

## CCJJ Minority Over-Representation Subcommittee

October 19, 2011, 10:00AM-1:00PM

1331 Cherokee, Denver

### Attendees

James Davis/Department of Public Safety  
Michael Dougherty/Attorney General's office  
Regi Huerter/ Denver Crime Prevention & Control Commission  
Heather Wells/Department of Corrections  
Alaurice Tafoya-Modi/Private Defense Attorney  
Reo Leslie/Private Therapist  
Anna Lopez/Division of Criminal Justice  
Paul Herman/CCJJ Consultant  
Christine Adams/Division of Criminal Justice  
Germaine Miera/Division of Criminal Justice

### Purpose of today's meeting

- Review the seven preliminary recommendations compiled by the CCJJ
- Define scope of work and timeline (some items short-term, some long-term)
- What do we hope to do? How do we go about it?

### Recommendation Overview

**Recommendation #1 (Policy) - Require comprehensive cultural competency training for all justice agencies and for all treatment and service organizations used by justice system agencies.**

### *Discussion points*

- *Is this part of the EPIC plan?*
- *Should we recruit others? Tom Clements and Eric Philp, Someone from law enforcement, someone from the courts, Sara from Justice Bender's office? Bring in Diane with EPIC.*
- *Who requires this be done and who has the authority to do this?*
- *Need more detail- much more specific than cultural competency training*
- *Task probation and parole specifically to create a curriculum*
- *Mark Mauer (author of the Sentencing Project report) is really accessible*
- *This is not an immediate action item – it's more of a long term issue*
- *Does this include local Police agencies, how they are reviewed*
- *Self examination and looking at how systems impact the populations served*
- *DOC provides one time MOR training at the academy, a couple of hours*
- *People need training but training isn't the answer. This is about organizational structure as well.*

- *Should this be more about guidance around what agencies should do/they should have ownership and build their own (ongoing instead of one shot). Let's provide guidance on how you set this up for your own agency. Or standards? A basic element, not a onetime 2 hour course.*
- *Georgetown University Center for Cultural Competency has free PowerPoint's available*

**Recommendation #1 – Action steps**

- This issue goes into a 'longer-term' bucket.
- The responsible parties (who can take stewardship, look at potential groups and shepherd through) will be Paul and Regi. Paul will do a better outline on this from the decision point perspective and provide an idea on where to start.
- Paul to work with Regi, and then maybe work with Jeanne Smith and Charlie Smith as well.

**Recommendation #2 (Policy) - All justice agencies should track the racial and ethnic diversity of their staff. Every organization should actively recruit minority candidates for both job opportunities and as members of boards and commissions.**

*Discussion points*

- *The issues here need to focus around recruiting.*
- *Let's work with Higher Ed and Inta to start targeting populations. There are ways to influence Higher Ed.*
- *Do CJ agencies have internship programs? We need to get kids into the system.*
- *There is a major roadblock that you have to be a resident of Colorado to apply for jobs here. Classified employees have to be a resident of Colorado. How do you address diversity when your only pool is Colorado?*
- *Should the issue around residency requirements be its own recommendation? What do we know about the issue?*
- *Let's find out what's actually going on in specific agencies re diversity and post this on the MOR website. Let's look at what DOC is doing, what Judicial is doing, etc. What is the 'as is'. Nothing is 'felony neutral'. How do people with a background get involved in criminal justice?*
- *What about policies that preclude this? CDPS doesn't allow internships.*
- *We could do what DORA has done with addiction counseling. DORA puts people on probation with a conditional license if they have an 'iffy' background. If someone does fine that first year, then the second year they renew with a full license. This helps to not preclude folks with a background.*

**Recommendation #2 – Action steps**

- This issue goes into both a short and long-term bucket.
  - Short term – tracking of racial and ethnic diversity (how is it done now?)
  - Long term - Actively recruit minority candidates
- Michael Dougherty and Jim Davis will work together.
- This recommendation will be combined/collapsed with recommendation #6.

**Recommendation #3 (Agency policy/administrative rule/legislation) -State and local justice agencies should collect race and ethnicity information on the populations they serve.***Discussion points*

- *There was a plan for all Colorado law enforcement agencies to move to NIBRS (National Incident Based Reporting System) but all of them haven't*
- *Ethnicity is not a required field in NIBRS*
- *The bigger agencies often do use NIBRS, but the smaller agencies generally report to CBI, who then reports to FBI.*
- *Does CBI translate UCR information into NIBRS info?*
- *In Colorado data is collected locally, by local domain.*
- *Local info goes to state system.*
- *CBI is the portal to NIBRS. What does CBI require as far as data from locals? This might only be on index crimes.*
- *Could we require all law enforcement agencies to use NIBRS? Instead of UCR? Who has the authority?*
- *Can we do a survey with CDAC, Sheriff's association, everyone, CBI, ATF, AG's office – Why aren't you collecting ethnicity data? Have the conversation. People are constantly making changes in their systems.*
- *Can we just pull together the heads of all these agencies (Probation, Parole, DOC) all 10. Go to CIJS? If CIJS has a field for this, is it technology or policy? DOC doesn't have a multi-racial box. If we survey, ask people 'Do you ask this? Or do you guess it?'*

**Recommendation #3 – Action steps**

- This is a short-term issue (to gather appropriate info, long-term possibly to implement)
- Anna and Alaurice will shepherd this issue.
- What are agencies doing now? What are the roadblocks?

**Recommendation #4 (Legislative) - Develop a mechanism that requires a specific review of proposed justice legislation to determine whether the legislation will have an adverse impact on minority over-representation. Some states refer to this as a Minority Impact Statement.**

*Discussion points*

- *What does this cost?*
- *Other states do this, Washington, Wisconsin and Connecticut. How do they do this and what does this cost and who pays for this? Chrissy to find out what existing legislation is and what is the cost analysis on this?*
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**Recommendation #4 – Action steps**

- This is a short-term issue
- Chrissy to work with Jana Locke and Tony Lombard on this.
- Chrissy to pull samples for the group and follow-up with what other states are doing.
- Combine this with Recommendation #7.

**Recommendation #5 (Commission) - The Commission should develop and maintain a disproportionate minority representation web site to promote recognition and understanding of this problem. The site should have local, state and national data and link to educational resources.**

*Discussion points*

- *This recommendation and the website is in process right now at DCJ. Chrissy and Peg are working on this.*
- *Chrissy will send this out to the group once it's closer*

**Recommendation #5 – Action steps**

- This is a short-term issue
- Chrissy to get with Peg at DCJ to see where we are on this
- Chrissy will send this out to the group as it progresses

**Recommendation #6 (Commission) - To serve as a model for its expectations of criminal justice agencies, the Commission should develop and implement a Commission-specific mentoring program for minority juveniles and young adults who are interested in working in the criminal justice system.**

*Discussion points*

- *The idea for this recommendation came from the thought of ‘Let’s, as a Commission, model this behavior’*
- *This is more along the lines of mentoring, rather than internship*
- *Should we make this more about community outreach rather than mentoring? Reach out to the Boys and Girls clubs, the Byrne foundation, reach out to mentoring agencies out there and invite them to participate.*
- *College kids at the sophomore level are good to target.*

**Recommendation #6 - Consensus**

- Short-term
- This issue to be combined with recommendation #2.
- Reo Leslie to work with Michael Dougherty and Jim Davis on this.

**Recommendation #7 (Commission) - The Commission’s Sentencing, Drug, and Juvenile Task Forces shall review recommendations to ensure those proposals do not have a negative impact on minority over representation.**

*Discussion points*

- *This recommendation should be broadened to include any recommendation or proposal produced by the Commission*
- *Let’s step back on this and start with something along the lines of “The Commission will define a process”, then role this into Recommendation #4.*

**Recommendation #7 – Action steps**

- This is a short-term issue
- Chrissy to work with Jana Locke and Tony Lombard on this.
- Combine this with Recommendation #4.