

**Connecticut Judicial Branch
Commission on Access to Justice
Subcommittee on Criminal Issues and Child Protection**

January 23, 2012 – 1:00 p.m.
225 Spring Street, 4th Floor, Room 4B
Wethersfield, CT

Present:

Chair – Chief Public Defender Susan Storey

Members – Johanna Greenfield, Caseflow Management Specialist, Court Operations; Aileen Keays, Research and Policy Specialist, CCSU; Yanira Rodriguez, Community Court

Guests - Stephen Vitelli (Attorney General's Office), Susan Nofi-Bendici (New Haven Legal Assistance)

Absent:

Members – Nora Dannehy, Deputy Attorney General; John Russotto, Deputy Chief State's Attorney

Meeting Convened

The meeting was called to order at 1:05 by Chief Public Defender Susan Storey, Chair.

1. Approval of Minutes

The minutes of the meeting held on November 16, 2011 were approved.

2. Updates from Last Meeting

Inmate Access to Resources

Attorney Storey updated the group that Attorney Dannehy's contact at the federal court has retired, but that she is pursuing other potential contacts regarding federal prison inmate access to computers. Attorney Storey indicated that DOC Commissioner Leo Arnone is also interested in how they handle inmate computer access. Charter Oak College is also involved in a project that may be helpful. The goal would be to close the gap in access to resources between criminal defendants who are in custody and those who are not. For example, inmates who can complete their own papers online may feel more empowered than those who cannot. Other related access issues involve the lack of lawyer access to computers in lockup.

There are different barriers that prevent attorneys from exchanging necessary paperwork to those clients in courthouse lockups. The question was posed as to whether there is a safe way to have them gain access to what they need, understanding

that there is no funding currently available for major courthouse reconstruction expenditures. It is believed that currently the inmates cannot bring any paperwork from court back to jails. This increases the necessity for attorneys to go to prisons and jails to accomplish some tasks that could possibly be done at the courthouse. It was mentioned that legal paperwork can be given or mailed to clients at the jails and prisons that cannot be handed to them in courthouses. Possible long-term solutions included the potential use of computers and videoconferencing equipment. Discussion of All of this would need to be had with the appropriate individuals in the Judicial Branch, DOC and the Division of Public Defender Services if changes were to be requested or pursued. Subcommittee member visiting a courthouse lockup or two was suggested.

Self-Represented Parties in Criminal Matters

The subcommittee members discussed Attorney Russotto's topic from the last meeting with regard to the increased population of individuals in criminal court who are self-represented and those who would have used the mediation program which no longer exists.

The Court Service Centers have information on AR, but there was discussion about developing an information sheet about what the different court and diversion programs are and general information that would alert clients and families to possible collateral consequences that potentially could occur as a result of a guilty plea or program involvement. Perhaps there could be a publication with the information also accessible online.

Direction of the Subcommittee

It was mentioned that some of the recommendations this group might want to make would be too expensive to be realistic in the current economy, such as the physical layout in court buildings to accommodate confidential conversations between those in lockup and their attorneys. The Subcommittee members discussed focusing on what can be accomplished at little or no cost, but to document other recommendations as well, so that should budgetary conditions improve; some of those items might be pursued further at that time.

Collateral Consequences

The discussion returned to the usefulness of a publication with regard to collateral consequences. It was generally thought to be helpful. Perhaps the Court Service Centers in the GA courthouses could have it as well as the prosecutors. The thought was that there would be a contact number or appropriate person named in the publication should the reader have further questions.

Other States

A few programs in other states were discussed. Seattle has a program that addresses issues involving incarcerated parents' access to their children. Attorney Storey distributed to the subcommittee a write-up about that program along with a draft of proposed legislation regarding a "family impact statement" that it is

anticipated would be presented to the court prior to sentencing.
The subcommittee briefly discussed the New York Poverty Simulation program.

3. Further action plan assignments

Attorney Storey will contact Commissioner Arnone with regard to partnering up on the issue of inmate access to resources – particularly computer access. Johanna Greenfield will consult Krista Hess on how the Court Service Centers access the CTLS publications along with what the approval process is for the Court Service Centers to make available to the public information that is not produced by the Branch.

Attorney Storey will begin drafting a collateral consequences publication in user friendly language. It was suggested that perhaps the draft could be reviewed by some members of the intended audience to uncover what it is they would want to know and/or to get feedback on the draft.

Attorney Storey will e-mail the contact person for the New York Poverty Simulation program to find out more about what that program is like.

4. Such other matters as may come before the subcommittee

There is a program at Yale Law School by The Arthur Liman Public Interest Program on March 1st and 2nd that Attorney Storey encouraged members of the subcommittee to attend. There is also an open house at Community Court on February 9th.

5. Next meeting

The next meeting of the subcommittee will be April 23rd at 1:00 PM in room 4B at 225 Spring Street in Wethersfield.

6. Adjourn

The meeting adjourned at 1:56 PM.