
Meeting Minutes
Protection of Individuals with Disabilities in the Criminal Justice System Task Force
September 10, 2021
1:00 pm

Conducted via WebEx

Minutes

Task Force Member Attendees: Representative Chris Bos, Edwin Bowen, Fred Chinn, Representative William Davis, Donald Dew, Mary Dixon, Karima Douglas, Bryan Echols, Penny Gates, Crystal Johnson, Mary Hettel, Kathryn Hunt Muse, Allen James, Dr. Omar Jamil, Kimberly Johnson-Evans, John Keigher, Linda Kelly, Dr. Mary Milano, Carol Nesteikis, Amy Newell, Leigh Richie, Cpl. Akil Smith, Jenniefer Vollen-Katz, Allison Stark

Not present: Kimberly Johnson-Evans, Judge Maldonado, Judge Walsh, Kate Winner

1. Call to Order

- Meeting was called to Order at 1:02 pm – Co-Chair Leigh Richie, Office of the Governor
- Roll Call completed with certification of number of members to constitute a quorum

2. Introductory Remarks

- Co-chair, Leigh Richie

3. Old Business

- Vote to adopt meeting minutes- Whole task force and each committee
 - Whole task force- February 8, 2021
 - Motion to Adopt the minutes made by Fred Chinn, Member
 - Motion to Second made by Carol Nesteikis, Member
 - Ayes have it, Nays-0
 - Criminal Justice System Awareness of Disabilities... Committee- June 23, 2021
 - Motion to Adopt the minutes made by Representative Will Davis, Member
 - Motion to Second made by Carol Nesteikis, Member
 - Ayes have it, Nays-0
 - Police Interactions Committee- July 6, 2021
 - Motion to Adopt the minutes made by Cpl. Akil Smith, Member
 - Motion to Second made by Kathy Hunt Muse, Member
 - Ayes have it, Nays-0

OFFICE OF THE DIRECTOR

- Representation by Counsel and Individual Participation... Committee- May 17, 2021
 - Motion to Adopt the minutes made by Mary Milano, Member
 - Motion to Second made by John Keigher, Member
 - Ayes have it, Nays-0
- Detention and Correctional Facilities Committee- July 22, 2021
 - Motion to Adopt the minutes made by Fred Chinn, Member
 - Motion to Second made by Bryan Echols, Member
 - Ayes have it, Nays-0

4. New Business

- Opening remarks to agenda item given by Allen James, Co-chair
- Presentation of committee recommendations- Committee chairs
 - CJ System Awareness of Disabilities and Need... Committee
 - Presented by: Carol Nesteikis
 - ❖ Carol gave an overview of each recommendation with a brief background for the rationale for each of the nine (9) recommendations
 - Police Interactions Committee
 - Presented by: Leigh Richie
 - ❖ Leigh gave an overview of each recommendation with a brief background for the rationale for each of the six (6) recommendations
 - Representation by Counsel and Individual Participation... Committee
 - Presented by: Allen James
 - ❖ Allen gave an overview of each recommendation with a brief background for the rationale for each of the two (2) recommendations
 - Detention and Correctional Facilities Committee
 - Presented by: Omar Jamil
 - ❖ Omar gave an overview of each recommendation with a brief background for the rationale for each of the five (5) recommendations
- Further discussions in consideration of overlap, clarification-Leigh Richie, Co-chair
 - Penny Gates brought up the need to be careful of use of terminology and consistent usage of terms used throughout the recommendations and final report. She specifically cautioned against leaving DD (developmental disabilities) out.
 - Allen James spoke about the task force purpose being for ID (intellectual disabilities) and DD (developmental disabilities) though mental health is touched as well
 - Leigh Richie indicated that the enabling legislation was broad and that the Police Interactions committee's recommendations were broad as well
 - Allison Stark suggested that the opening of the final report speak to the groups of citizens referenced in the recommendations (co-occurring diagnoses, ID/DD, mental health, etc.)
 - Carol Nesteikis agreed with Allison Starks' suggestion
 - Omar Jamil recommended avoiding moving toward all ID/DD because of the instances of dual diagnoses or undiagnosed. He gave an example of what is seen with youth in confinement at IDJJ

- Mary Hettel indicated that she encourages the group to consider both
 - Dr. Milano talked about language and categorizing persons with disabilities in a way that educates, but is also sensitive and brings awareness of areas that affect all
 - Allen James supported Dr. Milano's musings related to categorizing persons with disabilities
 - Leigh Richie asked if there were other thoughts about foundational issues to be included in the report to give context prior to listing the recommendations
 - Carol Nesteikis suggested that there be a list of definitions in the opening as well and suggested usage of verbiage put forward by the Arc organization
 - Allison Stark supported adding definitions and using people first language. Understands the concerns about defining disabilities but suggested being very clear about what the needs are and what the solutions are. Supports being clearer rather than less and indicated that she would reach out to a resource in DRS to see if there were any suggestions
 - Representative Davis asked if some of the definitions are already statutory and if they are captured in statute, are they accurate?
 - Allen James echoed Representative Davis' statement/query and pointed to the MHDD Code definition of mental health versus the DSM-V
 - Jennifer Vollen-Katz spoke about terminology as it relates to person in confinement. She spoke about her organizations efforts to use language of intent which at times may not be as broad as people-first language, but still is respectful
 - Amy Newell indicated that she was happy to reach out to the Arc of the US to track down information on broad language
- General discussion on specific recommendations
 - Amy Newell asked if there are a certain number of recommendations the task force would like to get down to or will all recommendations be included
 - Leigh Richie indicated that she and Allen James thought that the work of the committees could all be added to the report
 - Allen James indicated that he saw the report as the start and different entities who have interests would then advance the ideas forward in ways seen fit as advantageous to progressing the agenda
 - Carol Nesteikis indicated that since so much work was put into meetings and recommendations, all should be included
 - Amy Newell suggested choosing top focus areas to highlight areas the task force would like to see done
 - Representative Davis talked about the need for distinctions between what needs to be done legislatively and what can be done by agencies internally. He wants to ensure that the agenda items are truly moved forward beyond the report and sunset of the task force
 - Carol Nesteikis agreed and referenced a couple of recommendations she believed that could be implemented without legislation. She also indicated that all recommendations were on equal footing and the input from the task force members should be included
 - Representative Davis spoke about the Office of the Governor and how it can help advance recommendations in tandem with the agencies and task force members in their various capacities
 - Leigh Richie agreed
 - John Keigher talked about concerns he has about the various models, etc. used in other states and his belief that those should be reconciled for the final report
 - Allen James acknowledged there may be some overlap and suggested adding some notations for the type of actions the task force suggests as necessary to accomplish the task. He also acknowledged that there was technically one week to get a draft done and out for review in consideration of the final meeting on 9/29/21

- Dr. Milano suggested three people taking a stab at making a first draft including the co-chairs within the next week
- Leigh Richie cited that having a drafting group would be helpful and reminded the group that the report is due on 9/30/21
- Framework of final report
 - Leigh Richie spoke about the focal point of the report being the committee recommendations, background being given and ensuring that all task force members are acknowledged as well as their titles. She also reminded the task force members of the final meeting on 9/29/21 at 1pm
 - Representative Davis queried about items that may be legislative items and the process for the Office of the Governor to gather legislative proposals from agencies
 - Leigh Richie indicated that she thought the process was in the early stages and would inquire of the legislative team
 - Representative Davis commended the members of the task force and the engagement of the committee members as well as the recommendations that came from each committee

5. Public Comment

- None

6. Additional Comments

- Allen James acknowledged information in the chat box from Gia Orr, task force administrator who is also IGAC's director of legislative affairs related to agency due dates on proposals

7. Next Planned Meeting- 9/29/21 at 1:00 pm

8. Adjournment

- A Motion was made to adjourn by Representative William Davis
- Jennifer Vollen-Katz Seconded the Motion
- By call of the vote the Ayes have it
- Meeting adjourned at 2:14 pm