

The Oregon Supreme Court Council on Inclusion & Fairness

Meeting Minutes

Date	Time	Location
December 15, 2017	1:00 - 4:00 PM	The Oregon Room 1133 Chemeketa St NE Salem, OR 97301
Members		
Justice Richard C. Baldwin (chair) Lane Borg [†] Hon. Oscar Garcia* Jeff Hall* John Haroldson	Helen Hierschbiel Leola McKenzie Kelly Mills* Hon. Adrienne Nelson Diane Morse	Serena Stoudamire-Wesley Rep. Tawna Sanchez* Janet W. Steverson Hon. Eva J. Temple* Angelica R Vega

[†]attended via phone
*not present

Guest Presenters
Judge Lauren Holland, Lane Count Circuit Court Veronica Smith, data2insight
Others Present
Justice Lynn Nakamoto, Oregon Supreme Court Jonathan Puente, OSB Diversity & Inclusion Director Lucy Tyler, OSB Diversity and Inclusion Internal Coordinator Cheryl Fowler, Deputy Director, CECM Trina Swaja, Reports & Statistics Manager CECM Conor Wall, Data Analyst, Juvenile Court Improvement Program Ed Alletto, OSCCIF Staff

Agenda

Minutes	Offered By	Result
BE IT RESOLVED THAT, The minutes of the OSCCIF 9/15/2017 meeting are adopted without amendment.	Judge Nelson Helen Hierschbiel (second)	APPROVED By acclamation

Circuit Judges Association—Fairness & Diversity		Judge Lauren Holland
Discussion	<p>Judge Holland is the vice chair of the Association and chairperson of 2018 conference Committee (scheduled for April 8 -10 2018)</p> <p>The issues identified in the 1994 Task Force on Racial/Ethnic Issues in the Judicial System report apply as much today as they did then. There is still a long way go to improve racial/ethnic knowledge, respect and inclusion. To that end the conference committee is planning to hold a session on inclusion, diversity and fairness in the courts. Judge Holland invited OSCCIF to send one or more representatives to talk about the Council and what is happening in OJD around these issues.</p>	
Action Items	Person(s) Responsible	Timeline
The steering committee will work with Judge Holland		

Presentation

The Data Analysis Committee has had a number of deep discussions and challenged each other around ways to identify, collect and analyze racial and ethnic data.

To date committee members have:

- Examined examples of felony and misdemeanor filings in Odyssey and found that:
 - The use of these fields varies greatly across the state.
 - Multiple races and ethnicities are entered for the same individual in different cases.
 - In some cases, a person's race or ethnicity is changed during the course of one case.
 - Much of Odyssey's race and ethnicity data is forwarded from law enforcement agencies and has its own issues and problems
- Identified ways that Odyssey's current race categories do not match the Federal categories
- Identified points in the system where we could collect R&E data with pros and cons for each point

The committee has struggled with a chicken and egg problem:

- Do we decide what data we can gather and how we can gather it and see what it tells us?
- Do we decide what issue(s) we want to study then look for data?

The committee decided we needed some direction from the larger Council and guidance as to how to proceed.

So, we have invited Veronica Smith to talk to us today. (Judge Nelson, Judge Temple and Ed Alletto heard her presentation at the National Consortium on Racial & Ethnic Fairness in the Courts Conference in May 2017)

Presentation



Data Science
Outline.pdf



OSCCIFDataScience
Slides.pdf

What do you bring to the Learning Community?



Community of
Learning Map.pdf

Shared Measurement—a Justice System Case Study



Shared Measurement
Pilot Example.pdf

What is the one question we will work to get answered in the next 6 months?

Discussion

Ms. Smith asked OSSCIF members and guests to brainstorm answers to the following question:

What if you could get a sound answer to a question about your program that would help improve outcomes?
(Or more simply, what are the questions you want/need answers to?)

After a short discussion of each, we used multi-voting to prioritize the list. Below are the items discussed ranked by number of votes received:

6 votes

- Do you trust the court/judicial branch of government to decide your case fairly?
- Do OJD employees feel their workplace is free of bias?
- What percentage of the disparate racial outcomes in our court system are due to court practices (or other judicial actors) vs. societal problems?

5 votes

- Do people who are involved in _____ (i.e.: family law matters, juries, mediations...) have similar outcomes regardless of race?
- Do we have an appropriate level of diversity within the judicial department (staff, judges)?

4 votes

- How does bias affect the work environment and our interactions with others?

3 votes

- Are charges filed against persons of color less likely to be reduced or dismissed than those filed against white individuals?

2 votes

- How do we demystify the court system for non-dominant culture members?
- What are the under-reporting ranges for race & ethnicity in the criminal justice system?
- Do you think you are treated fairly by the courts? Why or why not?

1 vote

- Are there disparities in how people are treated in court?
- What are the barriers for POC to accessing court for civil legal needs?
- How many potential litigants walk away/give up on filing due to filing fees or feeling overwhelmed by the process? *literacy, language (no or limited language)

Other items considered

- Are persons of color who are referred to prosecutors more likely to be charged with a crime than white individuals who are referred to prosecutor?
- How does race affect prosecutorial charging decisions?
- What trainings are available for local courts to present to staff on diversity and inclusion?
- Do persons of color who are convicted of crimes receive harsher sentences than white individuals who are convicted of the same crimes?
- How many people are eligible for expungement? Demographic?
- Whether trial court administrators support diversity and inclusion training for their staff?
- 1) Are Oregon judges interested in knowing more about their own implicit bias? 2) What can we offer judges to help them see positives of pursuing inclusion?
- Whether a staff survey on diversity & inclusion would be helpful and, if so, what should the survey look like?

Conclusions

The Data Analysis Committee will select one of the above questions and develop a pilot project proposal to answer it. The proposal will be submitted to the full Council for approval.

Presentation

The Committee has not met since the last Council meeting. They have produced a draft survey that asks OJD employees how they feel about OJD's workplace environment around inclusion & fairness issues and what would help improve the current climate in the workplace. The intent is to gather data starting in a few locations and eventually statewide.

Conclusions

Veronica Smith will review and comment on the draft survey

OSCCIF Calendar

Event	Date & Time	Location	Contact
OSCCIF Spring Meeting - 2018	Fri. 3/16/2018 1:00 pm to 4:00 pm	TBD	Ed Alletto , OSCCIF Staff
National Consortium on Racial and Ethnic Fairness in the Courts 30 th Annual Conference	6/13-16/2018	Minneapolis, MN	http://national-consortium.org
OSCCIF Summer Meeting – 2018 (please note the date change)	Fri. 6/22/2018 1:00 pm to 4:00 pm	Bend, OR	Ed Alletto , OSCCIF Staff
OSCCIF Fall Meeting - 2018	Fri. 9/21/2018 1:00 pm to 4:00 pm	TBD	Ed Alletto , OSCCIF Staff
OSCCIF Winter Meeting - 2018	Fri. 12/14/2018 1:00 pm to 4:00 pm	TBD	Ed Alletto , OSCCIF Staff
Members are encouraged to forward information about relevant events to Ed so he can share them with the Council and add them to the calendar.			