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U.S. COMMISSION ON CIVIL RIGHTS

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BUSINESS MEETING

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FRIDAY, JUNE 7, 2024

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The Commission convened via
Video/Teleconference at 10:00 a.m. EDT, Rochelle
Garza, Chair, presiding.

PRESENT:

ROCHELLE GARZA, Chair

VICTORIA NOURSE, Vice Chair

STEPHEN GILCHRIST, Commissioner

J. CHRISTIAN ADAMS, Commissioner

GAIL HERIOT, Commissioner

PETER N. KIRSANOW, Commissioner

GLENN D. MAGPANTAY, Commissioner

MONDAIRE JONES, Commissioner

MAURO MORALES, Staff Director

DAVID GANZ, General Counsel & Parliamentarian

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STAFF PRESENT:

PAMELA DUNSTON, Chief, ASCD

JULIAN NELSON, ASCD

MICHELE YORKMAN-RAMEY, ASCD

DAVID MUSSATT, Director, RPCU

TINALOUISE MARTIN, Director, OM

ANGELIA RORISON, Director, PAU

COMMISSIONER ASSISTANTS PRESENT:

JOHN K. MASHBURN

THOMAS SIMUEL

ALEXIS FRAGOSA

CARISSA MULDER

NATHALIE DEMIRDJAIN-RIVEST

YVESNER ZAMAR

STEPHANIE WONG

IRENA VIDULOVIC

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PROCEEDINGS

(10:00 a.m.)

MR. BATES: Good day and welcome to the U.S. Commission on Civil Rights' monthly business meeting. Today's conference is being recorded. At this time, I would like to turn the conference over to Chair Garza. Please go ahead.

CHAIR GARZA: Good morning, everyone. Let's go ahead and get started. This business meeting of the U.S. Commission on Civil Rights comes to order at 10:00 a.m. Eastern time on Friday, June 7th, 2024. This meeting is taking place via telephone conference. I'm the Chair of the Commission, Rochelle Garza, and since we're all attending by phone, I'd like to start with a roll call. So please confirm your presence when I say your name. Vice Chair Nourse?

VICE CHAIR NOURSE: Present.

CHAIR GARZA: Commissioner Adams?

COMMISSIONER ADAMS: Here.

CHAIR GARZA: Commissioner Gilchrist?

COMMISSIONER GILCHRIST: I'm present.

CHAIR GARZA: Commissioner Heriot?

COMMISSIONER HERIOT: I'm here.

CHAIR GARZA: Commissioner Jones.

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1 COMMISSIONER JONES: Present.

2 CHAIR GARZA: Commissioner Kirsanow?

3 COMMISSIONER KIRSANOW: Here.

4 CHAIR GARZA: Commissioner Magpantay?

5 COMMISSIONER MAGPANTAY: I'm here.

6 CHAIR GARZA: Wonderful. Thank you all.

7 Based on that roll call, we have all Commissioners
8 present. Is the court reporter present?

9 COURT REPORTER: Thank you, ma'am. I'm
10 here.

11 CHAIR GARZA: Wonderful. Is the Staff
12 Director present?

13 MR. MORALES: I am present.

14 CHAIR GARZA: Is the Parliamentarian
15 present?

16 MR. GANZ: I'm present. Yes.

17 I. APPROVAL OF AGENDA

18 CHAIR GARZA: Good morning, David.

19 Great. Well, now we are going to go ahead and
20 proceed with today's agenda as posted on the
21 federal register. We are going to consider the
22 following items. I have presentations by the
23 Maine, North Carolina, and South Carolina State
24 Advisory Committee Chairs on released reports. And
25 then, those presentations will be followed by

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1 discussion and vote on updated timeline for our
2 Commission's report on the federal role in
3 enforcing religious freedoms in prison. And we
4 will also have a discussion and vote on our
5 briefing report entitled Federal Efforts in
6 Examining Racial and Ethnic Disparities Among
7 Victims of Violent Crime. And that will be
8 followed by a discussion and vote on the
9 appointment of members to the advisory committee
10 for the State of Alabama. And finally we're going
11 to conclude with the Staff Director's report. Are
12 there any motions to amend the current agenda?
13 Okay. Hearing none, we're going to go ahead and
14 move to consider the first agenda item,
15 presentation by our Advisory Committee Chairs.

16 A. PRESENTATIONS BY STATE ADVISORY COMMITTEE CHAIRS

17 ON RELEASED REPORTS AND MEMORANDUM

18 So in today's meeting we're going to be
19 hearing from the three Advisory Committees that I
20 mentioned. Advisory Committees serve as the eyes
21 and ears on the ground to identify and elevate
22 civil rights concerns from the local to the
23 national level. And their dedication to uncovering
24 inequality and recommending actual solutions is
25 crucial for promoting justice and equality across

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1 our nation. Advisory Committee reports provide our
2 Commission an understanding of emerging and
3 pressing civil rights issues experienced at the
4 state level. We are very grateful to have the
5 Chairs of these Committees as our guests to present
6 upon the text of their reports that have been voted
7 upon by a majority of their committees. And
8 through their rigorous investigations, public
9 hearings, and comprehensive reports, we ensure that
10 civil rights remain at the forefront of policy
11 discussions. Your work is invaluable. The SAC
12 work is completely invaluable in offering a
13 foundation for meaningful change and safeguarding
14 the civil rights of all citizens.

15 And so before we start with our -- before
16 we hear from our advisory committee chairs today,
17 I'd like to make a disclaimer just to set the stage
18 for our discussion. Again, these presentations are
19 based on the report that the Advisory Committees
20 have put together. They voted upon it by a
21 majority of their committee. It is important to
22 note that statements and dissents from individual
23 committee members reflect their personal opinions
24 and may not necessarily be accurate or these
25 opinions are not vetted or reviewed by others. So

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1 we should not consider those equivalent to the
2 official report that had been voted on. The
3 purpose, again, of these presentations is to hear
4 from the Advisory Committee representatives about
5 what was voted upon and recommended as the
6 committee based on the testimony they gathered.

7 We deeply appreciate your presence and
8 your ability to represent your Committee's findings
9 and recommendations. Additionally, I want to
10 emphasize that while some statements made today may
11 be controversial, it is crucial that we all respect
12 our colleagues by refraining from defaming or
13 degrading any person. And as Chair, I do reserve
14 the right to cut short any statements that defame,
15 degrade, or do not pertain to the issue at hand.
16 So thank you all for being here. Thank you for
17 sharing your insights with us today. And we're
18 going to go ahead and proceed with our first
19 presentation from our Maine Advisory Committee
20 Chair Samantha Lee on the Committee's report, the
21 right to criminal legal defense in Maine. Thank
22 you, Chair Lee. The floor is yours.

23 MAINE

24 MS. LE: Thank you, Chair Garza,
25 Commissioners, fellow State Chairs, and staff for

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1 allowing me to speak today. I'm Samantha Le, Chair
2 of the Maine Advisory Committee. For the last two
3 years, the Maine Advisory Committee studied whether
4 Maine, the public criminal defender office impacts
5 the civil rights of indigent criminal defendants.
6 Our report was submitted in November 2023.

7 So a little history. Until recently,
8 Maine was the only state that relied solely on
9 private contracted attorneys to provide indigent
10 public defense, instead of having public defender's
11 offices. It was slowly -- it has slowly worked to
12 establish a public defender system working
13 alongside private attorneys to alleviate the
14 shortage of representation for indigent criminal
15 defendants. A few years ago, the Maine legislature
16 established the Maine Commission on Indigent Legal
17 Services, or MCILS, with the mandate to quote,
18 "Provide high quality representation to indigent
19 criminal defendants, juvenile defendants, and
20 children, and parents in child protective cases."
21 Our report focused on just indigent criminal
22 defendants. So there's public concern that MCILS
23 is not meeting its Constitutional obligations. A
24 report by the 6th Amendment Center found that MCILS
25 is not meeting the standards of the 6th Amendment.

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1 The American Civil Liberties Union of Maine is
2 suing MCILS because quote, "The current system has
3 failed low-income people accused of a crime."
4 Unquote. Maine's government oversight committee
5 also found issues with MCILS. Thus, the Maine
6 Advisory Committee set out to discover more on this
7 issue. We heard from impacted individuals,
8 academics, advocates, and law makers at three
9 public hearings in 2022. I will highlight some of
10 what we found.

11 So the first thing was Maine's nascent
12 public defense system is under-funded and unable to
13 meet the state's current legal needs of indigent
14 clients. A lack of sufficient funding, structure,
15 and administrative support negatively impacts
16 individuals in need of public defense. The current
17 demand for indigent legal services far outweighs
18 the capacity of available attorneys leading to long
19 delays. This creates an imbalance in speed of
20 obtaining counsel between those who can afford
21 their own lawyers versus those who can't.

22 Number two. People of color, individuals
23 with disabilities, and non-English speakers are
24 disproportionately impacted by Maine's current
25 system. Individuals in the federally protected

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1 classes are most likely to be negatively impacted
2 by the lack of quality and capacity of indigent
3 legal services. Mentally ill defendants'
4 disability will manifest in the extreme without
5 counsel being promptly appointed.

6 Finding three. Attorneys assigned as
7 public defenders need the same resources as
8 prosecutors to effectively and meaningfully
9 represent their clients. There's a lack of parity
10 between the resources available for public defense
11 and those available for prosecution. Public
12 defense attorneys are not provided with mentorship,
13 technical knowledge, or resources such as health
14 insurance, disability insurance, or overhead costs
15 in the same manner as prosecutors are, putting
16 their client's risk at subpar representation.

17 Parity is not just mere money the
18 Committee learned, it is about having a defense
19 perspective at the decision making tables. At
20 every table, a prosecutor or the attorney general
21 is welcomed. Overall, it is about standing and
22 respect for the defense function. There are more
23 findings in the full report. However, I'm now
24 going to highlight some of our recommendations.

25 So the first one is we urge this

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1 Commission body to have the U.S. Department of
2 Justice investigate whether Maine is providing
3 effective and meaningful representation to indigent
4 clients facing actual incarceration. For the state
5 level recommendations, we would like for them to go
6 to the Maine legislature, Governor Mills' office,
7 the Chief Justice for the Maine Supreme Judicial
8 Court, and MCILS. The first one is, they should
9 provide adequate funding to indigent legal services
10 for criminal defendants at the minimum recommended
11 by MCILS to promote parity between defense counsel
12 and prosecutors. Until the Maine legislature and
13 the Governor adequately funds Maine's indigent
14 defense system, this issue will not be resolved.
15 So again, until the Maine legislature and the
16 Governor adequately funds Maine's indigent defense
17 system this issue will not be resolved.

18 Recommendation number two, developing
19 robust and well-structured public defender system
20 one that includes state input public defenders, as
21 well as private attorneys, and one that
22 incentivizes attorneys to provide quality legal
23 defense.

24 Number three. Increase the number of
25 criminal defense attorneys in order to reduce

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1 workloads of those still accepting cases. This
2 will hopefully reduce the pressure on defendants
3 who may feel pressured into taking plea deals when
4 they have genuine defenses and want to be heard in
5 court. Workload and caseload standards should be
6 updated accordingly.

7 Recommendation number four. Appoint a
8 task force to create a system of public defense
9 that has the capacity to provide effective and
10 meaningful defense and that ensures the members of
11 the federally protected classes are not receiving
12 delayed or subpar services. Ensure the task force
13 includes the public defense prospective.

14 So a year after taking the last
15 testimony, the Advisory Committee voted to revisit
16 the topic. We want laser focus this time and ask
17 the question, what are the barriers to fully
18 funding a public defense system in Maine? So in
19 December 2023, we heard from two people. Anne
20 Carney is a state legislator and Chair of Judiciary
21 Committee. Jim Billings is the new Executive
22 Director of MCILS. The first thing we learned was
23 that there was a lack of consensus on how to
24 address the barriers. Director Billings said that
25 despite the Constitutional mandate of right to

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1 counsel, indigent legal services are often funded
2 by leftover or supplemental budget allocations.
3 Senator Carney added that the legislature must
4 uphold its Constitutional mandate to provide right
5 to counsel while at the same time maintaining a
6 balanced budget.

7 So Director Billings explained that
8 moving to a new public defense system for the State
9 of Maine will require sustained funding and time to
10 build up the capacity. Meaning things will be
11 worse until they get better. But he believes the
12 long-term benefits will outweigh the initial high
13 costs. So our recommendation is to the Maine
14 legislature, Governor's office, and the Chief
15 Justice to not fund public defense with
16 supplemental budget, but to fund it in a
17 sustainable manner with the goal of building up the
18 capacity. We need to prioritize our parity between
19 public defense and prosecution.

20 Something else we learned was that
21 Director Billings stated how transitioning to a
22 public defense system will attract new attorneys
23 who can take advantage of the student loan
24 forgiveness programs, mentorship programs, and
25 partnership with law schools. The current system

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1 disincentivizes new public defense attorneys from
2 working in Maine. So our recommendation again is
3 to the Maine legislature, the Governor's office,
4 and MCILS to pursue initiatives that will attract
5 and support new attorneys through student loan
6 forgiveness programs, mentorship programs, and
7 partnerships with law schools. I want to take this
8 opportunity to thank the Maine Advisory Committee.
9 We are a small but dedicated group. And also to
10 thank the staff and interns for their help.

11 CHAIR GARZA: Thank you. Thank you so
12 much, Chair Le, for that presentation. We now have
13 time for Commissioner questions. Are there any
14 questions from Commissioners that would like to be
15 recognized? Hearing no initial questions, I would
16 like to jump in and ask a question, if that's okay.

17 Chair Le, first of all, thank you so much
18 for the work that was done with regards to this
19 investigation. Just as a matter the personal
20 background, I've done some indigent criminal
21 defense work in Texas on essentially on a wheel in
22 my county, and I'm just curious, what does the
23 compensation look like? I'm not sure if you've
24 heard testimony around this particular issue, but
25 for the public defender, or for those that are

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1 private attorneys that are providing legal support,
2 what does that system look like in terms of -- I
3 mean do you have these -- are they paid by county?
4 Is there a state fund that pays them? Do you have
5 any details on that?

6 MS. LE: As best I could understand it,
7 the legislature has raised the hourly pay for
8 public defense to \$150 an hour just most recently.
9 But still that's not -- we're still losing
10 attorneys that way. So, I mean, \$150 -- the
11 prosecution has a lot of support in terms of all
12 the benefits that are listed. So at \$150, that has
13 to be shared with the other overhead costs, the
14 defense counsel has to take into consideration. A
15 lot attorneys in Maine are solo practitioners, so
16 they have to cover all their costs, rental fee,
17 heating fee, overhead costs, and staff fee. So
18 even with the high increase it's \$150, we're still
19 losing attorneys.

20 CHAIR GARZA: How much was it previously?

21 MS. LE: I believe it was -- when I
22 studied this issue it was like \$60, went to \$80,
23 \$120, and now \$150, yeah.

24 CHAIR GARZA: Thank you for that
25 information. It's important to understand.

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1 Because it's very similar situation with private
2 attorneys that take cases in Texas, you know
3 they're typically solo practitioners. It's kind of
4 extra. And a lot of times I think there are
5 attorneys that take those cases just to learn. But
6 I appreciate some of those findings with regards to
7 extra support that you all have identified that
8 their needs to be parity in that regard when it
9 comes to being prepared and handling these types of
10 cases and providing robust representation. I
11 understand that Vice Chair Nourse has a question.
12 So I'm going to call on her.

13 VICE CHAIR NOURSE: Chairman Le?

14 MS. LE: Yes.

15 VICE CHAIR NOURSE: Thank you so much
16 for your service. I love the state of Maine. It's
17 gorgeous. I grew up around the bend. So I just
18 want to ask you -- you know, it's a national
19 problem I just not just a Maine problem. And a lot
20 of people frame this as, you know, why are we
21 spending our scarce tax dollars on defending people
22 who are alleged to have committed a crime. And I
23 think what we need to recognize in this battle is
24 that it's really a battle for the rule of law and
25 it's a battle for innocence. So we know that bad

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1 lawyers don't investigate. They make, you know,
2 perfunctory motions the Southern Poverty Law Center
3 has proved this over and over again. And so I
4 wondered if you could comment a little bit about
5 what the resistance is to this kind of parity. Is
6 it just a monetary tax resistance? And have you
7 tried appealing to the sense that, you know, we're
8 going to spend a lot more money putting people in
9 jail who are innocent if we don't achieve some kind
10 of parity.

11 MS. LE: So I don't know the answer to
12 that question. But I get the sense that it's a lot
13 about political will. States like Maine, like many
14 states, deal with a lot of budget shortfalls, so a
15 lot of times the governor will say, "We have
16 supplemental budget. So let's look at heating
17 costs, let's say, for those who can't afford it."
18 But we're not prioritizing people's liberty, which
19 very important. So we need to have the political
20 will in the legislature to fund a robust public
21 defense system.

22 VICE CHAIR NOURSE: Well, thank you very
23 much for your service and keep fighting.

24 MS. LE: Thank you.

25 CHAIR GARZA: Are there any or questions

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1 or Chair Le? Well, thank you, Chair Le, for your
2 presentation. We're going to go ahead --
3 appreciate your time. I don't know if you wanted
4 to make any last minute comments.

5 MS. LE: I just wanted to add for your
6 question, the attorneys don't get paid until the
7 cases are closed.

8 CHAIR GARZA: Okay. That's helpful.

9 MS. LE: So this is the reason for
10 pushing to take plea deals, plea bargains, and
11 things like that.

12 CHAIR GARZA: It's all these nuances that
13 really kind of undermine the representation model.
14 But I appreciate you highlighting that as well.
15 And very much appreciate the work that you all are
16 doing and have raised to us as something to keep an
17 eye on and how we can consider it and provide
18 support into the future. So thank you so much,
19 Chair Le, for your service and your leadership on
20 the Maine Advisory Committee and for taking time to
21 speak with us today. Wonderful.

22 Well, we're going to go ahead and move on
23 to our next presentation. We're going to hear from
24 the North Carolina Advisory Committee Chair Olga
25 Moran Wright on the Committee's report, The Civil

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1 Rights and Equity of Legal Financial Obligations in
2 North Carolina. Thank you, Chair Wright, for
3 joining us. The floor is yours.

4 NORTH CAROLINA

5 MS. WRIGHT: Good morning, ma'am. I am
6 Olga Morgan Wright, Chair of the North Carolina
7 Advisory Committee. I would like to thank Chair
8 Garza and all members of the Commission for the
9 invitation to share relevant points of our report.
10 I would also like that thank all North Carolina
11 Advisory Committee members, panelists, and members
12 of the public who made this report possible.

13 Our report, Civil Rights and Equity of
14 Legal Financial Obligations, focuses on civil
15 rights concerns specific to post-conviction legal
16 financial obligations. The 8th Amendment to the
17 United States Constitution states that excessive
18 bail should not be required, nor excessive fines
19 imposed, nor cruel and unusual punishments
20 inflicted. We, as a Committee, examined state
21 practices governing legal financial obligations,
22 where the LFOs have a disparate impact on the
23 minority and indigent groups and the impact on the
24 basis of race color and income. LFOs include
25 fines, fees, and charges attached to criminal

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1 convictions and citations. Fines are imposed as
2 punishment, forfeitures take basic gains acquired
3 illegally, restitution compensates the victim, and
4 fees pay for court services and general
5 governmental expenses. In North Carolina, the
6 payment of economic sanctions is a standard
7 condition of probation and parole. Out the
8 categories defined, fees that pay for court
9 services and -- excuse me?

10 CHAIR GARZA: Someone had unmuted
11 themselves. Please continue.

12 MS. WRIGHT: Oh. I'm sorry. Okay.
13 Fines are imposed as punishment, forfeitures take
14 basic gains acquired illegally, restitution
15 compensates the victims, and fees pay for court
16 services and general governmental expenses. Out
17 the categories detailed, fees pay for court
18 services and general governmental expenses have
19 increased the most, by 400 percent over the past 20
20 years. In fiscal year 2018 to 2019, the North
21 Carolina General Assembly allocated \$323 million
22 dollars' worth of fees collected by the courts to
23 the state's general fund. Our Committee believes
24 that the North Carolina state government should
25 consider the court system as a public good.

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1 Wherein, it would have a responsibility to pay for
2 operations of the court system. The state
3 currently covers only \$5 million dollars of the \$7
4 hundred million dollars required.

5 CHAIR GARZA: Chair Wright was muted.

6 MS. WRIGHT: Thank you. Legal financial
7 obligations have detrimental long lasting impacts
8 of defendant's lives such as potential
9 reincarceration, loss of public benefits, or
10 inability to access public housing. People of
11 color are over-represented in the court system and
12 are disproportionately impacted by legal financial
13 obligations. For example, 80 percent of those
14 charged with failure to pay or failure to comply
15 are people of color, while 54 percent of the North
16 Carolina prison population incarcerated due to
17 failure to pay were people of color.

18 People who struggle to pay back an LFO
19 may forego necessities such as food, rent, medical
20 care, or child support. LFO debt can also have
21 harmful impacts on the defendant's credit, limiting
22 their access to housing or employment.

23 Driver's license can be suspended
24 indefinitely due to LFO debt. Such a suspension
25 often makes paying the debt difficult or impossible

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1 and intensifies the debt as personal and financial
2 strains.

3 LFOs can also create a cycle of debt.
4 When the debt amount continues to increase as
5 interest accrues, it is more difficult for the
6 defendant to pay off even the principle of their
7 debt. In some cases, the courts will issue
8 warrants for arrest in cases on non-payment.

9 LFOs have legal repercussions for
10 defendants. The defendant does not have access to
11 legal representation during the proceeding due to a
12 reclassification of punishments under Class 3
13 misdemeanors. The 6th Amendment to the United
14 States Constitution's right to counsel does not
15 apply if the sentence involves an economic sanction
16 but no jail time. Since the punishment for Class 3
17 misdemeanor offenses was reclassified as fines
18 rather than jail time in North Carolina, the
19 defendant sentenced to LFOs are not provided legal
20 representation.

21 Statutory requirements are burdensome,
22 and judges need more training to assess if a
23 defendant has the ability to pay. Indigency
24 determination is only assessed if a defendant can
25 afford to hire an attorney, not if they can afford

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1 to pay an LFO. Judicial waiver tracking is a
2 primary reason judges decline waivers to pay. It
3 is statutorily required that notice must be given
4 via First Class mail to all impacted government
5 entities, which is currently approximately 600.

6 The Committee developed two sets of
7 recommendation for the Commission's consideration.
8 The first is a list of recommendations that we
9 request be submitted to the North Carolina General
10 Assembly and governor. These include, the
11 appointment of a bipartisan legislative committee
12 to study and make recommendations to all interested
13 parties regarding the financial impact of fines,
14 fees, and costs. Fund training for judges and
15 court personnel that will ensure enforcement of
16 state statutes and procedures that require the
17 courts to consider a defendant's ability to pay
18 before imposing obligations. Repeal the
19 requirement found in the general statutes providing
20 notice to agencies before waiving fines and fees.

21 We also developed several recommendations
22 that are intended to ease the challenges faced by
23 judges in imposing LFOs and that attempt to ease
24 the cycle of debt for impacted individuals. The
25 Committee also recommends that the general statutes

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1 be revised to eliminate driver's license
2 suspensions for unpaid court debt and automatically
3 reinstate licenses currently suspended for that
4 reason. We also request that our second set of
5 recommendations be submitted to the Supreme Court
6 of North Carolina, Chief District Court judges
7 throughout North Carolina, and the North Carolina
8 Administrative Office of the Court for their
9 consideration. These recommendations include,
10 require judges to conduct meaningful, rigorous
11 ability-to-pay hearings that include a mandatory
12 inquiry into defendant's ability to pay before
13 assessing costs. Prohibit the issuance of arrest
14 warrants solely for failure to pay criminal court
15 fines, fees, and penalties. Consider alternatives
16 to fines and fees such as community services and
17 provide notice of available resources for
18 individuals. We also recommend an analysis of the
19 cost incurred by the state and local jurisdictions
20 in imposing LFOs and in collecting outstanding
21 LFOs. Lastly, we recommend that North Carolina
22 General Statute Chapter 13-1 be amended to provide
23 that all persons convicted of a crime cover their
24 right -- recover their right to vote even if they
25 have not yet paid outstanding court fees, so long

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1 as they have been released from prison and complied
2 with all other conditions of their release.

3 In closing, I want to again thank you,
4 the Commission, for the opportunity to share key
5 points and recommendations of our report, and I
6 look forward to your questions. Thank you.

7 CHAIR GARZA: Thank you so much, Chair
8 Wright. Thank you for your presentation. At this
9 point, we'll open up the floor to Commissioners for
10 questions. If someone would like to be recognized,
11 please let me know. Okay. Well, I will take the
12 cherished privilege and ask another question.

13 I noticed that there was a comment in
14 your report that one of the most common and paradox
15 goal, collateral consequences is having a driver's
16 license suspended indefinitely due to LFO debt.
17 I'm curious, what was the -- what are the options
18 for folks that are unable to pay these debts? How
19 are they supposed to get work and be able to pay
20 them off? I don't know if the Committee explored
21 the impact to the individuals directly, but if you
22 can speak to that I'd be curious to hear if you had
23 any information on that.

24 MS. WRIGHT: Thank you for your
25 question. The Committee as a whole did not

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1 research the impact. I did speak on those
2 impactful and consequences of not being able to
3 gain employment. A lot of times, and this is my
4 personal opinion, people would drive without their
5 license to get to work, to pay whatever bills that
6 they are choosing to pay. It may not be the fees
7 and fines. It may be rent and food, or medical
8 care. But we do not have any data on specific
9 impacts. But from the research that we received
10 from our panelists, they did inform us of those
11 circumstances that occur, and the decisions that
12 have to be made by those impacted, driving without
13 a license. And that is one of the reasons we did
14 place this as a recommendation and, in fact, do
15 have a few North Carolina General Assembly members
16 that are looking into creating a bill for that
17 reason.

18 CHAIR GARZA: Yeah. I could imagine.
19 And I could also imagine it would be difficult to
20 gain employment so that you can turn around and not
21 only pay for your living expenses but pay these
22 fees.

23 MS. WRIGHT: And we believe that -- I
24 believe that you drive without your license to
25 provide for yourself and your family, which could

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1 be another ticket in and of itself to start that
2 cycle over again.

3 CHAIR GARZA: Absolutely. Thank you for
4 answering my question. Are there any other
5 questions from Commissioners? Okay. Well, hearing
6 no further questions, we're going to go ahead and
7 move on. But thank you so much Chair Wright for
8 your service and your leadership on the North
9 Carolina Advisory Committee and for taking the
10 time, not just for speak with us today, but for
11 doing the hard work and the investigation and
12 publishing of this report as a Committee. I'll
13 give you a chance to give any last words before we
14 move on. But I just want to express on behalf the
15 entire Commission our appreciation for your
16 presence here today.

17 MS. WRIGHT: My final words, thank you
18 for the opportunity. And we do hope that those
19 suggested entities will receive our recommendations
20 and that they intern will act upon those. Thank
21 you.

22 CHAIR GARZA: Appreciate it. Well,
23 we're going to now hear from our South Carolina
24 Advisory Committee Chair, Theodore Mauro, on the
25 Committee's report, the Seizing Property Civil

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1 Asset Forfeiture in South Carolina. Thank you,
2 Chair Mauro, for joining us. The floor is yours.

3 SOUTH CAROLINA

4 DR. MAURO: Thank you, Madam Chairman.

5 My name is Doctor Ted Mauro. I am a Ph.D. and
6 instructor at an academy for law, business and
7 finance. But before I was these things, I was a
8 member of law enforcement. So this topic is
9 particularly a sensitive one for me and one that I
10 think really needs to be explored deeper. The
11 South Carolina Advisory Committee on the U.S.
12 Commission on Civil Rights report really focused on
13 the idea that, how do we monitor these types of
14 seizures. In our state, restitution is provided in
15 civil penalties. I originally found out about this
16 issue reading an article in the beautiful Post and
17 Courier, one of our favorite state papers. A
18 fantastic paper in the beautiful city of
19 Charleston, which is also beautiful state and city,
20 like Maine, that I encourage you -- I'd like thank
21 you all for giving us an opportunity to talk about
22 our state and our unique needs. Our civil rights
23 history is such that when accusations of law
24 enforcement inappropriateness comes across, it
25 immediately becomes a situation where we want to

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1 see about monitoring. And one of the biggest
2 challenges we faced in this was the question of
3 what exactly -- what do we know? What can I
4 verify? I'm a Ph.D., I'm a researcher, I'm a
5 scientist, and I immediately want to go to the
6 data. And that, to me, was the most blaring issue.
7 We found that generally we could not find out
8 information other than the information provided by
9 newspaper reporters. So when we immediately
10 approached the subject, we didn't know what we're
11 looking at, and it was almost impossible for us to
12 follow up this research that was done by the Post
13 and Courier, our state paper. And we are --
14 probably the most important thing I wanted to point
15 out was that we suggested or requiring the
16 statewide annual reporting process. We looked at
17 the federal system, we looked at the reporting
18 requirements, and we really found that we needed
19 some sort of searchable public database. That the
20 details of which entities and which agency is
21 seizing which assets made it so we couldn't even
22 follow up situations like a bus being pulled over
23 on our interstate with an historically traditional
24 black college and university on board, students
25 being taken off the bus and searched by drug dogs.

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1 And I couldn't even answer the question of how
2 often this has happened? Have other agencies in
3 the states done this sort of thing? Is this
4 standard procedure? Or is this a targeted thing
5 for African Americans? So really the question is,
6 is the circumstances that lead to the assets being
7 seized information about the people whose assets
8 are being seized their age, their race, their
9 gender. And the reports we couldn't actually find
10 out any state reporting requirements to tell us
11 what the money has been used for. We read in the
12 newspaper reports about them being used to buy
13 trips for members of law enforcement, for the
14 purchasing of -- one was a margarita machine. And
15 it seems to us that this Sheriff of Nottingham
16 system of seizing assets from individuals and then
17 forcing them to justify why they want them back
18 after criminal charges were brought and they were
19 dropped against them, just really puts us into the
20 situation where we see a system that could be
21 really abused. As a person in law enforcement I
22 continually make the person -- make to every person
23 I talk to the point that, look is it fair to ask
24 members of law enforcement to go out -- like we had
25 a ticket quota system that was removed in the state

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1 when the funding was taken away -- to have law
2 enforcement go out and seize assets in a quota
3 system to somehow justify the financing of this
4 important public service. It's seems to be
5 derogatory and damaging to law enforcement to ask
6 them to go out and do these sorts of things. So
7 that's really been the approach I had.

8 And this proportionality question was
9 also one that was discussed. We couldn't even see,
10 you know, is the underlying crime that they were
11 charged with equal to the amount of assets that
12 were seized? Or the simple marijuana possession
13 lead to the seizure of a gentleman's only pick-up
14 truck that he runs his business out of for a metal
15 shop? I mean, it really was a situation where we
16 felt our ability to answer the most basic questions
17 of its impact on the civil rights was really
18 hampered because we don't gather the data we needed
19 to find.

20 Thank you so much for your time. I
21 particularly want to thank David and Barbara de La
22 Viez and everyone at the U.S. Commission on Civil
23 Rights. And they have been invaluable in the
24 movement towards addressing civil rights issues in
25 our state. And I can't tell you how much I admire

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1 and respect them both. Thank you.

2 CHAIR GARZA: Thank you so much, Chair
3 Mauro. And I appreciate your words here. Before I
4 open up questions to other Commissioners I, you
5 know, I just was really struck by what I saw in
6 your report about how disproportionate this impact
7 is. The report said, "Although African Americans
8 only makeup 27 percent of the overall population of
9 the state, they comprise 71 percent of all
10 instances of asset forfeiture seizures in South
11 Carolina." That's particularly shocking to me.
12 And I think just as a point of clarity, is there a
13 public defender system or is there any sort of
14 access for -- to an attorney to gain back these
15 items or things or money or whatever it may be that
16 had been seized, is there a system in place so that
17 people if they are indigent or if they're unable to
18 pay for a private attorney, is there a process for
19 them? Is there something that they can access?

20 DR. MAURO: There is not a state
21 provided system. Public defender's office does not
22 handle civil issues. There are non-profits, South
23 Carolina Legal Aid, the South Carolina Bar
24 Association has connections to various non-profit
25 groups. One of our members actually is --

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1 Appleseed is another group of volunteer attorneys
2 who take cases like this. But to be honest with
3 you, no. And that's why I felt this idea that
4 restitution is a part of our criminal justice
5 system in this state which takes out that civil
6 requirement in many instances. And it would seem
7 only appropriate that that would be the platform.
8 Because there is public defender involved in that
9 side of the equation. You know, if someone is
10 convicted of -- and again, the issue you mentioned
11 of the civil rights, you know, that was based on
12 data that we received from the Greenville News and
13 other reporting in the newspapers, but I can't
14 independently verify that information because I
15 don't have any baseline. I don't -- I can't tell
16 you if that number has gone up or gone down because
17 there are no reporting requirements. And to me,
18 that's seems the most basic level of coverage. I
19 would stress the Committee just focus on the need
20 for transparency in government to help us
21 understand why these people's assets are being
22 seized, under what circumstance, and what the
23 results were.

24 CHAIR GARZA: And what the money is
25 being spent on.

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1 DR. MAURO: And in who? I couldn't even
2 tell you who these people are.

3 CHAIR GARZA: Yeah. Well, I appreciate
4 you bringing this to light. Your committee has
5 done this report in bringing this important issue,
6 but I think a lot of folks are unaware this is
7 actually occurring. So I commend you and the State
8 Advisory Committee for investigating this. I'm
9 going to open it up to others for questions. So if
10 there are other commissioners that have questions
11 for Chair Mauro, Chair Doctor Mauro, please let me
12 know so I can recognize you.

13 COMMISSIONER GILCHRIST: Madam Chair?
14 Gilchrist, here.

15 CHAIR GARZA: Commissioner Gilchrist.
16 Go ahead.

17 DR. MAURO: Hello Commissioner.

18 COMMISSIONER GILCHRIST: Thank you,
19 Madam Chair. Doctor Mauro, it's great to hear your
20 voice and thank you so much, and to the South
21 Carolina Advisory Committee for doing such an
22 informative report. I to a wanted to echo what the
23 Chair highlighted regarding the 71 percent of
24 forfeitures coming from African Americans in the
25 state, having the state being made up of about 28

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1 percent of African Americans.

2 My question to you, when the Committee
3 did their report, was there any data that
4 highlighted whether or not any of the forfeitures
5 came from out-of-state, from folks traveling
6 through South Carolina?

7 DR. MAURO: No, sir. We did not focus
8 on specifically that issue. And it's a very good
9 question. As I mentioned, there was also this
10 system in South Carolina where law enforcement
11 would receive a percentage of all parking tickets,
12 all -- particularly speeding tickets was a big
13 issue where speed traps were set throughout the
14 state. Once the state legislatures concreted a
15 general \$25 dollar fee that was received by the
16 municipality and counties, that lowered the number
17 of these out-of-state stoppages and the speed
18 traps. We were not able to find that information.
19 I do know of several different counties in our
20 state who do set up dragnets, basically, on the
21 interstate and pull over random cars and vehicles
22 and using legal means which, you know, taking the
23 group of vehicles. But again, that points again to
24 this data problem. I just can't tell you because
25 there's no way to know other than to go through

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1 every newspaper, every court report, and to do some
2 sort of data grab and it's just such a daunting
3 issue. It is certainly a concern, sir. And I
4 appreciate you advocating for the people of our
5 state as well. I'm very happy to see that this is
6 the topic that you all chose to look at. It is
7 something that makes us all shutter in some ways.
8 Thank you.

9 COMMISSIONER GILCHRIST: Well, no. I
10 want to thank you all for certainly doing yeoman's
11 work regarding the report. I also read that my
12 good friend Sheriff Leon Lott in South Carolina
13 gave some testimony to the Committee on his
14 assertion that some police departments were
15 annexing parts of interstate in order to seize
16 money. Are you familiar with that testimony --

17 DR. MAURO: Yeah.

18 COMMISSIONER GILCHRIST: -- that the
19 sheriff gave on that?

20 DR. MAURO: Well, Sheriff Lott is a
21 leader in law enforcement in the state, as you
22 know. And he really -- it was very good and brave
23 of him to come forward and to talk about this
24 issue. And unfortunately, I believe he's correct.
25 I don't feel comfortable being able to, you know,

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1 talk specifically. But in a general sense, because
2 the revenues we're talking about here, because of
3 their unencumbered nature, the ability to take the
4 funding and use it in whatever discretion the
5 sheriff has -- and some issues we've had in the
6 state with sheriffs in the past -- makes this a
7 topic that Sheriff Lott was right to point out.

8 COMMISSIONER GILCHRIST: Thank you for
9 that information. And again, I certainly
10 appreciate you bringing this before the Commission.
11 And we certainly look forward to continuing to stay
12 abreast of what's happening here. Madam Chair,
13 that's all I have. Thank you so much, again, for
14 the time.

15 CHAIR GARZA: Thank you, Commissioner
16 Gilchrist. Are there other questions from
17 Commissioners? Okay. Hearing none. Again, thank
18 you, Doctor Mauro, Chair Mauro, for your service
19 and your leadership on the South Carolina Advisory
20 Committee and all the work that you are doing
21 there. I really genuinely appreciate the
22 enthusiasm behind your words today and appreciate
23 your presence. So on behalf of all of my fellow
24 Commissioners, I want to thank each of Chairs for
25 presenting today and sharing your important work.

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1 B. DISCUSSION AND VOTE ON UPDATED REPORT TIMELINE:
2 THE FEDERAL ROLE IN ENFORCING RELIGIOUS FREEDOMS
3 IN PRISON

4 So we're going to go ahead and move on to
5 our next agenda item. It is a vote to amend the
6 timeline for a briefing report on the federal role
7 in enforcing religious freedoms in prison due to
8 staffing shortages that we've experienced in the
9 Office of Civil Rights Evaluation. The revised
10 timeline that we have has been shared by
11 Commissioner Kirsanow's special assistant. I'm
12 going to go ahead and move to adopt that we move to
13 adopt the revised timeline for the federal role in
14 enforcing religious freedoms in prison report. Do
15 I have a second?

16 COMMISSIONER KIRSANOW: Kirsanow,
17 second.

18 CHAIR GARZA: Thank you, Commissioner
19 Kirsanow. So a motion has been made and properly
20 seconded. Is there any discussion on this? Okay.
21 Hearing none, we can proceed to a roll call vote.
22 So please respond with "yes" if you are in favor,
23 "no" if you are opposed, or "present" if you are
24 abstaining. Vice Chair Nourse?

25 VICE CHAIR NOURSE: Yes.

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1 CHAIR GARZA: Commissioner Adams?

2 COMMISSIONER ADAMS: Yes.

3 CHAIR GARZA: Commissioner Gilchrist?

4 COMMISSIONER GILCHRIST: Yes.

5 CHAIR GARZA: I believe that was a

6 "yes"; is that correct?

7 COMMISSIONER GILCHRIST: Yes. I can
8 barely hear everyone. For some reason, my volume
9 has gone down, and I can barely hear. I hope you
10 can hear me okay.

11 CHAIR GARZA: I can hear you very
12 clearly. Okay. Commissioner Jones?

13 COMMISSIONER JONES: Yes.

14 CHAIR GARZA: Commissioner Kirsanow?

15 COMMISSIONER KIRSANOW: Yes.

16 CHAIR GARZA: Commissioner Magpantay.

17 COMMISSIONER MAGPANTAY: Yes.

18 CHAIR GARZA: And I vote yes. Motion
19 passes unanimously.

20 COMMISSIONER HERIOT: You skipped me.
21 You skipped me.

22 CHAIR GARZA: Oh, I'm so sorry.
23 Commissioner Heriot.

24 COMMISSIONER HERIOT: I vote yes.

25 CHAIR GARZA: Thank you for that. I

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1 apologize.

2 COMMISSIONER HERIOT: No problem.

3 CHAIR GARZA: So motion passes

4 unanimously. All Commissioners have voted yea.

5 Thank you for that. We're going to have a new

6 schedule that we'll adhere to for that report.

7 C. DISCUSSION AND VOTE ON REPORT: FEDERAL EFFORTS

8 IN EXAMINING RACIAL AND ETHNIC DISPARITIES AMONG

9 VICTIMS OF VIOLENT CRIME

10 The next item on our agenda is a

11 discussion and vote on the Commission's report

12 entitled Federal Efforts in Examining Racial and

13 Ethnic Disparities Among Victims of Violate Crime.

14 We're going to hold two votes. First we're going

15 to consider the report itself, and second we will

16 consider findings and recommendations. So I'm

17 going to move that we approve the report as

18 circulated to all Commissioners on May 20th by the

19 Director of the Office of Civil Rights Evaluation

20 with the mutually agreed upon technical final

21 revisions that were made and recirculated on June

22 6th by Commissioner Kirsanow's special assistant.

23 So we've adopted those. Is there a second to this

24 motion?

25 COMMISSIONER KIRSANOW: Kirsanow,

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1 second.

2 CHAIR GARZA: Thank you, Commissioner
3 Kirsanow. A motion has been made and properly
4 seconded. Is there any discussion?

5 VICE CHAIR NOURSE: This is Vice Chair
6 Nourse. I just would like to say that I thank
7 Commissioner Adams and our colleagues for dealing
8 with this report on an equitable and fair basis.
9 It could have been politicized and about the nature
10 after crime which, of course, went up during the
11 pandemic, and now has gone down once we are out of
12 the pandemic. But I think they taught me something
13 about the deep problem of young black men has, and
14 they're extraordinary homicide rate which has
15 fueled some of this as a civil rights issue. So
16 I've learned from them. I'd also like to say that
17 OCRE did an extraordinary work on something that
18 I've worked on for a long time, which is victims of
19 crime, and how that system, which is worth a
20 billion dollars, works. And it turns out that the
21 way in which these funds are distributed needs a
22 second look. So I want to thank Commissioners and
23 the Chair for pursuing this with a spirit of fair
24 play and listening to all sides and the
25 professional staff. Thank you.

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1 CHAIR GARZA: Thank you very much, Chair
2 Nourse.

3 COMMISSIONER ADAMS: Chair Garza?
4 Adams.

5 CHAIR GARZA: Yes, Commissioner Adams.

6 COMMISSIONER ADAMS: The point of
7 parliamentary inquiry, are we voting -- is this --
8 is the question before us the report or something
9 else?

10 CHAIR GARZA: It's the report,
11 Commissioner Adams. It was --

12 COMMISSIONER ADAMS: Okay.

13 CHAIR GARZA: Yeah. And we're voting on
14 the report that was recirculated on June 6th with
15 the technical revisions to the report that was
16 circulated to us on the 20th of May.

17 COMMISSIONER ADAMS: Okay. I'd like to
18 be recognized on that issue, please.

19 CHAIR GARZA: Yes. Go ahead,
20 Commissioner Adams.

21 COMMISSIONER ADAMS: Forgive me. I'm a
22 little below the weather, I guess. So I'd have
23 more to say otherwise. But this report started
24 years ago and former Chair Cantu and I had a lot of
25 talks about what it should be about. And the core

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1 that we wanted or at least I wanted it to be about,
2 was the impact on minority communities of the
3 rising crime, which I don't think is deniable --
4 and the impact on minority communities, the ability
5 to run a business, the ability to walk down the
6 street, the ability to, you know -- I saw pictures
7 of businesses in the Bronx that were being
8 regularly looted. The fact that Wal-Mart and
9 target are leaving minority communities because of
10 disproportionate levels of crime, that's what this
11 report was originally intend to be. And I'm sorry
12 that it's seemed to take a detour. I would
13 disagree with the statement that all sides are
14 misrepresented, because, for example, we wanted to
15 have a panel of a number of police chiefs who were
16 the chiefs of police in major cities when the crime
17 went up, not somebody -- like, we had one witness,
18 one police chief, who came late to the game. So I
19 think there was some real stories here about the
20 direction this report took that I think have over-
21 arching messages both for the public and Congress
22 regarding the procedures of how we do reports. And
23 I'll be getting more into that -- you know, I've
24 supported a lot of reports that I didn't
25 necessarily agree with everything, but this one

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1 sort of got off the rails. And that's all I have
2 on this.

3 CHAIR GARZA: Thank you for your
4 comments, Commissioner Adams. Is there any further
5 discussion? Okay. Hearing none, we're going to go
6 ahead and proceed to roll call vote. Please
7 respond with "yes" if you are in favor, "no" if you
8 are opposed, or "present" if you are abstaining.
9 We're going to start with Vice Chair Nourse.

10 VICE CHAIR NOURSE: Yes.

11 CHAIR GARZA: Commissioner Adams?

12 COMMISSIONER ADAMS: No.

13 CHAIR GARZA: Commissioner Gilchrist?

14 COMMISSIONER GILCHRIST: Yes.

15 CHAIR GARZA: Commissioner Heriot?

16 COMMISSIONER HERIOT: I'm not a fan of
17 this report. I'm going to abstain. I guess that
18 means you want me to say "present." So present.

19 CHAIR GARZA: Okay. Commissioner Jones?

20 COMMISSIONER JONES: Yes.

21 CHAIR GARZA: Commissioner Kirsanow?

22 COMMISSIONER KIRSANOW: Yes.

23 CHAIR GARZA: Commissioner Magpantay?

24 COMMISSIONER MAGPANTAY: Yes.

25 CHAIR GARZA: And I vote yes. So the

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1 motion passes with six yeases, and we had one
2 opposed, and one abstention.

3 We're going to now move on to the second
4 vote. We're going to consider findings and
5 recommendations for the report that was circulated
6 to all Commissioners on June 5th by Vice Chair
7 Nourse's interim special assistant, and I'm going
8 to go ahead and read them into the record. They
9 are as follows.

10 Findings. The substantial and
11 enduring racial disparity in homicide
12 victimization is driven by the high risk
13 of homicide for young black men. Crime
14 rates are associated with hot spots or
15 particular places typically where the
16 disadvantaged are disproportionately
17 represented. Although the crime rate
18 peaked during the COVID-19 pandemic, it
19 has receded. Gun violence, including gun
20 homicides, increased during the pandemic,
21 and disproportionately impacted persons of
22 color residing in racially segregated
23 neighborhoods. There are racial
24 disparities in victims' access to and
25 benefits from existing victim services,

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1 including the Federal Victims of Crime Act
2 Fund. Some victims, including black
3 victims, may receive less compensation
4 because of racial or ethnic or gender
5 stereotypes questioning whether they are
6 deserving crime victims.

7 Recommendations. Crime reduction
8 efforts are often hampered in the very
9 spots in which crime spikes because of low
10 trust in police by those in over-policed
11 neighborhoods. Best practices support
12 efforts by police to increase trust in the
13 community that they are policing as an
14 effective crime reduction strategy.

15 Number two, victim service providers
16 should provide trauma informed culturally
17 and linguistically specific services.

18 Number three, non-fatal shootings need a
19 standardized method of measurements for
20 the FBI's data and police departments,
21 should handle these shootings like
22 homicides to prevent further violence.

23 Number four, data collection on crime
24 victimization could be improved by
25 requiring police officers to capture more

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1 granular data about race, ethnicity,
2 sexuality, and gender for the uniform
3 crime reporting system. Number five, in
4 devising the state programs and services,
5 state victim service providers, example
6 VOCA Grant grantees should encourage
7 applicants for all walks of life without
8 regard to race, ethnicity, or gender. And
9 number six, victims' compensation programs
10 should aim to reduce disparities in victim
11 compensation, and consider removing rules
12 that bar compensation when the victim has
13 not reported the event to police or
14 consider whether reporting to the
15 Commission if it is made to a reliable
16 third-party, non-governmental agency, or
17 crisis center.

18 Is there a second to adopting these
19 findings and recommendations?

20 VICE CHAIR NOURSE: Second.

21 CHAIR GARZA: So a motion has been made
22 and properly seconded. Is there any discussion on
23 this? Okay. Hearing no discussion on this issue,
24 we can go ahead and proceed to a roll call vote.
25 Please respond with "yes" if you are in favor, "no"

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1 if you are opposed, or "present" if you are
2 abstaining. Vice Chair Nourse?

3 VICE CHAIR NOURSE: Present. Wait.
4 Yes, is my vote. Sorry. I apologize.

5 CHAIR GARZA: Okay.

6 VICE CHAIR NOURSE: Yes, is my vote.

7 CHAIR GARZA: Yes. Thank you.

8 Commissioner Adams?

9 COMMISSIONER ADAMS: No.

10 CHAIR GARZA: Commissioner Gilchrist?

11 COMMISSIONER GILCHRIST: No.

12 CHAIR GARZA: Commissioner Heriot?

13 COMMISSIONER HERIOT: No.

14 CHAIR GARZA: Commissioner Jones?

15 COMMISSIONER JONES: Yes.

16 CHAIR GARZA: Commissioner Kirsanow?

17 COMMISSIONER KIRSANOW: No.

18 CHAIR GARZA: Commissioner Magpantay?

19 COMMISSIONER MAGPANTAY: Yes.

20 CHAIR GARZA: The Chair votes yes.

21 Thank you all. The motion fails with four votes in
22 favor, four opposed, zero abstentions.

23

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25 D. DISCUSSION AND VOTE ON STATE ADVISORY COMMITTEE

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APPOINTMENTS: ALABAMA

And our next agenda is a discussion and vote on the members of the Alabama Advisory Committee. And begin our discussion, I am going to move to appoint the following people to serve as members of the Alabama Advisory Committee. Jenny Carol as Chair along with the following appointees: Akiesha Anderson, Mark Ayers, Meridith Blackburn, Craig Lenoips, Michael Innis-Jimenez, Jason Jewel, Angela Lewis-Maddox, Tim McCullen, Daiquiri Steele. All of these members will serve as an uncompensated government employee. If the motion passes, the Commission will authorize the Staff Director or his designee to execute the appropriate paperwork for the appointments. Do I have a second for this motion.

VICE CHAIR NOURSE: Second.

CHAIR GARZA: Thank you. Is there any discussion? Okay. Hearing no discussion, we'll go ahead and proceed to roll call vote. Please say "yes" if you are in favor, "no" if you are opposed, "present" if you are abstaining. Vice Chair Nourse?

VICE CHAIR NOURSE: Yes.

CHAIR GARZA: Commissioner Adams?

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1 COMMISSIONER ADAMS: Yes.

2 CHAIR GARZA: Commissioner Gilchrist?

3 COMMISSIONER GILCHRIST: Yes.

4 CHAIR GARZA: Commissioner Heriot?

5 COMMISSIONER HERIOT: I vote yes.

6 CHAIR GARZA: Commissioner Jones?

7 COMMISSIONER JONES: No.

8 CHAIR GARZA: Commissioner Kirsanow?

9 COMMISSIONER KIRSANOW: Yes.

10 CHAIR GARZA: Commissioner Magpantay?

11 COMMISSIONER MAGPANTAY: Yes.

12 CHAIR GARZA: And I vote yes. So the

13 motion passes with seven yeases. Seven in favor,

14 one opposed, and no abstentions. Congratulations

15 to all the new members and returning members of the

16 Alabama Advisory Committee. Okay.

17 We're going to go ahead and move on.

18 Staff Director Morales, it's going to be now your

19 turn to present the Staff Director's report. The

20 floor is yours.

21 E. MANAGEMENT AND OPERATIONS:

22 STAFF DIRECTOR'S REPORT

23 MR. MORALES: Thank you, Madam Chair.

24 Appreciate the opportunity. In the interest of

25 time, I have nothing further to add than what's

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1 already contained in the report. Of course, if any
2 Commissioner has any specific question about
3 anything contained in the report, feel free to
4 contact me and I'll respond. So with that Madam
5 Chair, I have nothing further. Thank you very
6 much.

7 CHAIR GARZA: Thank you, Mr. Staff
8 Director. Well, I think we've reached the end of
9 our agenda. It concludes all of the business that
10 we have for today.

11 III. ADJOURN MEETING

12 And if there is nothing further, I'm
13 going to go ahead and adjourn this meeting at 11:05
14 a.m. Eastern time. Thank you. Thank you so much
15 everyone and I hope you all have a wonderful
16 weekend.

17 (Whereupon, the above-entitled matter
18 went off the record at 11:05 a.m.)
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