

Commission on Racial & Ethnic Disparity in the Criminal Justice System

MINUTES

November 15, 2010 Meeting

Persons Present

Judge Harper (Chair), Deborah Fuller (Judicial), Aileen Keays (IMRP/Contractor), Andrew Clark (IMRP/Contractor), Ann-Marie DeGraffenreidt (DCF/BJS), Gary Roberge (CSSD), Glenn Cassis (AAAC), Jeanne Milstein (OCA), Judith Rossi (OCSA), Kay Berris (Judicial), Pat Hynes (DOC), Paul Fitzgerald (Police Chief's Association), Preston Tisdale (former OCPD appointee), Tracey Gove (House of Reps appointee).

Meeting commenced at 12:43pm

- I. Welcome
- II. Working Group Updates
 - a. Education, Training and Cultural Competence Working Group – Tracey Gove
 - i. Distributed and discussed a jury instruction that Judge Bennett uses on implicit bias
 - ii. Kay Berris will examine the other instructions given to jurors to find language that would be consistent
 - iii. Any suggested jury instruction would need to go through Civil Instruction and Criminal Instruction Committees and Judge Quinn would need to eventually adopt
 - iv. Judge Lager is expecting suggested instruction language from this Commission; she is the chair of the Committees
 - v. Prosecutors and defense attorneys will have opportunity to provide input on the language either through the Committees or by communicating directly with Kay Berris
 - b. Media Working Group –Maureen Price-Boreland
 - i. Maureen absent; Aileen Keays provided update
 - ii. CCSU is working on creating a research team of professors and students to conduct the evaluation of the use of mug shots and whether a disparity exists based on race and/or ethnicity
 - iii. Deb Fuller will try to get media contacts to join the working group
 - c. Pre-Arrest, Prevention, Diversionary and Community-Based Programs Working Group – Ann-Marie DeGraffenreidt
 - i. Met and decided to conduct a survey of organizations that provide services to youth in the CJ system to determine what diversionary programs they administer and what services they feel are missing in addition to what barriers they feel may exist.

- ii. Will create a website on which service providers can post the services they provide, identify gaps and a map will be generated identifying where services exist and gaps in services in various locations
- iii. Ann-Marie and Aileen will get-together to draft the questions for the survey
- iv. Would like to reach-out to Re-entry Roundtables and 211 to identify organizations to survey
- v. Would like to reach-out to a broad base of organizations

- III. Update on “Achieving the Goals of Criminal Justice: A Role for Mediation”
- a. Aileen Keays, Deborah Fuller and Maureen Price-Boreland attended the symposium in part to determine if it may help inform the creation of the adult diversionary New Haven pilot program
 - b. One of the problems is that the purpose of the pilot is for diversion yet mediation tends to occur after an arrest or a citation has been issued. Some programs do allow for an arrest to be dismissed if successful completion of mediation and other referrals for services are met
 - c. One of the speakers was a former CT judge who presented on restorative justice
 - d. Donna Morris of UNH, who Deb Fuller, Aileen Keays and Judge Harper met with, conducted a study of the benefits of mediation with juveniles and found significant improvements in the reduction of recidivism
 - e. The three urban JRBs use the restorative justice model and use “the circles” during which offenders sit and talk with victims in a circle during which the victim expresses the affects crime has had on them.
 - i. Does seem to have an impact on offenders
 - f. Staff of HAMP (Hartford Area Mediation) feel that mediation would be very useful as a diversionary tactic prior to the escalation of a conflict and a more serious crime occurring
 - g. Community Mediation in New Haven, with Executive Director Charles Pillsbury, had existed and was highly respected by the OCSA
 - h. Anything that could be done to eliminate number of convictions and get at the underlying problem will ease racial disparity. Diversion can be important to prevent conviction even if it may occur after arrest.
 - i. Youth and police interaction training seemed to be something that may be important as a diversionary tool to prevent escalation of an interaction between police and youth.
 - i. The training created by JJAC seemed to be more relevant to suburban areas
 - 1. May be something the Commission would be interested in working on expanding; make it more relevant to urban departments
 - j. JRBs are used more in urban environments
 - i. When suburbs try to implement JRBs they do not receive the funding from the Dep’t of Educ. that urban areas do

- 1. Some create their own version
 - ii. Really a collaboration between the police department and the service provider hosting the JRB
 - k. IMRP co-hosted a dialogue at the Hartford Public Library on Nov. 4th during which about 8 Hartford police officers and several youth attended to participate in open dialogue on children of incarcerated parents. Getting police and youth together, not necessarily to discuss their interactions, may enhance their awareness of each others' perspective. May be cost effective way of improving their interactions and diverting from arrest
- IV. Commission's 10-year Anniversary
 - a. Scott Esdale of the CT NAACP and Ron Thompson of the Masons want to do something significant with the Commission.
 - i. There may be some available resources available
 - ii. They are committed to trying to make a difference
 - iii. Will be setting up a meeting with them and hopefully by January's meeting will be able to provide more information to the Commission
 - iv. Could potentially work with them on something that could be tied into the Commission's 10-year anniversary
 - v. Requested members think about the 10-year anniversary
- V. Annual Report
 - a. Still being edited by Judicial
 - b. Deb will send the report to members to ensure that all of the Commissions' endeavors have been included and nothing has been inadvertently left-out
- VI. Other Business
 - a. Next meeting is scheduled for Martin Luther King Jr. Day; will reschedule for January 24th
 - b. Will have new Governor soon. This may be an opportunity to introduce new Governor to our work. Maybe Judge could meet with someone from Governor's office
 - i. There are about five agencies doing similar work to us; need to ensure there's no duplication of efforts and that the Governor understands the difference. Two of the Commissions have been in existence for many years: one focusing on children and the other primarily on adults
 - 1. As an example, the legislature created CJPAC housed within OPM
 - a. They conduct research on prison overcrowding, recidivism, etc
 - b. They do not overlap much with our work

- c. They are interested in providing data for state groups; if we need information may want to reach out to them
- d. Created after the Cheshire crime to coordinate efforts of CJ agencies
- e. Brian Austin is returning to OCSA so a new Undersecretary will be appointed
 - i. Commission may want to reach-out to the new appointee
- 2. Release of the Commission's report may be opportunity to have the Commission's work highlighted
 - a. May want to present to CJPAC, etc on the work of the Commission in coordination with the report's release
 - b. Demonstrate the Commission as the centralized group for this type of work
 - ii. Commission will draft a letter to send the Governor with the report
 - iii. Need to ensure the state is not wasting resources on multiple similar groups
 - iv. Sentencing Commission goes into effect Feb. 1st. It had the Disparity subcommittee led by Senator Kissel.
 - 1. Another opportunity to coordinate
 - 2. Will be another unfunded Commission also chaired by a judge
- c. The Jury Communications Review Committee is about to revise the Juror Handbook which gets sent to all potential jurors annually, 1st major re-write in 11 years. If members would like to provide input please let Kay know. Their next meeting is 1st week in December on Spring Street. Hope to have intense work sessions before then. The other major work re-doing is the orientation video jurors see. Looking at about 20 mins., one video, would like to know from members their thoughts on what would be important to put in or take out.

VII. Adjourned at 1:38pm