

State Criminal Justice Coordinating Council

Race Equity, Inclusion, and Access Subcommittee

Meeting Minutes

Meeting Date | 06/02/2022 12:15 p.m. | Meeting location Virtual (Zoom)

Co-Chairs: Rebecca Dallet
Supreme Court Justice
Wisconsin Supreme Court

Kimberly Lawton
District Attorney
Bayfield County

Staff
Lara Kenny
Donna Hahn
Mike Austin
Brad Kelly

Subcommittee Members Present

Associate Judge Gwen Topping, Lt. Governor
Mandela Barnes, State Public Defender Kelli
Thompson, Jerome Dillard, Rhonda Frank-Loron,
Jane Graham Jennings, Derek Veitenheimer

Subcommittee Members Not Present

Dr. Jeneise Briggs, Deputy Chief Judge Carl Ashley,
Chief Shon Barnes, Representative Evan Goyke,
Judge Derek Mosley, Vanessa McDowell, Sheriff
Rebecca Smith

Others Present

Adam Plotkin, Ashley Billig, Katie Domina, Steve
Wagner, Tyler Brandt, Commissioner Koppa

AGENDA TOPICS

Welcome and Opening Comments

Supreme Court Justice Rebecca Dallet welcomed everyone to the meeting of the Race Equity, Inclusion, and Access (REIA) Subcommittee.

Approval of 4/6/2022 Meeting Minutes

Motion was made by State Public Defender Kelli Thompson and seconded by District Attorney Kim Lawton to approve the 4/6/2022 meeting minutes. The motion was approved by voice vote.

Supplementing the Jury Master List Discussion

Tyler Brandt updated the subcommittee on questions some members had on the Jury Master List discussion he presented on previously.

Brandt reported three to four major counties receive jury lists quarterly, otherwise most counties receive the list annually. The selection is a random process sent out to jurors.

In 2008, the Attorney General provided an opinion on whether Wisconsin law permits a court to deliberately summon a greater number of potential jurors from some geographic areas than from

others. The 2008 Attorney General Opinion referenced can be found here:

https://docs.legis.wisconsin.gov/misc/oag/recent/oag3_08

Subcommittee members discussed if supplementing the jury list with the statutorily approved lists found in [Wis. Stat. §756.04](#) would increase representation on juries. It was shared that previous analysis showed the state as a whole has a good inclusiveness rate. However, Justice Dallet shared that Milwaukee County has a 79% inclusiveness rate which is below the National Center for State Courts 85% inclusiveness goal. Adam Plotkin and Rhonda Frank-Loron volunteered to work on a proof of concept to show if the process of supplementing the list will be helpful to the goal of diversifying juries. The two will work with state agency staff and the courts to discuss the viability of accessing these statutorily approved lists and selecting a county to test the concept.

Justice Dallet discussed the jury flyer from Milwaukee indicating that improvement could be made to make it more welcoming including by changing some of the language. She also spoke about ways Milwaukee can help the jury pool selection by offering higher jury pay, paid parking, and finding out if any pay could affect existing state benefits they receive.

Justice Dallet asked to collect information from each county clerk of courts the language on summons and compare.

Educational Opportunities Discussion

Members discussed how to expand training in the legal community around race equity, inclusion, and access. The Clerk of Courts was discussed as an opportunity for training. Tyler Brandt indicated that they hold 3 to 4 conferences a year, one in February the State Courts sponsors. Members will keep an eye on the training in February and Tyler Brandt will look to see if he can get the issue on the agenda.

The committee also discussed the current petition by the State Bar of Wisconsin to allow for inclusion of diversity training continuing education credits. The Wisconsin Supreme Court will likely consider the petition in the fall. Justice Dallet will refer to the full CJCC to raise awareness and share the opportunity submit a letter on the Wisconsin State Bar's Petition to include diversity training as an allowable training to obtain continuing legal education credits. The Rules Petition is provided at:

www.wicourts.gov/scrules/pending/2201.htm

Mike Austin provided the subcommittee members with the webinar links below on Jury trainings.

Webinar - Jury Diversity and its Role in Promoting Confidence in the Court System:

<https://vimeo.com/714061666>

Webinar - The path to a diverse jury panel: <https://vimeo.com/716380755>

2022 Goals Recap and Discussion

The committee will continue to focus on the projects discussed at the meeting including improving jury representation, increasing educational opportunities, and seeking opportunities to improve language

Update on Jury Instructions

Justice Dallet updated the subcommittee there is a meeting the following day on Jury Instructions. The final discussions should happen at that meeting and most of the language the subcommittee proposed should be adopted. She will update the subcommittee once she hears after the meeting is held.

Public Comment

There was no public comment.

The next meeting of the Race Equity, Inclusion, and Access Subcommittee will be August 4, 2022.

The meeting adjourned at 1:13 p.m.