



# COMMITTEE ON RACIAL AND ETHNIC FAIRNESS IN THE RHODE ISLAND COURTS

First Quarterly Report: March 31, 2022

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## 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 third 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, 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, Esq., State Court Administrator  
Kathleen Kelly, Esq., General Counsel  
Craig N. Berke, Assistant State Court Administrator  
Dorca M. Paulino, MPA, Diversity Director

### **III. Committee Activities**

The Committee met six (6) times from January through March, with additional subcommittee meetings taking place in the interim.

#### *Education and Training*

Lunch-and-Learn Events: The Committee, in collaboration with the Supreme Court Diversity Office, offered two (2) well-attended lunch-and-learn sessions.

- *Lost Stories*

The event took place on February 16, 2022, in honor of Black History Month. The guest speakers were Visiting Assistant Professor Deborah L. Johnson from North Carolina Central University School of Law, and Mr. Keith Stokes, Vice President of the 1696 Heritage Group. Professor Johnson told the audience about the life and legacy of Dorothy Crockett, Rhode Island's first African American female attorney, and Mr. Stokes presented the parallel story of the almost lynching of Charles Bradley Smith in Newport in 1913. Both speakers explored the everyday experiences of individuals of African heritage in the legal field and beyond and provided a historical account of the contributions African Americans have made to Rhode Island, as well as the challenges and discrimination they faced.

- *Women Elevating Women: Building Stronger Workplaces Together*

On March 30, 2022, Judiciary personnel gathered for a virtual panel in celebration of Women's History Month. The event brought together leaders represented in the workforce. The panelists, nominated by their respective Chief Judge, Presiding Justice, Chief Magistrate, or Court Administrator, included: Debra A. Saunders, Clerk, Supreme Court; Veronica Hobbs, J.D., Director of the Domestic Violence Training & Monitoring Unit, Supreme Court; Maureen McIntyre, Project Manager, Superior Court; Amanda Venturino, Director of the Family Services Unit, Family Court; Lorraine Alfonso, Assistant Director/Administrator, District Court; Sheila G. Mitchell, R.N. B.S.N., Medical Advisory Board Administrator, Workers' Compensation Court; and Tasha Capraro, Administrative Clerk I, Traffic Tribunal. The Hon. Erika Kruse Weller, a Magistrate from the Rhode Island Traffic Tribunal, moderated the panel. The impressive lineup of speakers discussed their leadership journeys, shared perspectives on overcoming obstacles, provided advice to aspiring female leaders, and took audience questions. Through creating formal and informal spaces where members of the workforce can share their experiences, the Committee hopes to foster the continuation of these conversations while informing, challenging, and inspiring Judiciary personnel.

Employee Training: On March 18, 2022, the Diversity Office provided mandatory training for Judiciary personnel on the topic of Cultural Awareness. Historically, this interactive training session has taken place in-person on the date of the Judicial Conference. New hires and employees who have not participated in diversity or cultural awareness training in five (5) years or more must attend. This was the first program offered since the onset of the pandemic due to restrictions imposed by

COVID-19. Dorca M. Paulino, Diversity Director, facilitated the training. The topics of discussion included: A historical overview of discrimination; implicit bias and its effect on communication styles and “customer” service; trauma-informed practices; the Rhode Island population; interactives and resources to mitigate bias; and the Rhode Island Judiciary Non-Discrimination and Harassment Policy.

### *Judicial Officer & Staff Bias and Cultural Sensitivity Assessment and Training Project*

The National Center for State Courts (NCSC) continued working with the Committee on the above-referenced project, the goals of which are (1) to promote and foster a culture that values diversity, equity, and inclusion; (2) to ensure that members of the public receive fair and just treatment when interacting with court employees; (3) to enhance the cultural competence of judicial officers and Judiciary employees; and (4) to create a space where participants can have open conversations about their perceptions of diversity and inclusion in the workplace.

NCSC completed Phase I of the project by facilitating the last of several small-group discussions, called Courageous Conversations, on January 18, 2022. Using feedback from the Courageous Conversations, NCSC has designed an internal survey to measure perceptions of diversity and inclusion in the workplace, as well as employee engagement. The Chief Justice has kicked off Phase II by asking each court to disseminate the survey to all judicial officers and court personnel. The data gathered will inform NCSC’s efforts to develop a new training curriculum for members of the Judiciary’s workforce. NCSC will implement the training curriculum during Phase III of the project.

### *Reception for New Judicial Officers*

The Committee on Racial and Ethnic Fairness in the Courts hosted a welcome reception for new judicial officers on March 29, 2022. Members of the Committee discussed the mission and work of the Committee and encouraged the new judicial officers to participate in the Committee’s work as their time allows. The new judicial officers welcomed at the reception were: Superior Court Associate Justice Kevin F. McHugh, Superior Court General Magistrate Gina K. Lopes and Magistrate William P. Rampone, Family Court Associate Justices Jeanine P. McConaghy and Shilpa Naik, District Court Associate Judge William J. Trezvant, and Workers’ Compensation Court Associate Judge George J. Lazieh.

### *Turning Pages*

On February 3, 2022, the Committee on Racial and Ethnic Fairness in the Courts opened registration for a pilot project/discussion group for the bench titled

*Turning Pages.* The inaugural members will read “The Souls of Black Folk” by W.E.B. DuBois and will meet three (3) times during the spring and summer of 2022 to discuss and explore issues of, as the Committee’s name suggests, racial and ethnic fairness and unfairness, justice and injustice, in society.

#### *Affirmative Action Plan*

The Rhode Island Department of Administration Office of Diversity, Equity, and Opportunity provided a signed copy of the Judiciary’s FY2020-FY2021 Affirmative Action Plan report on February 21, 2022. The report provides a historical overview of representation in the workforce. A notable change since the creation of this report was an observed increase in minority representation in the workforce from 12 percent to 16 percent. Visit the Judiciary’s website to access the report: <https://www.courts.ri.gov/Pages/default.aspx>.

#### *Rhode Island Superior Court & District Court Debt Review Event*

The Committee continued its collaboration with the Center for Health and Justice Transformation to host a second “Costs and Fines” event March 29, 2022. One hundred fifty-one people with outstanding court-related debt appeared virtually before a justice of the Rhode Island Superior Court and/or a judge from the Rhode Island District Court to review outstanding debt and ability to pay. The Committee greatly appreciates the efforts of the judicial officers and all judiciary staff who made the event a success.

#### *Blueprint for Racial Justice*

NCSC and the Systemic Change work group of the Blueprint for Racial Justice will host a two-part webinar series, “Financial Sanctions Reform” starting in April of 2022. The first session, “Cost & fines: How a community conversation changed lives in the Ocean State” will highlight Rhode Island’s efforts and demonstrate how the power of strong community partnerships and “off the bench” direct engagement can drive reform, bridge the trust gap between judicial officers and court users and change lives.

## **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.

Activities to date. On February 9, 2022 the PES was invited to address the “Black Woman at Brown” to discuss the formation and mission of the CREF. Additionally, on March 2, 2022, the PES and the Supreme Court’s Access to Justice Office met with the United Way to discuss future plans to host facilitated discussions at their facility, particularly with respect to outreach to the Latino community. Magistrate Aponte Cardona has been working with the Rhode Island Hispanic Bar Association to coordinate topics for further exploration, including the feasibility of simultaneous translation during WebEx hearings, and addressing the disparate impact of the unauthorized practice of law for immigrant populations.

The PES 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.

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

- Deepening partnerships with community stakeholders, including the Center for Health and Justice Transformation which will support an effort to collect data from court users relative to their experiences when utilizing our courts.
- Engaging in facilitated community-based conversations.
- Monitoring and modelling public engagement best practices as implemented in National Consortium member states and jurisdictions.
- Law Day 2.0 – Partnering with the Rhode Island Department of Education (RIDE) and Providence Student Union in developing a hands-on “Understanding the Rhode Island Courts” civic curriculum. Judge Cardoza is the subcommittee’s liaison to RIDE and Providence Public Schools Department.
- Public conversation with the Thurgood Marshall Law Society and the Institute for Non-Violence.

## 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 Committee’s tasks will be to guide the upgrade and expansion of the collection of demographic data. The DS is participating in this process.

In addition, the DS conducted an informational exploration regarding the current juror selection process. It has been determined that the selection process in Rhode Island has been established by the legislature, as embodied in Gen. Laws 1956 § 9-9-1 et seq.

*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. Moving forward the DS will also explore the possibility of collecting demographic data for attorneys registered in the State of Rhode Island, as such information could potentially assist in efforts to diversify the bar and, as a result, the bench in the future.

## 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.* The SEPS continued working with the Diversity Director and NCSC on implementation of the Judicial Officer & Staff Bias and Cultural Sensitivity Assessment and Training Project. Specifically, the SEPS hosted a meeting with court leaders to review NCSC’s initial findings from the Courageous Conversations. The SEPS also provided input on the internal survey to measure

perceptions of diversity and inclusion in the workplace, as well as employee engagement.

*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**

- “When Justice Works” Statewide Essay Project – Magistrate Newman in partnership with the Jewish Alliance is leading this effort.
- Continued collaboration with The United Way to conduct equity and access listening sessions with members of the Latino community.
- Launching the Rhode Island Traffic Tribunal’s new initiative, in partnership with the Center for Health and Justice Transformation, to hold virtual license reinstatement information sessions on a weekly basis.
- Preparing for Phase III of the Judicial Officer & Staff Bias and Cultural Sensitivity Assessment and Training Project.

## **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, 2022.

Respectfully submitted,

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

March 31, 2022