), Maureen Price-Boreland (Speaker of the House appointee), Patrick Ridenhour (Representative of Municipal Police Chiefs), Cheryl Sharp (CEO appointee).

Others present: Deb Fuller (Judicial CSSD), Esther Harris (Judicial), Aileen Keays Yeager (Contractor – IMRP), Lillian McKenzie (ACLU-policy intern), Ben Daigle (Contractor – IMRP), Deidra McFadden (Director of Judge Support Services).

I. Welcome

- a. The commenced at approximately 2:05 PM

II. Review and approve minutes from September 12th meeting

- a. Attorney Tisdale made a motion to approve, Mr. Giles seconded it, and the minutes were approved by unanimous voice-vote.

III. Updates on other commissions, committees and task forces

- a. Criminal Justice Policy Advisory Committee – Judicial

- a. No update

- b. Racial Profiling Prohibition Project – IMRP

- a. No update; the Racial Profiling Prohibition Project (RP3) continues to receive and analyze traffic stop data. RP3 will also receive 2016 Taser use data in January and will begin analyzing that information then. Both reports, traffic stops and Taser use, will be issued in spring of 2017.

- c. CT Sentencing Commission – IMRP

- a. No update, the CT Sentencing Commission (CSC) continues to make progress on its previously-outlined projects. As part of the CSC's research for its Evaluation of Pretrial Release and Detention project, the CSC held a public hearing earlier this month to hear testimony on pretrial release and detention, and pretrial diversion in Connecticut.

IV. Updates on implicit bias campaign

- a. *Pilot project*

- i. We have held a couple of calls with Jessica MacFarlane, Rachel Godsil's research assistant at the Perception Institute, as well as one with L. Song

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Richardson, Professor of Law at Univ. of CA Irvine. We are waiting for the three of them to submit to us a summary of the vision for the project as it stands now including a clearer explanation of how they propose using the various materials. Once that is received, Justice Harper will present the summary to Chief Justice Chase Rogers for consideration and hopefully approval.

- b. *Collaboration with Judicial Branch Education Committee, Chair Judge Sheridan*
 - i. A few years ago, the Judges' Institute held training on implicit bias and, according to Judge Sheridan, it was remarkable. Judge Sheridan would now like to look deeper into strategies for mitigating bias in judicial decision-making. Judge Sheridan has been speaking with Justice Harper about bringing Rachel Godsil to the 2017 Judges' Institute. Next step Judge Sheridan would like Judicial Branch Education Committee to take is to embed implicit bias training into annual judges' trainings. Judge Sheridan sees its applicability in all types of cases – criminal, civil, family, etc. Also interested in incorporating it into Judge's initial orientation. Addressing implicit biases is important for many reasons, including that it effects the quality and confidence in what judges do.
 - ii. Commission will develop a small group to look into how REDCJS can partner with Judicial Branch's Education Committee to combat influence of judges' implicit biases in decision-making.

V. MacArthur 2016 Safety and Justice Challenge award

- a. The working group has been meeting. The training structure, audience, and key speakers have been discussed. At the last meeting, Justice Harper asked members to consider potential trainers and send their names to IMRP. IMRP has put those recommendations together and sent them back to the working group with links to any Internet materials the trainers have available (TED Talks, etc.). Working group members are now considering those potential trainers.

VI. Biennial report

- a. The draft is near complete. Thus far it includes a summary of activities during 2011-2016. Draft recommendations were read during the meeting. IMRP will send the report to the Commission for review and comment.

VII. Other business

- a. Implicit bias jury instruction – adoption of new language is something that takes time. The Commission is still interested in pursuing passage of jury instruction language on implicit bias and is pursuing more knowledge on the impact of such instruction on juror decision-making through its pilot study with Rachel Godsil.

VIII. Meeting adjournment

- a. The meeting concluded at approximately 2:45PM