

# Commission on Racial & Ethnic Disparity in the Criminal Justice System

Connecticut Judicial Branch

## Meeting Minutes September 14, 2020

2:00 – 3:30

Virtual Meeting via WebEx

*Commission members in attendance: Justice Lubbie Harper, Jr. (Chair), Avery Gaddis (Minority Senate Leader), Carleton Giles (BOPP), Patrick Ridenhour (CT Police Chiefs Association), Hakima Bey-Coon (OVA), Sharon Cheeks (Governor), David McGuire (Majority Leader of the Senate), Claud Chong (OCPD), Preston Tisdale (Governor), Scott Jones (President Pro Tempore of the Senate), Cheryl Sharp (CEO), Alex Tsarkov (House Majority Leader), Werner Oyandel (CEO), Drummond (DESPP), Denise Drummond (CEO), Monica Rams (DCF).*

*Non-Commission members present: Deb Fuller (Judicial-CSSD), Aileen Keays (IMRP), Ken Barone (IMRP)*

- I. Welcome**
  - a. Justice Harper convened the meeting at 2:03pm
- II. Review and approve minutes from May 11<sup>th</sup> and July 13<sup>th</sup> meetings**
  - a. Justice Harper asked members to review and approve the minutes from the two previous meetings. Carleton Giles motioned to approve; Preston Tisdale seconded and the minutes were accepted by unanimous voice-vote.
- III. Updates on other commissions, committees and task forces**
  - a. [Juvenile Justice Policy and Oversight Committee \(JJPOC\)](#) – Deb Fuller, Judicial/CSSD
    - a. JJPOC has legislative proposals that weren't raised in the 2020 legislation session due to that session's cancellation as a result of COVID-19. They will likely be addressed during the 2021 session.
    - b. Council of State Governments (CSG) recently completed an overview of CT's juvenile system and issued recommendations that will:
      - i. Focus on strengthening diversionary programs
      - ii. Evaluate and review JRB systems across CT
      - iii. Outline implementation
    - c. Justice Harper asked how the Commission could be involved and Deb indicated that CREDCJS could look at the diversionary piece.
  - b. [Racial Profiling Prohibition Project](#) (CTRP3) – Ken Barone, IMRP
    - a. Ken Barone reported that the 2019 data set is being analyzed and preliminary data will be available, with police departments identified, by the end of September.

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- b. CTRP3 is leading the nation in this work and looking to begin hosting virtual community forums in the near future to continue soliciting public feedback and dialogue.
- c. An Act Concerning Police Accountability ([Public Act 20-1](#)) passed with an effective date of Oct. 1, 2020. Through PA 20-1, motor vehicle laws will be reviewed with ways to modify traffic code explored.
  - i. A working group has been developed to consider recommendations for the 2021 session.
  - ii. Currently, primary and secondary MV laws are being considered. For example, in Rhode Island, you cannot get pulled over for not wearing your seatbelt but if you're pulled over for a traffic infraction, such as speeding, you can then also be fined for not wearing your seatbelt.
  - iii. Deb Fuller asked Ken to clarify Section 21 of PA 20-1 which prevents police from seeking consent for car searches. Deb asked if police are being trained and aware of this new law.
    - 1. Ken reports that the State of RI did this several years ago and had positive results in eliminating disparities in consent searches. Furthermore, BIPOC are 5x more likely to be asked by police to consent to a search.
    - 2. Chief Patrick Ridenhour reported that there has been some guidance and training from the Chief States Attorney's office and that police are aware of this new change.
- c. [CT Sentencing Commission](#) (CSC) – Alex Tsarkov, Member & IMRP
  - i. Alex Tsarkov reports that the Sentencing Commission is currently considering legislation, but that nothing has had a final vote. Potential legislative proposals include:
    - 1. Voting access for eligible incarcerated indivs (for ex., those held pre-trial and convicted of misdemeanors)
      - a. Legislative proposal is nearly finalized. Larry Shapiro of CGA's Legislative Commissioner's Office assisted with language. There will be a vote by CSC in November.
    - 2. Sentence modification
      - a. Justice Harper asked if the medication system would look different than the current one. Alex reported it would take most of the cases out of the Chief State's Attorney's Office. For cases that went to trial or the sentence was capped, permission would not be needed by the State's Attorney.
        - i. CSC is currently working with Chief State's Attorney's Office to create a consensus proposal.

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3. Preston Tisdale suggests reviewing the law history because the Chief State's Attorney's office was not always included in the modification process and recalls States Attorney's lobbying for the legislation and involvement.
  - ii. Werner Oyandel (CEO) asks if the CSC is looking at record erasure as well. Alex indicates CSC is not currently focused on this as many other advocate organizations, such as ACLU, are working on the issue.
- a. [Police Accountability and Transparency Task Force](#) – Ken Barone, IMRP
  - i. Ken Barone reports that there are currently 11 items the task force is to evaluate by the end of 2021 for legislative proposals/changes during the 2022 session.
  - ii. There are currently 3 subcommittees:
    1. Interactions between police and the disabled community (including physically and mentally, as well as mental health)
    2. Public awareness (solicits community and public feedback) through community listening sessions throughout the month of September
    3. Logistics (deals with the majority of the work, including evaluation and proposing of policy)
  - iii. Ken Barone invited CREDCJS members to reach out if interested in joining the work over the next 18 months and seeks any recommendations or feedback.

#### **IV. Commission statement in response to George Floyd homicide**

- a. Justice Harper would like to publish a formal statement from CREDCJS regarding police and community relations.
  - i. IMRP will finalize a draft statement for review

#### **V. Implicit bias training of law enforcement**

- a. Letter sent to Chief Mello, POST Council President, offering assistance from the commission with developing/modification of implicit bias training that was mandated in PA 20-1 due to commission's experience with MacArthur Grant. Have not yet heard back.

#### **VI. Other business**

- a. Werner Oyandel reported that [Public Act 18-78](#) allows racial and ethnic impact statements to be issued for certain legislative proposals.
  - i. GAE Committee is responsible for identifying the process and which bills will have racial and ethnic impact statements
  - ii. CEO made recommendations to GAE Committee for implementation.

#### **VII. Next meeting is scheduled for Mon., November 9<sup>th</sup> at 2pm**

#### **VIII. Meeting adjournment**

- a. Meeting adjourned at 2:42pm