



Public Defense: Leading the Way to Racial Justice

COD/ACCD MEETING
New York City
July 31–August 1, 2008

New York University School of Law
Lester Pollack Colloquium
Furman Hall, 9th Floor
245 Sullivan Street
between West 3rd Street & Washington Square South

AGENDA

(Meeting for COD Network Members: Wednesday, July 30th, 1:00–5:30 PM. Please see separate agenda.)

DAY 1 (July 31)

TIME	LEAD	TOPIC	DESCRIPTION
9:00 AM	Melanca Clark, Richard Goemann, John Stuart, David Udell, and Ed Burnette	Welcome and Introductions	Introduction of all participants in the room
9:30	Richard Goemann, NLADA Clara Hernandez, El Paso County Public Defender Leonard Noisette, Open Society Institute Yvonne Smith Segars, New Jersey Public Defender	Talking honestly in our offices about race in the criminal justice system	Opening up the conversation about defenders as advocates for racial justice reform. Panelists will share their personal perspectives based on experiences in their offices, and will engage audience members in conversation about definitions of racial justice reform, examples of such reform, and reasons why such reform is or isn't being pursued.

DAY 1 (July 31) CON'T

TIME	LEAD	TOPIC	DESCRIPTION
10:15	Alan Rosenthal, Center for Community Alternatives	Understanding race in the criminal justice system	Exploring how race plays out in all corners of the criminal justice system, including through the use and abuse of discretion. The presentation will cover specific racial justice reform goals, reasons for doing racial justice reform work, and four overlapping strategies for securing racial justice reform: i) litigation; ii) administrative advocacy; iii) legislative advocacy; and, iv) organizing.
11:30	Break		
11:45	Small Groups	All participants will be asked to briefly tell the story of what is happening in their jurisdiction regarding racial justice/injustice	Facilitated conversation
12:30 PM	Lunch		
2:00–3:30	Small Groups	Defender Stories and Strategies	Defenders explore specific strategies for pursuing racial justice reform: <ul style="list-style-type: none"> • litigation • administrative advocacy • legislation • policymaking
3:30–3:45	Break		
3:45–5:15	Jim Johnson Partner, Debevoise & Plimpton	Racial justice challenges, the role of government officials, and ways for defenders to make a difference	A conversation about racial injustice in the criminal justice system and what we can do about it, with Jim Johnson, chair of the New Jersey Advisory Committee on Police Standards, and former official in the Clinton Treasury Department responsible for investigating arson in black churches across the south.
5:15–5:30	Plenary – Cait Clarke	Summary remarks	Briefing on Day 2



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Day 2 Locations:

NYU Furman Hall (same as Day 1)

After lunch the group will visit to the Neighborhood Defender Service of Harlem to tour the office and meet staff members. This will be followed by an (optional) dinner in Harlem.

DAY 2 (August 1)

TIME	LEAD	TOPIC	DESCRIPTION
8:00 AM		Continental Breakfast at NYU	
9:00–9:30	John Stuart	Building external support	Using the “Strategic Triangle” to plan and pursue racial justice reforms. How defenders can build sufficient support among allies and others in order to accomplish key goals.
9:30–10:00	Richard Goemann	Securing internal support	In order for change to be successful, the Strategic Triangle teaches that a public entity must ensure that it has the resources that will make the change operationally and administratively feasible. This means building infrastructure from within and searching for allies willing to help make it happen. This short session will open up this strategic element for further exploration.
10:00–10:15	Break		

DAY 2 (August 1) CON'T

TIME	LEAD	TOPIC	DESCRIPTION
10:15–10:30	Melanca Clark	Introduction and framing of research projects on racial disparity in state criminal justice systems	
10:30–11:15	Natalie Finegar Director, Neighborhood Defenders - Northwest Mary-Denise Davis Related Services Attorney, Neighborhood Defenders - Northwest	Neighborhood Defenders Northwest (Baltimore) and Brennan Center for Justice research racial disparities in police & prosecution practices	This project will examine racial disparities in arrests versus citations issued for nuisance crimes. Our hypothesis is that African American residents are arrested at a higher rate while Caucasian residents are more likely to be issued a citation and spared the difficulty of arrest. Because the Baltimore City Police cite the absence of a valid identification as a reason for an arrest, the research may also focus on some of the barriers African American residents face in obtaining identification.
11:15–12:30 PM	Johanna Steinberg, Assistant Counsel, NAACP Legal Defense Fund William Gibney, Director, Legal Aid Society Criminal Practice Special Litigation Unit Roger Abel, President, Northeast Region of National Black Police Association	Legal Aid Society of New York (LAS) and NAACP Legal Defense & Education Fund, Inc. (LDF) research racial disparities in police & prosecution practices	The project will examine so-called ‘vertical sweeps’ in public housing by the NYPD which have resulted in a dramatic surge in trespass arrests over the last several years. As part of our investigation, we have retained an expert to evaluate internal LAS arrest data and are conducting community outreach to speak with residents affected by the policy. We have also been reaching out to former or current members of law enforcement to brainstorm fair and effective police practices to address the realities of crime without sacrificing the rights of the community. LDF and LAS are concerned with the prevalence of unlawful arrests, the discriminatory targeting of communities of color, and we are considering the viability of potential litigation.
12:30–12:45	Summary	Continued discussion of research in light of the Baltimore and NYC projects	
1:00–2:00	LUNCH	At NYU	Informal networking among COD and ACCD participants

DAY 2 (August 1) CON'T

TIME	LEAD	TOPIC	DESCRIPTION
2:00			Transport to NDS of Harlem offices
3:00	NDS staff	Strategies for increased community engagement as part of the COD vision	Discussion of the NDS as a national model of a community oriented defender office, and of how defenders are able to work with community leaders to identify problems and obtain solutions that last.
	Community Discussion	Racial justice conversations and action planning for your office	Individuals in small groups plan a crucial conversation you will have in the office, applying ideas from the earlier presentations and discussions. Share plans with larger group.
5:30	Cait Clarke	Wrap-up	Facilitated conversation
	Dinner (optional)	at a Harlem restaurant for all participants (pay your way)	Take subway back to NYU dorms and hotels

(ACCD Business Meeting: Saturday, August 2nd, 9:00 AM–12:00 PM. Agenda to be distributed separately.)