



COMMITTEE ON RACIAL AND ETHNIC FAIRNESS IN THE RHODE ISLAND COURTS

First Quarterly Report: March 31, 2023

I. Overview

On October 20, 2020, Chief Justice Paul A. Suttell issued Executive Order No. 2020-15 establishing the Committee on Racial and Ethnic Fairness in the Rhode Island Courts. The Committee is charged with identifying and confronting areas where racism, inequality and discrimination may exist in our judicial system and being the driving force of change within the Rhode Island Judiciary. The Chief Justice designated a total of twelve (12) judicial officers, representing each court within the unified judicial system, to be the inaugural members of this important body. The Committee was directed to submit quarterly reports detailing the Committee's activities and accomplishments over the preceding three (3) months. The following constitutes the 2023 first quarterly report submitted by the Committee on Racial and Ethnic Fairness in the Rhode Island Courts.

The following mission statement guides the Committee's work:

To enhance public confidence in the independence, integrity, and impartiality of the Rhode Island Judiciary, and to promote a fair and bias-free justice system by: 1) engaging in self-examination, education, and public outreach; and 2) identifying areas of systemic racism, unconscious bias, disparate impact, and socioeconomic and other inequities; and 3) taking affirmative steps to self-monitor and combat inequities, so as to ensure a system that is accessible to all and treats all persons equally.

II. Committee Membership

Hon. Paul A. Suttell, Chief Justice (ex officio), R.I. Supreme Court

Hon. Melissa A. Long, Associate Justice, R.I. Supreme Court*

*Chair

Term: October 20, 2020 – October 19, 2023

Hon. Edward C. Clifton, Associate Justice (ret.), R.I. Superior Court

Term: October 20, 2020 – October 19, 2023

Hon. Luis Matos, Associate Justice, R.I. Superior Court
Term: October 20, 2020 – October 19, 2023

Hon. Lia Stuhlsatz, Associate Justice, R.I. Family Court
Term: October 20, 2020 – October 19, 2023

Hon. Edward Newman, Magistrate, R.I. Family Court
Term: October 20, 2020 – October 19, 2023

Hon. Alberto Aponte-Cardona, Magistrate, R.I. Family Court
Term: October 20, 2020 – October 19, 2023

Hon. Pamela Woodcock Pfeiffer, Associate Judge, R.I. District Court
Term: October 20, 2020 – October 19, 2023

Hon. Melissa DuBose, Associate Judge, R.I. District Court
Term: October 20, 2020 – October 19, 2023

Hon. Christopher Smith, Associate Judge, R.I. District Court
Term: October 20, 2020 – October 19, 2023

Hon. Keith Cardoza, Jr., Associate Judge, R.I. Workers' Compensation Court
Term: October 20, 2020 – October 19, 2023

Hon. Susan Pepin-Fay, Associate Judge, R.I. Workers' Compensation Court
Term: October 20, 2020 – October 19, 2023

Hon. Alan R. Goulart, Magistrate, R.I. Traffic Tribunal
Term: October 20, 2020 – October 19, 2023

Judiciary Staff Assigned to work with the Committee:

Julie P. Hamil, State Court Administrator

Kathleen Kelly, General Counsel

Alexandra (Lexi) Kriss, Assistant State Court Administrator

Sara Gilkenson, Diversity Coordinator

III. Committee Activities

The Committee met seven times from January through March, with additional subcommittee meetings taking place in the interim.

Education and Training

On February 16, 2023, the Committee, in collaboration with the Supreme Court Diversity Office and the Office of Community Outreach and Public Relations, hosted “Before Malcolm & Martin: The Fight for Civil Rights in Rhode Island, 1865-1968,” a virtual one-hour lunch-and-learn event in celebration of Black History Month. Keith Stokes, Vice President of the 1696 Heritage Group, discussed Rhode Island’s earliest civil rights laws and the African heritage attorneys and organizations that advanced equality for all. Mr. Stokes provided an in-depth

interpretation of the evolution of civil rights in Rhode Island and focused on the work that was primarily led by African heritage citizens. The lecture included stories and historical images from the Rhode Island Black Heritage Society collections that highlight the significant people, places, and events associated with civil rights in Rhode Island.

“Before Malcolm & Martin: The Fight for Civil Rights in Rhode Island, 1865-1968” is the eighth employee lunch-and-learn discussion presented by or in collaboration with the Committee since the July 2021. The Committee has proposed formalizing the lunch-and-learn program in 2023 and beyond with planned recognitions and remembrances throughout each calendar year. Additionally, as a complement to the most recent lecture, a banner exhibit will soon travel between courthouses statewide. The exhibit will explore the seminal role that Rhode Islanders, including Reverend Mahlon von Horne and restaurateur George T. Downing, played in advocating for civil rights for people of color in Rhode Island for the period after the Civil War until the mid-twentieth century.

Community Engagement and Collaborations

- The 39th Annual Martin Luther King Jr.’s Scholarship Breakfast hosted by the Rhode Island Ministers’ Alliance was held on January 16, 2023 at the Rhodes of Pawtuxet in Cranston. Committee members attended in celebration of Dr. King’s legacy and in honor of students who embody his work and teachings.
- As a follow up to the December 8, 2022 Community Engagement Symposium for Justice, Direct Action for Rights and Equality (DARE) invited Committee members to attend the “Behind the Walls” listening session at DARE’s headquarters in Providence on January 18, 2023. The focus of the listening session was DARE’s “Bail on 32” initiative which seeks to address community concern relative to 32(f) violations and pre-hearing/pre-trial detention.
- On January 30, 2023, Committee members attended the annual celebration of Roger Williams University School of Law (RWUSL) in honor of Rev. Dr. Martin Luther King, Jr. The RWUSL Office of Diversity & Outreach hosted a presentation by The Hon. Tahesha Way on “Voter Access & Disenfranchisement in this Era of Civil Rights.”
- After attending the Committee’s Community Engagement Symposium, the co-chair of the Governor’s Prevention and Intervention Task Force – Racial

Equity Work Group invited Committee members to attend the Racial Equity Work Group's monthly meeting on February 23, 2023, and to share information about the Committee's mission and current initiatives. As a potential key community partner and resource, the Racial Equity Work Group is actively looking for opportunities to support our work.

- Sophia Academy's Second Annual Career Symposium took place on March 1, 2023; organizers reached out to Committee members to request participation by female judges of color who might speak about their path to the bench. The Committee thanks Family Court Justice Elizabeth Ortiz for attending this pathway-building event with Judge DuBose. The Committee has consistently heard feedback regarding the need to build pathways for diverse students and other young people to facilitate their success in the Rhode Island legal profession; as such, the Committee has proposed the creation of a Speakers' Bureau to capture and streamline requests for appearances at schools and other youth-focused civic organizations and is working with the Supreme Court Diversity Office and Office of Community Outreach and Public Relations on the development of the Speakers' Bureau.
- On March 27, 2023, Rhode Island Bar Association leaders met with Chief Justice Suttell, Justice Long, and Judge Stuhlsatz to discuss how to advance collaborative efforts on improving inclusivity within the bar and the Judiciary.
- The Executive Director of the Sandra Bornstein Holocaust Education Center met with Magistrate Newman and Justice Long on March 29, 2023, to discuss opportunities for judges to partner with the Holocaust Education Center on future educational endeavors.
- Committee members participated in RWUSL's 19th Annual Diversity Symposium on March 29, 2023. The pathway-building event offers an opportunity for Rhode Island high schoolers, undergraduates, and law students to interact and engage with members of the legal community, including judicial officers.
- The DEI Work Group, a partnership of the Providence Public School Department's Offices of Equity & Belonging and Human Resources, invited Judge DuBose to present at the March 30, 2023 emPower Meet Up for Educators of Color. A former social studies teacher for Providence Public

Schools, Judge DuBose spoke about her path to the bench, the Committee, and opportunities for collaboration.

American Association of American Law Schools 2023 Annual Meeting

Judge DuBose discussed the work of the Committee before a national audience during a symposium entitled “How Law Schools Can Make a Difference: DEI Work in the Curriculum, in the Classroom, and in the Courtroom.” The discussion focused on inclusive and equitable law school curricula and the impact on the judiciary and the practice of law.

Blueprint for Racial Justice

The National Center for State Courts will spotlight Rhode Island’s Court Debt Review Program and the “When Justice Works” campaign in short videos to be available as resources for court systems that strive to improve racial justice, equity, and inclusion in courthouses throughout the United States.

Turning Pages

The Committee kicked off its second book/film discussion series. Judicial officers discussed Robert E. Lee and Me: A Southerner’s Reckoning with the Myth of the Lost Cause, by Ty Seidule, on February 21, 2023. They also gathered on March 28, 2023, to watch “Partners of the Heart,” a documentary in The American Experience series.

IV. Subcommittees

A. Public Engagement Subcommittee (PES)

Charge. The first step in meaningful public engagement is listening. To that end, the PES has been engaged in and will continue to participate in bi-directional conversations with community stakeholders.

The Committee continues to monitor an e-mail address where members of the public are welcome to send their thoughts, suggestions, stories and any other input that they wish to be considered in connection with the Committee’s mission: CREF@courts.ri.gov. During the first quarter of 2023, the Committee received one email regarding subject matter beyond the scope of the Committee’s mission; the email has been referred to the appropriate office within court administration.

Goals. Informed by the foregoing conversations, the PES is planning to reach out more broadly to the public via:

- Continuing to engage in community-based conversations, including with non-profit organizations that primarily serve the Latino community, to ensure that members of the public receive fair and just treatment when interacting with court employees.
- Developing a Judiciary-wide Speakers' Bureau and content for a hands-on "Understanding the Rhode Island Courts" civics curriculum, with a focus on teaching the importance of jury service and jury diversity. As discussed above, creation of a Speakers' Bureau would also help streamline requests for judicial officers to participate in various pathway-building events statewide.
- Monitoring and modelling public engagement best practices as implemented in National Consortium member states and jurisdictions.

B. Data Subcommittee (DS)

Charge. The DS has focused its attention on two areas to date: to explore and understand the status of our current in-house data collection practices and to determine if such data can assist the Committee in fulfilling its overall goals, both now and moving into the future.

Activities to Date. The Supreme Court has established a Data Governance Committee, the mission of which is "to ensure that the rules relating to the collection, use, storage and disposal of data are consistent and outline uniform quality standards across the unified court system." One of the Data Governance Committee's tasks is to guide the upgrade and expansion of the collection of demographic data. The DS continues to participate in this process.

Goals. The primary focus of the DS will remain on the improvement of the demographic data collection process to be incorporated into the judicial case management system. Feedback from the December 8, 2022 Community Engagement Symposium for Justice included discussion of data needed to support efforts to increase the number of attorneys with diverse backgrounds who practice in Rhode Island. The DS will explore the possibility and manner in which demographic information about our current and future members of the Bar can be collected. This includes examining how other state judiciaries do so and making recommendations for doing so to our Supreme Court later this year.

C. Self-Examination/Policy Subcommittee (SEPS)

Charge. To engage in thoughtful evaluation and internal conversations to identify areas where changes to Judiciary policies and/or procedures are warranted due to the unintentional but nevertheless very real disparate impact, unfairness or inequity such policies and/or procedures perpetuate on racial and ethnic minority communities.

Activities to Date. In September 2022, members of SEPS began working with members of Data Subcommittee to explore options for broadening the diversity and inclusivity of Rhode Island's jury pools.

On February 15, 2023, the Judiciary submitted proposed legislation to expand the state's jury lists to include records from public assistance agencies. Additionally, on February 21, 2023, attorney Michael DiLauro of The Justice Criminal Justice Group spoke to Committee members about past efforts to diversify the ethnic and racial makeup of grand and petit jury panels through legislative reform in 2003. Attorney DiLauro also discussed 2006 constitutional and statutory changes to restore voting rights for those with a felony record.

Goals. The SEPS will continue to promote internal dialogue and policy/procedure reviews based on feedback received from the community through the outreach efforts of the PES.

V. **Upcoming Initiatives**

- Acknowledging the third anniversary of the death of George Floyd.
- Continuing collaboration with the Center for Health and Justice Transformation (CHJT). On April 3, 2023, CHJT will host *Navigating Traffic Costs and License Suspensions Workshop* at Lifespan Workforce Development. The workshop will provide an opportunity to introduce attendees to judges from the R.I. Traffic Tribunal and members from R.I. Department of Motor Vehicles, who will explain their involvement in the license suspension process. The goal of the presentation is to demystify the process and to encourage individuals to engage in the process successfully. The Committee will also support and promote other CHJT initiatives, including upcoming workshops aimed at educating judicial officers about the challenges and obstacles faced by individuals returning to their communities

upon release from incarceration; and support for an effort to collect data and hold focus groups regarding the court-user experience. In recognition of and appreciation for CHJT’s valuable partnership, the Committee has nominated the organization for the 2023 Achievement in Equity Award of the National Consortium on Racial and Ethnic Fairness in the Courts.

- Participating in the 2023 Conference of the First Circuit Court of Appeals in Boston, MA, on April 19-20, 2023.
- Attending the Annual Meeting of the Rhode Island Foundation (RIF) at the Rhode Island Convention Center on May 17, 2023. The RIF will award its Civic Leadership Award in honor of The Honorable O. Rogeriee Thompson of the U.S. First Circuit Court of Appeals.
- Presenting the Committee’s State Report at the 2023 Conference and Annual Meeting of the National Consortium on Racial and Ethnic Fairness in the Courts, hosted by the Washington State Minority and Justice Commission in Seattle, WA, on May 21-May 24, 2023.
- Launching “Before Malcom & Martin: The Fight for Civil Rights in R.I. 1865-1968,” a travelling exhibit of the Rhode Island Black Heritage Society that corresponds to the recent lunch-and-learn lecture by Keith Stokes. The exhibit will explore the seminal role that Rhode Islanders, including Reverend Mahlon von Horne and restaurateur George T. Downing, played in advocating for civil rights for people of color in Rhode Island for the period after the Civil War until the mid-twentieth century.

VI. Conclusion

The Committee wishes to thank the Chief Justice for identifying the need for this important work and his commitment to ensuring that the Committee will succeed in its mission. The Committee looks forward to reporting its progress in the next quarterly report, due on June 30, 2023.

Respectfully submitted,

The Committee on Racial and Ethnic Fairness in the Rhode Island Courts

March 31, 2023