



Criminal Justice in the 21st Century:

Eliminating Racial and Ethnic Disparity in the Criminal Justice System

Conference Mission Statement

Profound racial and ethnic disparities exist in the American criminal justice system and concrete reform is needed to address them. The New York County Lawyers' Association, Brennan Center for Justice at New York University Law School, National Association of Criminal Defense Lawyers, Association of Prosecuting Attorneys, and Center for NuLeadership on Urban Solutions will co-sponsor a conference on how to remedy these racial and ethnic inequalities in the criminal justice system. The conference will convene for 2 ½ days, October 17-19, 2012. The goal of the conference is to assemble a distinguished group of participants in the criminal justice system—prosecutors, defense attorneys, judges, scholars, community leaders, law enforcement officials, and formerly incarcerated advocates—who will collaborate to develop a menu of practical reforms.

The participants will bring their varying perspectives and experience to identify systematically the critical points of intervention for reducing racial and ethnic disparity and its collateral consequences at different stages of criminal proceedings from arraignments through sentencing. The conference's emphasis is on developing specific reforms. Academic articles on race in the criminal justice system will be published as a supplement to the convening in *The New York University Journal of Legislation and Public Policy*. In addition, the conference report's findings and recommendations will be published in *The Champion Magazine* and widely disseminated by the sponsoring organizations.

Although the concentration will be on the criminal justice system in New York City, the report and reform recommendations of the conference will have national and state-wide implications. The national participants will share their expertise about evidence-based solutions that have proven effective in other jurisdictions. Rather than focusing on what has gone wrong and what has not worked, conference participants will focus on how to create a criminal justice system where race and ethnicity is reduced as a negative factor.



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October 17-19, 2012

The goal of the conference is to assemble a distinguished group of participants in the criminal justice system—judges, prosecutors, defense attorneys, scholars, community leaders, law enforcement officials, and formerly incarcerated advocates—who will collaborate to develop a menu of practical reforms to reduce race as a negative factor in the criminal justice system.

Draft Agenda

Wednesday, October 17, 2012

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| 2:00 p.m. – 2:45 p.m. | <i>Registration</i> |
| 2:45 p.m. – 3:00 p.m. | <i>Welcome</i> Steve Benjamin , President, National Association of Criminal Defense Lawyers Michael Waldman , President, Brennan Center |
| 3:00 p.m. – 3:30 p.m. | <i>Opening Remarks</i> Norman L. Reimer , Executive Director, NACDL Hon. Marcy Friedman , Justice, Supreme Court, New York County, Civil Term. |
| 3:30 p.m. – 5:00 p.m. | Introduction of “Town Hall Panel” Nicole Austin-Hillery , Director and Counsel, Brennan Center Washington Office Roundtable 1 – Stakeholders <i>Moderator:</i> Ted Shaw , Professor of Professional Practice in Law, Columbia Law School <i>Panelists:</i> Eddie Ellis , President, Center for NuLeadership on Urban Solutions Hon. George Bundy Smith , Chair, NYCLA Justice Center, Former Associate Judge New York State Court of Appeals Zachary Carter , Partner, Dorsey & Whitney LLP; Board Member, Brennan Center Lisa Wayne , Immediate Past President, NACDL Vanita Gupta , Deputy Legal Director, ACLU, Washington, DC Glenn Martin , Vice President of Development & Public Affairs, The Fortune Society Rick Jones , Executive Director, Neighborhood Defender Service Leroy Frazer, Jr. , Executive Assistant District Attorney for External Affairs, Office of the Manhattan District Attorney |
| 5:00 p.m. | <i>Closing Remarks</i> Nicole Austin-Hillery , Director and Counsel, Brennan Center Washington Office <i>Reception to Follow</i> |

Thursday, October 18, 2012

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| 8:00 a.m. – 8:45 a.m. | <i>Registration/Breakfast</i> |
| 8:30 a.m. – 9:00 a.m. | <i>Welcome</i> Stewart D. Aaron , President, NYCLA Opening Remarks Hon. Fern Fisher , Deputy Chief Administrative Judge, New York City Courts Inimai Chettiar , Director, Justice Program at Brennan Center for Justice |
| 9:00 a.m. – 10:15 a.m. | Roundtable 2 – Charging, Plea Bargains, Diversion <i>Moderator:</i> Thomas Giovanni , Community-Oriented Defender Network Director (CODN), Brennan Center <i>Panelists:</i> Lance Ogiste , Counsel, Office of the Brooklyn District Attorney Irwin Shaw , Attorney-in-Charge, Legal Aid Society Manhattan Office of the Criminal Practice Wayne S. McKenzie , General Counsel, New York City Department of Probation |
| 10:15 a.m. – 10:30 a.m. | <i>Break</i> |
| 10:30 a.m. – 11:45 a.m. | Roundtable 3 – Pretrial Incarceration <i>Moderator:</i> Thomas Giovanni , CODN Director, Brennan Center <i>Panelists:</i> Marika Meis , Legal Director, The Bronx Defenders Tim Koller , Executive Assistant DA, Staten Island Barry Campbell , Special Assistant to the President & CEO, The Fortune Society Hon. Melissa Jackson , Supervising Judge, Criminal Court New York County |
| 11:45 a.m. – 12:00 p.m. | <i>Break</i> |
| 12:00 p.m. – 1:15 p.m. | Working Group for Roundtables 2 and 3 |
| 1:15 p.m. – 2:00 p.m. | <i>Lunch</i> |
| 2:00 p.m. – 3:15 p.m. | Roundtable 4 – Jury Selection <i>Moderator:</i> Darryl Stallworth , Defense Attorney, Oakland, California <i>Panelists:</i> Cathleen Price , Cooperating Senior Attorney, Equal Justice Initiative, Seminar Lecturer, Columbia University Hon. Ruth Pickholz , Acting Justice, New York County Supreme Court, Criminal Term Abbe Smith , Director, Criminal Defense & Prisoner Advocacy Clinic and Professor of Law at Georgetown Law Deanna Rodriguez , Chief, Brooklyn District Attorney’s Gang Bureau |
| 3:15 p.m. – 3:30 p.m. | <i>Break</i> |
| 3:30 p.m. – 4:15 p.m. | Working Group for Roundtable 4 |

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| 4:30 p.m. | Closing Remarks |
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Friday, October 19, 2012

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| 8:15 a.m. – 8:45 a.m. | <i>Breakfast</i> |
| 8:45 a.m. – 9:00 a.m. | Opening Remarks |
| 9:00 a.m. – 10:15 a.m. | <p>Roundtable 5 – Pretrial Litigation on Search and Seizure and Identification Issues</p> <p><i>Moderator:</i> Lexer Quamie, Counsel, The Leadership Conference on Civil and Human Rights</p> <p><i>Panelists:</i> Hon. Mark Dwyer, Acting Justice, Supreme Court, Kings County, Criminal Term</p> <p>Donna Lieberman, Executive Director, New York Civil Liberties Union</p> <p>William Gibney, Director, Criminal Practice Special Litigation Unit, The Legal Aid Society</p> <p>Delores Jones-Brown, Faculty Research Fellow, Center on Race, Crime and Justice at John Jay College of the City University of New York</p> <p>Rodney Mitchell, Founder, REentry Legal Services</p> |
| 10:15 a.m. – 10:30 a.m. | <i>Break</i> |
| 10:30 a.m. – 11:45 a.m. | <p>Roundtable 6 – Sentencing and Community Corrections</p> <p><i>Moderator:</i> Nkechi Taifa, Senior Policy Analyst, Open Society Foundations</p> <p><i>Panelists:</i> Dr. Divine Pryor, Executive Director, Center for NuLeadership on Urban Solutions</p> <p>Clinton Lacey, Deputy Commissioner for Adult Services, New York Department of Probation</p> <p>Jonathan Rapping, Founder and CEO, Southern Public Defender Training Center.</p> <p>Mike Randle, Program Director, Cuyahoga County Ohio Community Based Correctional Facility</p> |
| 11:45 a.m. – 12:00 p.m. | <i>Break</i> |
| 12:00 p.m. – 1:00 p.m. | Working Groups for Roundtables 5 and 6 |
| 1:00 p.m. – 1:45 p.m. | <i>Lunch</i> |
| 1:45 p.m. – 3:00 p.m. | <p>Roundtable 7& Discussion – Community Justice</p> <p><i>Moderator:</i> Brett Taylor, Deputy Director, Center for Court Innovation</p> <p><i>Panelists:</i> Anne Swern, First Assistant District Attorney, Office of the</p> |

Brooklyn DA

Robin Steinberg, Executive Director, The Bronx Defenders

Dennis Lawrence, AmeriCorps Member

James Brodick, Project Director, Brownsville Community Justice
Center and NYC Community Cleanup

3:00 p.m.

Closing Remarks

**Please note this agenda is subject to change*