

COMMUNITY DIALOGUE

10/23/2008

First Judicial District Equal Justice
Committee Community Dialogue

This was the second First Judicial District Equal Justice Committee Community Dialogue Session conducted at the Dakota County Jail, 1580 Highway 55, Hastings, Minnesota on October 23, 2008 from 1:00-3:00 P.M.

Community Dialogue

FIRST JUDICIAL DISTRICT REPORT

INTRODUCTION

The First Judicial District Equal Justice Committee (EJC) sponsored this Community Dialogue as part of its efforts to educate citizens of color on the purpose and operation of the courts. The Community Dialogue was also held to listen to the perspective of those in attendance on the courts and learn what they believe the court can do better with respect to understanding communities of color.

This is the second Dialogue sponsored by the EJC and was held in the Dakota County Jail. The Dialogue participants included jail inmates representing the ethnically diverse communities in Dakota County. The jail was chosen as a forum for a Dialogue because the EJC wanted to hear from defendants, people who have experienced the court system as a party, not as a justice system partner (i.e.: attorneys, guardians ad litem, etc.).

The Jail Dialogue session proved to be very informative. Fifteen inmates attended the session. Due to a variety of factors members of the Racial Fairness Committee were unable to participate in this Dialogue. The EJC was represented by two committee members; Commander William Blair Anderson of the Dakota County Sheriff's Department, (out of uniform) and Thomas Pohl of the First Judicial District Administration Office. Other participants included the inmates and some Dakota County Jail staff.

Community Dialogue Plan

The Community Dialogue Plan was developed by a planning subcommittee of the Judicial Branch's Racial Fairness Committee. The Plan provides a template for the Racial Fairness Committee and each Judicial District EJC to work together to achieve equitable treatment for all individuals in the court system. The Community Dialogue Plan's stated purpose is to:

Create a public forum for community members to describe their experiences and discuss ideas for advancing racial equality and fairness in the courts.

First Judicial District Dakota County Jail Dialogue Details

The Dialogue was held on Thursday, October 23rd from 1:00 p.m. to 3:00 p.m. at the Dakota County Jail, Jail Programs Classroom in Hastings, Minnesota. The room was arranged with the chairs in a circle in order to encourage dialogue. The two First Judicial District EJC members and the Jail staff in attendance dressed casually in an effort to minimize the perception of authority. In this forum the perception of authority was unavoidable since the participants (inmates) were wearing jail uniforms. Nevertheless, the Dialogue seemed to be open and honest. Basic information about the demographics of arrests, case filings and case dispositions in the First Judicial District were distributed to the participants along with an agenda (See **Attachment A** for the agenda).

SUMMARY OF THE FIRST JUDICIAL DISTRICT SESSION

This Dialogue was unique because the setting is different than that contemplated by the Community Dialogue Plan. Members of the First District EJC were aware there may be strong feelings about bias in the courts from this audience. Although strong feelings were shared, the Dialogue was conducted in a civil and cordial manner. The inmates respected one another's opinions and were able to build off of each other's experiences. Many of the attendees had common views and common experiences. The participants provided valuable insights about their personal perceptions of the justice system. They also shared what they see to be the common view of the community of color with which they identify.

Recruitment and retention of people of color, disparate bail sentencing, practical transportation and economic difficulties, and perceived bias in the pre-sentence investigation (PSI) process were identified as the primary issues these participants would like to see addressed by the justice system.

Themes of the Session and Proposed Suggestions for Improving the Court System

EMPLOY PEOPLE OF COLOR

The participants stated that in order to promote greater trust and comfort with the justice system, more people of color should be recruited and hired in all offices (courts, law enforcement, prosecution, public defense, probation and corrections). Court users want to interact with people with whom they identify. The view of the participants is that when a person of color walks into a courtroom he or she is often the only person of color in the room. This leads to a feeling that the professionals collude together to decide the outcome of the case.

The participants also felt that it was important to employ more people of color in order to build stronger trust in the system. In line with this goal, efforts to build trust should start among juvenile offenders, before they become adult offenders.

STUDY BAIL SENTENCING PRACTICES TO ENSURE NON-DISPARATE IMPACT

This topic was strongly identified as an area within the court system that seems to result in the most obvious form of bias. The participants shared their own numerous experiences which depicted this to be a serious problem in Dakota County.

ACCESS DIFFICULTIES TO COURT FACILITIES DUE TO POOR PUBLIC TRANSPORTATION

A poor public transportation system in Dakota County makes it difficult for people to make it to hearings and meetings at court facilities and probation and detention locations. Another issue that worsens this problem is that forty percent of the Dakota County jail population are not Dakota County residents. Many of the participants shared that they had missed court hearings because they had no way to get to the Dakota County facility.

APPOINT MORE MINORITY JUDGES

The consensus among the participants is that the court system is racially unfair. In addition to hiring a more diverse workforce (as addressed above), the participants felt that more diversity on the bench would also help eliminate bias. The participants perceived the lack of diversity within the court system as an example of the courts unwillingness to address issues of fairness. The hope of the participants is that a more diverse bench, in conjunction with other community leaders, will be able to influence government officials to begin improving the court's diversity.

SUMMATION

The participants at this Dialogue generally felt that trust in the court system could be improved by expanding minority representation in the workforce and on the bench. They also felt that the court should start taking steps toward eliminating bias by reviewing various court practices that may be inherently biased, such as PSI's and pre-trial bail evaluations. Finally, although improving public transportation is beyond the control of the courts, efforts to improve physical and financial access to the courts should be explored.

Holding a Dialogue in a jail went as the First Judicial District EJC expected. The Dialogue was civil and it seemed that the participants felt free to share their views. The participants appeared to leave the Dialogue with a positive attitude and feeling good about what they just experienced, feeling that they may have made a difference.

Suggestions for Future Community Dialogue Sessions

With respect to future community dialogue session, the First Judicial District EJC continues to believe that Dialogues are best held at community-based locations, such as community centers or churches. Advertising locally is also suggested, such as in neighborhood newspapers and through community centers and churches. The First Judicial District EJC plans to host a third Community Dialogue on Racial and Ethnic Fairness in the Courts sometime in early 2009.

ATTACHMENT A

Community Dialogue on Racial and Ethnic Fairness in the Courts

I. Welcome & Introduction (10 Minutes)

II. Explanation of Process for Comment Period (5 Minutes)

III. Brief Introductory Remarks – (15 Minutes)

- Equal Justice Committee and Racial Fairness Committee Members in Attendance
Introduction

- Summary of Racial Fairness Committee and Equal Justice Committee History – Commander William Blair Anderson Dakota County Sherriff's Department and Thomas Pohl of the First Judicial District Administration Office.

- Verbal Summary of Race Data Information – Thomas Pohl

IV. Attendee Comment Period (100 Minutes)

V. Thank You and Good Afternoon

FEEDBACK

Please fill out the handouts we have provided you this afternoon for feedback purposes and hand them into the back table as you leave this evening. Your thoughts and concerns are very important to the work of both committees represented here this evening as we strive to provide equal justice to all our citizens. If you wish to be contacted or have other questions or concerns please sign in and provide us with contact information at the back table as well. We will try to respond to your concerns as quickly as possible. Also, a written report about this dialogue will be posted online within a month for public viewing. Thank you all again for your participation and have a good evening.