

CCJJ Minority Over-Representation Subcommittee

August 29, 2012, 3:00PM-5:00PM

700 Kipling St., Lakewood

Attendees

James Davis/Department of Public Safety

Michael Dougherty/Attorney General's office

Anna Lopez/Division of Criminal Justice

Alaurice Tafoya-Modi/Private Defense Attorney

Henry Jackson/Metropolitan State University of Denver

Regi Huerter/ Denver Crime Prevention & Control Commission

Kim English / Division of Criminal Justice

Paul Herman/CCJJ Consultant

Germaine Miera/Division of Criminal Justice

Christine Adams/Division of Criminal Justice

Absentees

Heather Wells/Department of Corrections

Purpose of today's meeting

- ❖ Gather report backs from the individual 'teams' regarding the continued work on the seven CCJJ recommendations.
- ❖ Identify next steps

CCJJ RECOMMENDATIONS UPDATE

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

- Anna has completed the data capacity survey, which will include skip logic questions
- The survey was refined after the meeting with the Center for Children's Law and Policy presenters last month
- What are the best avenues to distribute? Send through POST, CDAC, Public Defenders, Judicial (Courts, Probation) Comm. Corr., DOC and NYC
- Regarding process – who is going to send this out?
- Do we want information from Police Depts., Sheriff's office, DA's? The DA's and law enforcement have different data systems.
- In Colorado, some agencies report NIBRS and some report UCR
- Smaller agencies still use UCR. We have an idea of how many use UCR still.

- A lot of agencies don't want to switch to NIBRS because their crime numbers will go up – this is an issue for police chief's being graded on their crime numbers
- This is an actual problem because NIBRS counts incidents and not people. For example, an armed robbery with multiple victims will be recorded multiple times with NIBRS.
- Karl Wilmes (CBI) says they're taking calls from Pueblo because Pueblo is comparing their numbers to Westminster. It makes it difficult for cities.
- There will be push back on trying to switch all agencies to NIBRS
- The NIBRS issue is different from the race/ethnicity data collection that Anna is presenting
- The survey is broader, it's for all the CJ systems not just law enforcement.
- Michael will send the survey to his DA list
- Jerry Maroney could distribute for Judicial
- Doug Wilson for Public Defenders
- Alternate Defense Council / Alaurice
- Contact for all LE agencies (360 agencies in all) – Michael D to send group list to Anna
- Community Corrections list from Glenn
- DYC/ John Gomez
- Tom C/ DOC
- Next steps, finish the survey, craft an intro email, then forward

MOR #3 – Action steps

- Finalize the survey
- Craft the introductory email
- Forward the email and survey to the point person listed above and ask for their assistance in sending it out.

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.

- At the last meeting, the group discussed sending surveys to LE agencies to get a temperature reading on the make-up of their personnel
- Michael distributes to the group the survey he created
- The goal of this survey is to track staff in agencies and efforts in those agencies to help diversify staff
- Do we want to know about agencies actively recruiting minority staff?
- DA's offices participate in putting their info on a website that lets the public know about the diversity in each agency. The National Association of Legal Careers Professionals (NALP).

- Looking at the capacity and timeframe – let’s really narrow down the scope of work on this issue
- Two questions – are these the right questions? What’s the scope and should we broaden it out?
- What’s the capacity of this group to take the information forward – what is doable, what is concrete and has an impact?
- The survey should concentrate on the employers shouldn’t it? We’ll get more bang for our buck by starting with employers
- However – would we get more candid responses from employees?
- How would we get this to all employees?
- What’s the goal? What’s the method?
- The narrow goal is easy to determine but hard to achieve.
- Asking DA’s alone would be difficult; asking LE in general will be even more difficult.
- It will be hard to get agencies to want to participate
- This is a significant project
- Can we just start, just ask, and if people choose not to participate that’s their prerogative
- Who to include – DA’s offices, Probation departments, judicial, Clerks, Police agencies
- However, how much do they rely on factors such as these? Police agencies go to the academy and get who comes out of the academy
- Police academies track diversity
- The main goal for us, for this survey, is to track diversity of staff
- Practically speaking, for law students it’s easier and more important to research where they’re going and the diversity and make-up of an office. Does a police cadet coming out of an academy look at such factors? What do we seek to accomplish by asking LE agencies?
- It keeps the issue in front of people that they need to be conscious about Disp. Minority representation
- Ideally, if we could get info from LE agencies, it would be great to make it available to the public
- The best we can do often about MOR is to raise consciousness about it
- The fiscal note is a good analogy – we had trouble getting the fiscal note off the ground. The legislators didn’t find enough meat in the bill to put a bill title on it.
- The next question is, should this be tracked annually? Do we want legislation that requires agencies to do this every year? Rather than just a survey that a chief can delete – do we want it to be required?
- Should we wrap this into a bigger piece of legislation?
- The age old question is who owns this data? Who is responsible?
- This could be folded into Chrissy’s MOR work
- Jana, Michael and Jeanne to get together and write a recommendation to roll into larger legislation.

- As far as Diversity Surveys – Henry shares that at Metro they do this every 5 years
- An interesting thing on the Metro survey is that recruitment and retention is a problem according to minorities who take the survey, but according to Caucasians there is no problem
- Is there a place on the survey to find out where that feeder population is? Where are people being recruited from?
- Anna’s survey will take JV’s into account
- As far as Michael’s survey – we’re not going to move the survey forward in its current state, but rather just focus on gathering the racial composition of agencies.
- Michael will work up a proposal for the commission as a whole, we’ll put a draft version on the CCJJ agenda whenever appropriate; and add to the MOR package of recommendations. These two will go into one bill.

MOR #2 – Action steps

- Jana, Michael and Jeanne to get together and write a recommendation to roll into larger legislation.
- The recommendation will focus on gathering racial composition data of all agencies
- Once this recommendation is drafted, it will be sent out to the MOR group for feedback, then presented to the CCJJ

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 completed the Dashboard and it is now up and running on the CCJJ website
- Chrissy takes the group to the DMC page on the CCJJ website
- This will be evolving
- The RRI data will be updated, possibly on an annual basis?
- Michael asks if there is data regarding how individual offenses are treated throughout the system
- Can we pull data around the breakdown of who and what when it comes to crime.

MOR #5 – Action steps

- Website completed
- Chrissy, Michael and Peg to meet regarding data on individual offenses

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.

- This recommendation has been addressed in a few ways
- During every Commission meeting a screen shot is displayed at the beginning and the end of the meeting encouraging commissioners to invite interns of color to attend CCJJ meetings
- Also, the MOR portion of the Commission’s website directs people to various other websites that detail opportunities in many criminal justice arenas and include the ethnic diversity of staff in many of those agencies

MOR #6 – Action steps

- Completed

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.

MOR #4 – Action steps

- *To take place during the 2013 legislative session*

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.

MOR #7 – Action steps

- *Ongoing*

Recommendation #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

- Regi and the Denver Commission are working on a cultural competency toolkit
- We will work with them and follow their lead

As far as recommendations 4-7

4 is accomplished

5 is accomplished

6 has been furthered with small steps around conscious raising

7 The ORS (Peg) is keeping this on the forefront on recommendations that are coming forward

If you look at 2 and 3 – we just came to agreement on the focus for number 2 and next steps, 3 is still in process – worked out the final agreements on how to get this out.

Looking at number 1 – This group agreed that it's a large task and along term task. Denver's Commission is working on a toolkit. Perhaps, instead of having two different efforts, Denver could help staff that. Or maybe the Denver group can give us feedback. Perhaps Denver can move it and we can pilot it at the Commission. Denver doesn't want to do this in isolation - wants to work with others.

At the October meeting – we'll have an update from the folks at Children's Law & Policy along with an update from Regi and one from Anna

UPCOMING MEETINGS

- ❖ **September – TBD**
- ❖ **October 16th, 3pm-5pm, 710 Kipling, 3rd floor conference room**