TOWARDS EQUAL PROTECTION UNDER LAW

THE IMPACT OF DISPARITIES IN CONNECTICUT’S JUSTICE SYSTEM

CONNECTICUT SENTENCING COMMISSION SYMPOSIUM

Friday, January 17th, 2020
8:45 a.m. – 4:15 p.m.

UNIVERSITY OF CONNECTICUT SCHOOL OF LAW

William F. Starr Hall • 45 Elizabeth Street • Hartford, CT 06105
The Connecticut Sentencing Commission is an independent state criminal justice agency established to review, research, and make recommendations concerning Connecticut’s criminal justice system. The Commission chairperson is Judge Robert J. Devlin, Jr. and Alex Tsarkov serves as the Executive Director.

The Commission consists of 23 voting members including judges, prosecutors, criminal defense counsel, the commissioners of the departments of Correction, Public Safety, and Mental Health and Addiction Services, the victim advocate, the executive director of the Court Support Services Division of the Judicial Branch, a municipal police chief, the chairperson of the Board of Pardons and Paroles, the undersecretary of the Criminal Justice Policy and Planning Division of the Office of Policy and Management, and members of the public appointed by the Governor and the leaders of the General Assembly.
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Friday, January 17th, 2020
8:45 a.m. – 4:15 p.m.

8:45 -9:15 a.m. Check-in and Continental Breakfast

9:15-9:30 a.m. Welcome and Opening Remarks
Judge Robert Devlin, Jr., Chair, Connecticut Sentencing Commission
Jamelia Morgan, Associate Professor, University of Connecticut School of Law

9:30 -10:30 a.m. Keynote: Addressing Racial Disparities in Incarceration
Marc Mauer, Executive Director, The Sentencing Project

10:30-10:45 a.m. Break

10:45-12:00 a.m. Racial Profiling: What Does the Data Tell Us?
Moderator: Bill Dyson, Chair, Connecticut Racial Profiling Advisory Board
Ken Barone, Project Manager, Institute for Municipal and Regional Policy
Michael Gailor, Middletown State’s Attorney
Ronnell Higgins, Chief of Police, Yale Police Department
Tamara Lanier, Connecticut Racial Profiling Advisory Board
Joseph Race, Captain, Madison Police Department
Dr. Stephen Ross, Professor of Economics, University of Connecticut

12:00-12:45 p.m. Lunch

12:45-1:45 p.m. Elimination of Money Bail: Obstacles and Solutions
Moderator: Hon. Jonathan E. Silbert, Retired Superior Court Judge
Judge Robert Devlin, Jr., Chair, Connecticut Sentencing Commission
Christine Rapillo, Chief Public Defender

Kevin Lawlor, Deputy Chief State’s Attorney
Isabel Blank, Senior Manager of external Affairs, the Yankee Institute

1:45-2:45 p.m. Legislative and Policy Panel: A conversation about Justice & Equity
Moderator: Steven Hernandez, Executive Director, CWCSEO
State Senator Gary Winfield, Co-Chair of the Judiciary Committee
Marc Pelka, Undersecretary, Criminal Justice Policy and Planning Division
Daryl McGraw, Justice Impacted Advisor
Tracie Bernardi, Justice Impacted Advisor

2:45-3:00 p.m. Break

3:00-4:00 p.m. Race and the Criminal Justice System: A Conversation with Civil Rights Attorney Ben Crump
Moderator: Jamelia Morgan, Associate Professor of Law & Robert D. Glass Research Scholar, University of Connecticut School of Law

4:00-4:15 p.m. Final Remarks
Judge Robert J. Devlin, Jr., Chair, Connecticut Sentencing Commission
Judge Robert J. Devlin, Jr. has served as an Appellate Court Judge since May 15, 2019. Prior to his appointment to the Appellate Court, Judge Devlin served as a Superior Court judge, having been appointed to this position by Governor Lowell Weicker in 1993. In this role, Judge Devlin heard criminal cases in the judicial districts of New Haven, New London, Fairfield, Hartford and Stamford. During this time, he presided over several notable trials including State v. Beth Carpenter, State v. Russell Peeler and State v. Christopher DiMeo.

From 2010 to 2017, Judge Devlin served as the Chief Administrative Judge for the Criminal Division of the Superior Court, representing the Chief Court Administrator on matters of policy affecting criminal matters, advising and assisting other judges assigned to criminal court, and soliciting advice and suggestions from judges and others. He currently serves as the chair of the Connecticut Sentencing Commission.

Before his appointment to the bench, Judge Devlin served as a federal prosecutor for the U.S. Department of Justice in its Organized Crime Strike Force. In 1992, he was recognized by the U.S. Attorney General as one of the outstanding federal prosecutors in America for his work as a member of the prosecution team that secured convictions of the hierarchy of the New England mob. Judge Devlin is a lifelong resident of Connecticut and an honors graduate of the University of Connecticut School of Law.

Marc Mauer is one of the country's leading experts on sentencing policy, race and the criminal justice system. He has directed programs on criminal justice policy reform for more than 30 years and serves as Executive Director of The Sentencing Project, a national nonprofit organization engaged in research and advocacy on criminal justice policy. Mr. Mauer has written extensively and testified before Congress and other legislative bodies. His critically acclaimed book, Race to Incarcerate, was named a semifinalist for the Robert F. Kennedy Book Award. He is also the co-editor of Invisible Punishment, a collection of essays that examine the social costs of incarceration and the co-author of The Meaning of Life: The Case for Abolishing Life Sentences. Mr. Mauer frequently lectures before a broad range of national and international audiences, appears regularly on television and radio networks, and has served as an adjunct faculty member at George Washington University and Payne Theological Seminary. Mr. Mauer is the recipient of the Donald Cressey Award for contributions to criminal justice research, the Alfred Lindesmith Award for drug policy scholarship, and in 2018 was selected as a Frederick Douglass 200 awardee as one of the "individuals who best embody the work and spirit of Frederick Douglass."

Mr. Dyson has a long and distinguished record of public service, having served in the Connecticut House of Representatives for thirty-two years, including a long tenure as House Chair of the Appropriations Committee. Mr. Dyson recently worked at Central Connecticut State University as the holder of the Governor William A. O'Neill Endowed Chair in Public Policy and Practical Politics, housed in the Center for Public Policy and Social Research.

Mr. Dyson has served as an Appellate Court Judge since May 15, 2019. Prior to his appointment to the Appellate Court, Judge Devlin served as a Superior Court judge, having been appointed to this position by Governor Lowell Weicker in 1993. In this role, Judge Devlin heard criminal cases in the judicial districts of New Haven, New London, Fairfield, Hartford and Stamford. During this time, he presided over several notable trials including State v. Beth Carpenter, State v. Russell Peeler and State v. Christopher DiMeo.

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Jamelia N. Morgan’s current scholarship focuses on issues at the intersections of race, disability, and criminal law and punishment. Her research examines the development of disability as a legal category, how law shapes disability as an identity in prison and jails, and the criminalization of dissent and non-normative identities and expressions. Morgan’s additional research projects have explored the ways in which doctrinal tensions and political discourse over race-conscious remedies influence how anti-discrimination claims and remedies are conceptualized in court opinions involving voter discrimination and disability discrimination.

Prior to joining the faculty at UConn, Professor Morgan was a civil rights litigator at the Abolitionist Law Center and worked to improve prison conditions and end the use of solitary confinement in Pennsylvania state prisons. In this role, she worked as part of the legal team to draft briefs that secured the removal of a client from solitary confinement after 24 years. From 2015 to 2017, Professor Morgan was an Arthur Liman Fellow with the ACLU National Prison Project, where she focused on the impact of prisons on individuals with physical disabilities and authored an ACLU report released in January 2017 titled, Caged In: Solitary Confinement’s Devastating Harm on Prisoners with Disabilities. Professor Morgan is a 2013 graduate of Yale Law School.

Mr. Dyson has a long and distinguished record of public service, having served in the Connecticut House of Representatives for thirty-two years, including a long tenure as House Chair of the Appropriations Committee. Mr. Dyson recently worked at Central Connecticut State University as the holder of the Governor William A. O’Neill Endowed Chair in Public Policy and Practical Politics, housed in the Center for Public Policy and Social Research.

Awarded his BA from Morris College, and a master’s in urban studies and a Sixth-Year degree from Southern Connecticut State University, Mr. Dyson is a life-long public-school teacher and administrator, having served in the New Haven Public School System for 36 years.

Currently the chair of the Racial Profiling Prohibition Project Advisory Board and the Connecticut Commission on National and Community Service, Mr. Dyson also is active in LEAP (Leadership, Education and Athletics in Partnership).

Mr. Dyson continues to fight for social justice in part by giving a voice to underrepresented communities. His work focuses on issues that face children of incarcerated parent’s, as well as formerly incarcerated individuals.
Since 2012, Ken Barone has served as the manager of the Connecticut Racial Profiling Prohibition Project (CTRP3) at the Institute for Municipal and Regional Policy (IMRP) at Central Connecticut State University (CCSU). This project works to implement the state of Connecticut’s Alvin W. Penn Racial Profiling law. The Alvin W. Penn law requires law enforcement agencies to collect information on traffic stops and report that information to CCSU. Ken is responsible for coordinating data collection and submission from 106 law enforcement agencies. He works with the Connecticut Data Collaborative to make the data available to the public through an online data portal. He has co-authored three reports analyzing municipal and state police data for evidence of discrimination. In addition, he is responsible for staffing the Connecticut Racial Profiling Prohibition Advisory Board, three subcommittees and is the legislative liaison for the project with the Connecticut General Assembly. Ken is also a certified Department of Justice Community Oriented Policing Services “Fair and Impartial Police” trainer. He has trained over 800 law enforcement officers since 2014.

Ken has served as a project consultant in California, Oregon, and Rhode Island on the implementation of their statewide traffic stop data collection programs. This includes helping states design electronic data collection system, develop analytical tools for identifying racial disparities in traffic stop data, and implementing training programs to address implicit bias in policing.

In addition, Ken also manages the Connecticut law that requires the collection and analysis of incidents involving electronic defense weapons.

Michael A. Gailor was appointed for an eight-year term as State’s Attorney for the Judicial District of Middlesex in 2018. State’s Attorney Gailor joined the Division of Criminal Justice in 1993 as a Deputy Assistant State’s Attorney in the Office of the Chief State’s Attorney and in 1995 transferred to the Judicial District of Hartford where he served until his appointment as Executive Assistant State’s Attorney in 2005.

State’s Attorney Gailor earned his Bachelor of Arts Degree in Economics from Cornell University and his Juris Doctor Degree from the University of Connecticut School of Law. He is active in community organizations and has taught at numerous institutions, including serving as Director of the Prosecutor’s Field Placement Program at the UConn Law School. He is president of the Connecticut Criminal Justice Educational and Charitable Association. He has also served as a member of the Connecticut Racial Profiling Prohibition Advisory Board since its inception in 2012.

Ronnell Higgins has served as Chief of Police at Yale University since 2011; he was additionally named Director of Public Safety in 2015. Chief Higgins has earned a reputation for driving sustainable initiatives that continue to ensure a safe campus and community by preventing crime, championing exceptional relationships, and building community trust through collaboration with stakeholders, leaders, and members of both the University and City of New Haven communities.

Through his leadership at Yale, Chief Higgins has introduced several programs that have directly impacted safety on campus—from his weekly BlueStat meetings with focused operational and solutions-oriented reviews with staff to promoting a culture of collaboration and communication with leaders city-wide. Drawing on thought leadership of the highly respected Vanderbilt University, New Haven, New York, and University of Pennsylvania police departments, Chief Higgins has benchmarked key strategies that have delivered exceptional value at Yale University.

Chief Higgins was appointed Commissioner to serve on the Commission on Racial and Ethnic Disparities in the Criminal Justice System by Connecticut State Senator Martin Looney and appointed a member of the Police Officers Standards and Training Council (POSTC) by Connecticut Governor Dannel Malloy. He is an Executive Fellow with the Police Foundation and serves as an Executive Board Member with My Brothers’ Keeper Mentoring Initiative. Chief Higgins is past president of the South-Central Connecticut Chiefs of Police and serves on the executive board for the National Organization of Black Law Enforcement Executives for Connecticut (NOBLE). Complementing his professional background, Chief Higgins holds a master’s degree from the Naval Postgraduate School Center for Homeland Defense & Security and a bachelor’s degree in Law Enforcement Administration from the University of New Haven.

Tamara Lanier is a graduate of the University of Connecticut, where she earned dual degrees in English and History. She recently left the State of Connecticut Judicial Branch, where she worked for 27 years, most recently as chief probation officer in Norwich and as manager of the Norwich Adult Supervision unit. As manager, she developed a harm reduction model requiring probation officers to manage probationers’ risks and use incarceration as an option of last resort. Tamara also serves as vice president of the New London NAACP and as criminal justice chair for the Connecticut State Conference of NAACP Branches.

In 2015, she was named Woman of the Year by the Connecticut General Assembly’s Commission on Afro-American Affairs, and her statewide advocacy was acknowledged by the Connecticut Commission on Human Rights and Opportunities in 2016. She is a member of the National Organization of Black Law Enforcement Executives (CT NOBLE), Connecticut’s Racial Profiling Prohibition Board, and the U.S. Attorney’s working group to monitor federal and state civil rights compliance by educational institutions. Her life’s passion is to eradicate racial and ethnic disparities in Connecticut’s criminal justice system and to put an end to racial profiling.

His research has been funded by the Department of Housing and Urban Development, the Fannie Mae Foundation, the Ford Foundation, the MacArthur Foundation and the National Institutes of Health. Professor Ross also has consulted for Abt Associates, Fannie Mae, the National Consumer Law Center, the New York State Attorney General’s office, and the Urban Institute. He also edits the Urban and Real Estate Economics working paper announcement service for New Papers in Economics (NEP).

Jonathan Silbert served as a Judge of the Connecticut Superior Court for 21 years before retiring from the bench in 2012. He is now counsel to Garrison, Levin-Epstein, Fitzgerald and Pirrotti, a firm of which he was a founding partner in 1977. His practice is now devoted exclusively to mediation and arbitration, and he is a member of the National Academy of Distinguished Neutrals.

His legal experience includes three years as a legal services attorney and seventeen years in private practice. He has also served on the faculties of Yale Law School and the University of New Haven. For more than a dozen years, he was a consultant to the Edna McConnell Clark Foundation’s Justice Program, specializing in issues relating to sentencing and alternatives to incarceration. As a judge, he presided in courthouses in New London, Norwich, Willimantic, Meriden, Middletown and New Haven, with 12 of those years as Presiding Civil Judge and five years as Administrative Judge for the New Haven Judicial District.

Judge Silbert is a 1965 cum laude graduate of Dartmouth College, where he majored in Government and received his J.D. from Harvard Law School in 1968. He has served on faculties for continuing legal and judicial education programs in Connecticut, Alabama, Delaware, Mississippi, and the National Judicial College in Reno, Nevada. He has also lectured on such issues as mediation, ethics, judicial administration and many other topics in the Russian Federation, Republic of Georgia, Ecuador, Nicaragua and South Korea. He was chair of the Connecticut-Pskov Rule of Law Partnership, a part of the Russian-American Rule of Law Consortium, from 2001 through 2012.

Christine Rapillo is the Chief Public Defender for the Connecticut Division of Public Defender Services. She previously served as Director of Delinquency Defense and Child Protection, where she co-managed consolidation of child welfare and family operations into the public defender system. Attorney Rapillo managed training for the juvenile unit, including developing and ethics module for lawyers handling delinquency and child welfare matters.

Also active in justice reform, Attorney Rapillo sits on the Connecticut Sentencing Commission, the Criminal Justice Policy Advisory Committee, and the Juvenile Justice Policy Oversight Committee, where she worked on successful efforts to raise the age of juvenile court jurisdiction from 16 to 18 and to reform transfer and detention statutes. Previously, she supervised the Hartford Juvenile Court Public Defender’s Office and practiced in adult felony trial courts in New Haven and New Britain. She served two terms on the U.S. Department of Justice Federal Advisory Committee for Juvenile Justice and serves on various boards and steering committees for groups involved in justice reform. Attorney Rapillo graduated from the University Connecticut School of Law and Wheaton College in Norton, MA.

Joseph A. Race is amid a diverse career spanning over 20 years between the United States Marine Corps, private law practice and the Madison Police Department. Mr. Race is a Captain with the Madison (CT) Police Department and commands the Administrative Division of the Madison Police Department which includes training, public information, special events and accreditation. Mr. Race led the Madison Police Department through successful CALEA and State of Connecticut Accreditation processes and is currently working on a dual accreditation for the Madison Police Department in Law Enforcement and Communications, seeking to make the Madison Police Department the only Connecticut agency to hold such distinction. Mr. Race is a Connecticut Police Officer Standards and Training Council certified instructor in: Civil Liability, Connecticut Criminal Law, Constitutional Law, Search & Seizure, Housing Law and Report Writing.

Mr. Race received his Associate Degree from Campbell University while on active duty in the United States Marine Corps and his bachelor’s degree, magna cum laude, in Law and Society with a minor in Political Science from Winona State University in Winona, Minnesota. Mr. Race received his Juris Doctorate, cum laude, from Quinnipiac University School of Law and was a practicing member of both the New York and Connecticut bars while practicing law in the areas of civil litigation, business formation and estate planning.

Mr. Race is a Civil Liability instructor for the University of Louisville, Southern Police Institute, Command Officer Developmental Course and is a national CALEA Assessor.

Mr. Race is a graduate of the Southern Police Institute’s 76th Command Officers Development Course and the 270th Session of the FBI National Academy.

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Kevin D. Lawlor is the Deputy Chief State’s Attorney for the Connecticut Division of Criminal Justice. Prior to his appointment as Deputy Chief, Attorney Lawlor was the Ansonia-Milford State’s Attorney for twelve years. A prosecutor since 1995, he distinguished himself early in his career by working with the Milford Multi-Jurisdictional Team for the Investigation of Child Sexual Abuse and successfully convicted many of this District’s most serious sex offenders. He also helped to create and supervise the Neighborhood Prosecution Program in the City of West Haven. The Neighborhood Prosecution Program was a federally-funded initiative in West Haven which was designed to reduce teen crime and improve the quality of life for the citizens of West Haven.

He is a tri-chair of the Governor’s Task Force Justice for Abused Children, a founding member of the Division of the Criminal Justice Diversity Committee, Past President of the Division of Criminal Justice State’s Attorney’s Advisory Board, a former member of the Governing Council for the South Central Child Advocacy Center and he is the former President of the Board of Directors of Guardian Ad Litem Services, a member of the Board of Directors of the Yale Youth Hockey Association, a Naugatuck Valley non-profit agency that attempts to improve the quality of life for the chronically mentally ill. In addition, he also volunteers to speak to area youth in coordination with the Milford Bar Association, the North Haven Board of Education and other community organizations about criminal justice issues and the legal profession.

Attorney Lawlor lives in North Haven, Connecticut with his wife Ann who is also a prosecutor in the Fairfield Judicial District. They are the proud parents of two children.

Isabel Blank is Senior Manager of External Affairs at Yankee Institute for Public Policy. She has been with Yankee since 2018 and previously interned for ACLU-CT during the spring of 2016. Yankee Institute, along with partners, helped pass criminal justice and bail reform legislation in Connecticut that increases economic opportunity for formerly incarcerated persons and ensure individuals’ rights are protected. Isabel currently serves on the Employment Subcommittee of the Council on the Collateral Consequences of a Criminal Record.

Steven Hernández, Esq. is the executive director for the Commission on Women, Children, Seniors, Equity and Opportunity (CWCSEO). As staff to the Connecticut General Assembly, the CWCSEO researches best practices, coordinates stakeholders, and promotes public policies that are in the best interest of Connecticut’s underserved and underrepresented women, children and their families, older adults, and people of color. Mr. Hernández previously served the CT state legislature as director of public policy and research for the Connecticut Commission on Children. Prior to joining the Commission, Mr. Hernandez served seven years as legislative and budget director in the office of Washington, D.C., Councilmember Jim Graham. Mr. Hernández served as a clerk to two judges in the District’s Court of Appeals and as a consultant to the Washington law firm Baker & Miller, PLLC. He received a Bachelor of Arts degree from Bennington College in Vermont in 1995 and a juris doctor degree from the Washington College of Law at American University.


As a state senator, Senator Winfield has been an instrumental leader in helping to reshape conversations surrounding criminal justice, juvenile justice and immigration policy. In 2015, Senator Winfield wrote and championed legislation aimed at reducing police use of force, including requiring the operation of body cameras and cultural competency training for all officers. In years that followed, Senator Winfield helped lead passage of legislation to raise the age at which juvenile arrestees could be tried as adults. In 2018, after a series of high-profile incidents between residents and law enforcement, Senator Winfield led passage of two distinct pieces of legislation to improve community relationships with law enforcement and fortify trust in the state’s justice system during the 2019 legislative session. The first, House Bill 380, prohibits law enforcement officers from firing at a motor vehicle unless there is an imminent threat to the life of the officer or bystander and requires release of body cam footage after a deadly use of force accident; and Senate Bill 880, which increases prosecutorial transparency by requiring the state to collect, report, and publish information about prosecutors’ decisions on a public website each year.

In 2019, Senator Winfield’s passion for effective policy led him to draft and champion legislation permitting any state legislator to request the preparation of a racial and ethnic impact statement triggering the mandatory production of such statement, making Connecticut the first state in the nation to pass such a law. In addition to racial impact statements, Senator Winfield also engaged in an eight-hour debate to protect and strengthen the Connecticut Trust Act, which passed both the House and Senate respectively.
Marc Pelka is the Undersecretary of Criminal Justice Policy and Planning at the Office of Policy and Management, an agency providing information and analysis to formulate public policy for the state on Governor Lamont’s behalf. His responsibilities rest at the intersection of data analysis, policy development, convenings of state and local officials as well as stakeholders, and administration of state and federal grants. Prior to this position, he worked for ten years at The Council of State Governments Justice Center, where he helped state policymakers from across the country use a Justice Reinvestment approach to avoid corrections costs and reinvest in public safety strategies. Reinvestments states made as part of this approach included community substance addiction and mental health treatment as well as victim services. He earned a Bachelor of Arts with Honors from New York University a Master in Public Policy from the Harvard Kennedy School.

Daryl McGraw is the President and Founder of Formerly Inc, Connecticut’s first criminal justice consultant agency that is predominantly staffed by formerly incarcerated individuals. Mr. McGraw is currently working with C4 Innovations as Recovery Specialist, providing technical assistance to organizations around the country. When he is not traveling, Mr. McGraw spends three days a week working at Institute for Municipal Policy and Research at Central Connecticut State University as a Reentry Consultant, working to better the reentry process for Returning Citizens in Connecticut. Prior to branching out on his own, Mr. McGraw served as Program Director for the Yale University Department of Psychiatry, during which time he was contracted to serve as the Director of the Office of Recovery Community Affairs for the State of Connecticut Department of Mental Health and Addiction Services. In 2007 Mr. McGraw experienced a life changing event, when he was arrested for probation violation and assault on a police officer, and was sentenced to serve 4 years in prison. This was not Mr. McGraw's first time in prison all though it would be his last time as an inmate. During his time of incarceration Mr. McGraw used every second behind bars to create what he calls today his five-year plan for successful reentry. In 2010 Mr. McGraw was released from prison with a GED and six composition notebooks complete with his own personal blueprint for reentry.

Today, Mr. McGraw holds a bachelor's degree in Human Services and a Master's Degree in Organizational Management and Leadership, both from Springfield College. He also has his state certifications as an Addictions Counselor, Recovery Support Specialist, and a Criminal Justice Professional. Daryl's personal journey through addiction and incarceration has prepared him to be a voice and advocate for those who still find themselves caught in the vicious cycles of addiction and recidivism.

Through a steadfast dedication to justice and service, renowned civil rights and personal injury attorney, Benjamin Crump has established himself as one of the nation’s foremost lawyers and advocates for social justice. He has worked on some of the most high-profile cases in the U.S., representing the families of Trayvon Martin, Michael Brown, and Stephon Clark, among others. Ancillary to representing countless families, Crump has represented them against some of the most colossal institutions in the world. Recently, Crump sued Harvard University over images of slaves once used to advocate racism that Harvard refuses to turn over to the family of those slaves. These invaluable photographs are believed to be the earliest pictures of American slaves in existence. If Harvard relinquishes the photos to the family, it will mark the first time that descendants of African slaves have recovered anything from slavery. He has been nationally recognized as the 2014 NNPA Newsmaker of the Year, The National Trial Lawyers Top 100 Lawyers, and Ebony Magazine Power 100 Most Influential African Americans. In 2016, he was designated as an Honorary Fellow by the University of Pennsylvania College of Law. He is the founder and principal owner of Ben Crump Law.
Thank you to the Symposium Co-Sponsors:

The Institute for Municipal and Regional Policy
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