

DRAFT Minutes
Connecticut Judicial Branch Jury Selection Task Force
December 16, 2020
2:00

The meeting was also available for live streaming on the Judicial Branch YouTube Channel.

Members in attendance: Hon. Chase T. Rogers (Co-Chair), Hon. Omar A. Williams (Co-Chair), Hon. James W. Abrams, Hon. Joan Alexander, Hon. David Gold, Hon. Joette Katz, Hon. Douglas Lavine, State Rep. Matthew Blumenthal, Atty. Glenn Coffin, Atty. Tais C. Ericson, Professor Neal Feigenson, Dean Timothy Fisher, Atty. Aigné Goldsby, Ms. Esther Harris, Atty. James J. Healy, Attorney Claire M. Howard, Ms. Hannah Kogan, Atty. Erik T. Lohr, Atty. Charleen E. Merced Agosto, Atty. Christine Perra Rapillo, Atty. Preston Tisdale, Atty. Harry Weller, Atty. Paul D. Williams, Atty. Anna Van Cleave

Also in attendance: Chief Justice Richard A. Robinson, Hon. Elizabeth Bozzuto, Hon. Patrick Carroll III, Hon. Robin L. Wilson, Ms. Melissa Farley, Atty. Daniel Krisch

- I. **Welcome:** Judge Williams thanked the Task Force members for all of their work and for the meaningful proposals they set forth in the subcommittee reports. Judge Williams also thanked the subcommittee co-chairs and support staff. Justice Rogers noted that the recommendations made are comprehensive and involve little or no cost to implement. Today is the final meeting and each subcommittee's recommendations will be briefly reviewed and questions may be asked. Members had an opportunity to review the recommendations prior to this meeting. After all four subcommittee's present, the Task Force members will vote on the recommendations totality of the recommendations.
- II. **Data, Statutes & Rules Subcommittee:** Dean Timothy Fisher presented the recommendations. He summarized the proposals as being aimed at creating a robust system of recordkeeping while protecting personal identifying information, but providing a database of jurors and service for analyzing any disparate impact throughout the process. This subcommittee previously submitted proposed revisions to C.G.S. sec. 51-232.
- III. **Jury Summoning Process Subcommittee:** Attorney Harry Weller presented the recommendations. This subcommittee previously submitted proposed legislation. In addition to the legislative proposals, the subcommittee made recommendations regarding the juror summons and other materials. These recommendations include having information that a juror can give to an employer, changes to the summons envelope to make it more inviting, and clearly indicating in the material what jurors will be paid.
- IV. **Implicit Bias in the Jury Selection Process & Batson Challenges Subcommittee:** Judge David Gold presented the recommendations. This subcommittee formed three workgroups. The Jury Instruction Workgroup examined the existing Connecticut jury instruction on unconscious bias, and also compared it to other states' instructions. This workgroup made recommendations to improve upon some of the language used and also made recommendations as to the point in time when the instruction should be given. The Peremptory Challenges Workgroup did not recommend any changes to the existing statutory scheme regarding the current number of peremptory challenges. Their reasoning

is detailed in the report. The Batson Workgroup proposed a rule patterned after the Washington state rule.

- V. **Juror Outreach and Education Subcommittee:** Judge Joan Alexander presented the recommendations. This subcommittee's recommendations include revising and updating juror material to make it less intimidating, seeking to have permanent community engagement with groups to assist with outreach, and developing a program that can be used with various groups.
- VI. **Recommendations:** After discussion, the Task Force voted unanimously to approve the final report consisting of the recommendations from the four subcommittees with commentaries in opposition where included.
- VII. **Other Business:** Chief Justice Richard A. Robinson thanked the Task Force members for their hard work. He noted that Connecticut can be a model state in this area and pledged to act on the final report. Judge Omar Williams and Justice Rogers thanked the Task Force members.
- VIII. **Adjourn:** Meeting adjourned at 2:40 pm.