

CCJJ Minority Over-Representation Subcommittee

March 30, 2012, 10:00AM-12:00PM

700 Kipling St., Lakewood

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
Paul Herman/CCJJ Consultant
Christine Adams/Division of Criminal Justice
Germaine Miera/Division of Criminal Justice
Jana Locke/Department of Public Safety
Karen /Denver Crime Prevention & Control Commission (intern)
Reo Leslie/Private Therapist

Absentees

Anna Lopez/Division of Criminal Justice

Purpose of today's meeting

Gather report backs from the individual 'teams' regarding the continued work on the seven CCJJ recommendations discussed at the January meeting.

Jim Davis welcomes the subcommittee members and talks with the group about progress on the individual recommendations

DISCUSSION POINTS

- Has everyone convened their small groups?_Are people meeting outside of this meeting?
- We need to be looking at this handful of recommendations from the perspective of "Can we get this done before the next legislative session? Can we accomplish this work before the proposed sunset date? Can we get these recommendations implemented, period?"
- Some of these recommendations need more buy in from the whole Commission to accomplish (Regi)
- We need to prioritize these seven recommendations
- The group needs to be able to report back to the Commission about concrete, attainable goals for each recommendation

- All of the recommendations we're working on now, came from the Commission originally last summer
- The importance and relevance of many of the recommendations continues to surface in a variety of areas-
 - Reo is working to get interns more involved in the system
 - Michael brought his intern to the last CCJJ meeting and she ended up getting a job offer from Steve Siegel
 - The AG's office is planning to implement diversity training
 - Also, Michael reports to the group that he met with a legislator who wanted statistics on direct file – and had to inform him that in our current data scheme, Hispanic individuals are often counted as 'Whites'. The legislator had no idea that current data collection practices make it almost impossible to supply accurate statistics.

Jim asks the group to prioritize the recommendations-

DISCUSSION POINTS

Recommendation #3/State and local justice agencies should collect race and ethnicity information on the populations they serve.

- Regi recommends the highest priority recommendation be **recommendation #3**
- We can't even begin to define the problem without accurate data
- The data not only needs to be mandated to be collected, people also need to be trained on how to collect data
- Accuracy of cops and others collecting it is critical, sheriffs depts., etc.
- How does everyone else feel about #3? Is this the top of everyone's list?
- We should have Karl Wilmes (deputy director of CBI) involved in this conversation – we need an expert in the room
- This recommendation should be one of our main focuses
- DMC happens so much at the charging level – we really need to have accurate data at that stage
- Let's include Karl in the conversation regarding recommendation #3
- African Americans are the most overcharged and have the highest dismissal rate in Colo. – what does that tell you?
- Jim will talk to Karl and get him involved. Then Jim will pull together Karl, Anna and Alaurice and start fresh there.
- Is there a requirement to identify race and ethnicity in NIBRS (National Incidence Based Reporting System)? Can we make this a required field?

Recommendation #6/ 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.

- Reo is working on this recommendation, we're not going to 'change the world' on this but it is important for us to send a message (as a Commission) on this.
- This recommendation is last on Regi's list because it is so hard to do
- Mentoring programs statewide are the last of the priorities as it is more of a 'soft' recommendation. This is very difficult to do on a large scale.
- This can be more easily done on an individual basis. Reo, for example, can do this as a professor - but other Commissioners can't do it so easily.
- To create a whole program around this is a lot to ask
- This recommendation is not where we should put the Commission's energy
- Maybe we could just ask each Commissioner to keep this at the top of their heads as an emphasis rather than a formal process
- We, as a Commission don't meet enough to implement this as a maintainable on-going program
- Can we mention this at the end of every meeting as a reminder? Let's project something on the screen. Raise this as an awareness issue for Commissioners. Ask CCJJ members to remember to bring interns whenever possible.
- Can we put together key contact folks and what they offer as a handout for college kids who may be looking for internships? Get this handout to colleges, universities, even high schools to help pull those resources and put them in one spot.
- This group should tap into Criminal Justice job fairs at universities
- This can be moved forward at the next meeting
- Let's pull together verbiage at the next meeting to have as an ongoing reminder for Commissioners. Let's project this at the end of the meeting and add it to the agendas as well
- Germaine, Kim, Chrissy work on this verbiage
- Get this out to professors

What about recommendations #2 and #5? Do these go together? Can we post info regarding number 2 like we do with number 5?

Recommendation # 5/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

- Chrissy has been working on creating an interactive dashboard with information on minorities in the system – the majority of her data is coming from NIBRS
- Chrissy shows the group what she has completed to date and explains the different charts

- Most of the information available is on arrest data
- This is all still preliminary
- Chrissy also created an RRI page that maps each judicial district
- Keep in mind, when discussing the 'RRI' (Relative Rate Index), these numbers are not compared to the general population, but rather correlate directly to the decision point ahead of it
- On the map you can choose which category of folks you're looking at, where they are in the system and then hone in by judicial district – all the minority numbers are compared to numbers for Whites
- Chrissy is working to link all this information to resource information. None of this is officially posted yet – still a work in progress
- The next step here is to present this to CCJJ once it's finalized
- This will be a link on the CCJJ website
- Regi reminds the group that there's still a huge missing piece when this comes to adults and data. We need more reliable adult data on race/ethnicity
- Once we tackle recommendation #3, it will be easier to get our hands on accurate data regarding adults
- Can we do this with #2 as well?

Recommendation #2/ 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.

- If we wanted to collect info regarding this recommendation would agencies be able to respond? Are they tracking this data?
- DOC tracks this data for staff, but not sure if they distinguish race/ethnicity
- Does state patrol collect this info? Does CDPS track this?
- Does POST track this? Post is working on better data gathering. Michael will check on the academy procedures
- Who is getting recruited? Who actually completes? State judicial, judges, probation officers, go through all the stages. Can we put together a matrix for different agencies?
- Michael can make this happen at POST, Jim can do this with State patrol – how can we make this happen at the Greeley PD? How do we get this message to outlying communities?
- There is a nationwide movement to track info on peace officers, continuing education, etc.
- POST could send out a survey to ask what agencies are tracking this info. Michael to spearhead this endeavor?
- POST covers all law enforcement agencies in Colo. / 316 agencies / identify major state or county organizations that ARE tracking this

- POST is currently collecting data and tracking classes, who is attending what class, etc. We need to add race and ethnicity data box – but then what do we do with this info? Put it up on a website to raise consciousness (in the same way we’re tracking for recommendation #5)
- Michael D. is working to improve grant awards programming / what agencies had what training, what officers had what training, etc. However, this gets expensive every time you add a variable
- POST is not currently getting all this info.
- Michael D. to survey agencies and see if they’re collecting the data. Is there any value of doing this once? Yes, the purpose would be to see if they’re tracking the data already, then it becomes a collection project rather than an education/implementation process.
- Michael to send out a survey and see who around the state is collecting this data
- What agencies will we be surveying? All law enforcement agencies. Michael will request this on behalf of CCJJ. He’ll ask CDAC to do this and ask Judicial to do this as well. Michael will also send this to POST and the Public Defender’s office, and ask Eric for information from Judicial.
- Heather to send this info for DOC to the group
- Basically, we’re asking “Are you collecting race, ethnicity and gender data” – Michael and Heather to put together a draft data collection tool and will send to the group.

Recommendation #4/ 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.

- This is a good recommendation and should easily be accomplished if we get it to legislators earlier next session
- We just approached this too late this year, shouldn’t be too hard
- Someone had a problem with this being an issue regarding fiscal impact
- This was going to be boiler plate
- Let’s explore what the concern was in the legislature

Recommendation #7/ 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.

- CCJJ is already doing a lot of this work in regards to CCJJ recommendations
- Already underway
- Is CCJJ looking at 1352 and drug task force stuff as far as ‘is there an increase in treatment admits?’ ‘Are we opening up treatment slots?’

Recommendation #1/ Require comprehensive cultural competency training for all justice agencies and for all treatment and service organizations used by justice system agencies.

- This is too big, let's put #1 aside for now
- Changing the scope of the recommendation would take some time regarding what a diverse organizational structure would be and require moving forward
- We don't have the capacity to do this

Recommendation Prioritization Overview

MOR #3 / State and local justice agencies to collect race and ethnicity information on the populations they serve.

MOR #3 – Action steps

- Jim will talk to Karl and get him involved. Then Jim will pull together Karl, Anna and Alaurice and start fresh there.
- *Timeline – Initial meeting by May 11, 2012*

MOR #2 / Justice agencies to track racial and ethnic diversity of their staff and actively recruit minority candidates.

MOR #2 – Action steps

- Michael and Heather to put together a survey instrument/data collection form asking, basically “Are you collecting race, ethnicity and gender data and how are you collecting this”
- Michael to send this, on behalf of CCJJ, to POST, CDAC, Public Defenders office, Judicial
- Heather to get the same collection form to DOC
- Jim to get this form to State Patrol
- *Timeline – Michael and Heather to meet by May 2012*

MOR #5 / Develop and maintain a disproportionate minority representation web site that includes local, state and national data and link to educational resources

MOR #5 – Action steps

- Chrissy to continue to fine tune the interactive dashboard
- Present to the CCJJ once finalized
- *Timeline – present to CCJJ in June*

MOR #4 / Develop a Minority Impact Statement requiring a specific review of proposed justice legislation to determine whether the legislation will have an adverse impact on minority over-representation.

MOR #4 – Action steps

- Present to legislators in advance of the next session.
- *Timeline – Find sponsorship in Sept./Oct. 2012*

MOR #7 / The Commission’s Task Forces and Subcommittees to review recommendations to ensure those proposals do not have a negative impact on minority over representation.

MOR #7 – Action steps

- Develop a protocol for Task Force and Subcommittee analysis of proposed recommendations
- *Timeline – July 2012*

MOR #6 / The Commission to develop and implement a Commission-specific mentoring program for minority juveniles and young adults who are interested in working in the criminal justice system.

MOR #6 – Action steps

- Germaine and Kim to create verbiage to display at every CCJJ meeting and post on the CCJJ agendas as a reminder for folks to always be thinking about ways to incorporate interns into the work of the Commission
- Germaine to put together a list of statewide Criminal Justice agencies, their purpose and key contacts in those agencies to be distributed to teachers, professors and career counselors at high schools, colleges and universities for use during career counseling, job fairs and intern opportunities, etc.
- *Timeline – June, 2012*

MOR #1 / Require comprehensive cultural competency training for all justice agencies and for all treatment and service organizations used by justice system agencies.

MOR #1 – Action steps

- This is too big, set this aside for now
- *Timeline – Revisit in the future*