

COUNCIL OF THE CITY OF PHILADELPHIA
SPECIAL COMMITTEE ON CRIMINAL
JUSTICE REFORM

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, December 10, 2018
10:20 a.m.

PRESENT:

COUNCILMAN CURTIS JONES, JR.
KEIR BRADFORD-GREY, ESQUIRE, Defender's
Association
WILFREDO ROJAS, Office of Community
Justice and Outreach (retired)
JULIE WERTHEIMER, Managing Director's
Office
CLAIRE SHUBIK-RICHARDS, Pennsylvania
Prison Society
LAWRENCE KRASNER, District Attorney
JUDGE JAMES DeLEON, Municipal Court
RICHARD McSORLEY, Deputy Court
Administration - Criminal Trial

RESOLUTION 160101 - Resolution appointing
members to the "Special Committee on Criminal
Justice Reform," who will conduct public
hearings examining the Philadelphia criminal
justice system for the impact of current
policies...

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 COUNCILMAN JONES: Good
3 afternoon. This is a hearing which is
4 being called to order. We are
5 reconvening the Special Committee on
6 Criminal Justice Reform.

7 I'm recognizing the presence of
8 a quorum of this Committee.

9 Are there any opening comments
10 from members of the Committee?

11 (No response.)

12 COUNCILMAN JONES: Seeing none,
13 going once, going twice, would the Clerk
14 please read the title of the resolution.

15 THE CLERK: Resolution No.
16 160101, a resolution appointing members
17 to the "Special Committee on Criminal
18 Justice Reform," who will conduct public
19 hearings examining the Philadelphia
20 criminal justice system for the impact of
21 current policies, and offer recommended
22 strategies for reform that are in the
23 best interest of public safety and the
24 public good.

25 COUNCILMAN JONES: We've done a

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 lot of hearings. I think we're closing
3 in on maybe two dozen of these criminal
4 justice reform hearings, and they've
5 taken on various topics, including bail
6 reform to anti-violence measures, but
7 today I think we have turned a corner,
8 Co-Chairs and Committee members, and are
9 starting to be a little more
10 solution-oriented.

11 One such solution that we've
12 been able to identify is community hubs,
13 and from what I can gather -- and I'm
14 going to do a lot of listening today --
15 is that these hubs are designed with
16 participation from the community in mind
17 for the benefit of justice, for the
18 benefit of the defendant so that the
19 prosecution, the judiciary, and the
20 defense can get a better understanding of
21 people, people from the community, what
22 they're going through, what circumstances
23 they may be coming up with, with a
24 holistic, restorative justice point of
25 view, with holistic reparations by way of

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 how they pay their debt to society, but
3 also as my young kids would say, how you
4 can get your life right, and here are the
5 resources to do that.

6 So I'm excited about this
7 opportunity. And with me on the
8 Committee, so to my far left, I think we
9 have the District Attorney, who is a
10 member of this Committee, and we're glad
11 to have him. Do you have any opening
12 remarks?

13 MR. KRASNER: No.

14 COUNCILMAN JONES: All right.
15 Myself, Keir Bradford-Grey is supposed to
16 be here -- hello. We're going to have to
17 make her wear a bell.

18 Kevin Bethel is not here.
19 Julie Wertheimer is here. Wilfredo Rojas
20 is here. Ms. Richards is here I see.
21 Richard McSorley, my good friend, is
22 here, and Larry Krasner I mentioned, and
23 newly minted Committee member, Judge
24 DeLeon.

25 Welcome, all.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 JUDGE DeLEON: Thank you.

3 COUNCILMAN JONES: With that,
4 will the Clerk please read -- so would my
5 Co-Chair, Ms. Grey, please give some
6 remarks.

7 MS. BRADFORD-GREY: Thank you
8 so much, Councilman.

9 And good afternoon, everyone.

10 First, I want to thank the Special
11 Committee for exploring the opportunity
12 to understand what's going on in the
13 community, and I call it the community's
14 response to criminal justice reform.

15 Early on in my career as a
16 public defender, I was going into court
17 trying to fight the battles and trying to
18 get just outcomes by myself, and I
19 realized time after time that the
20 decisions that were being made weren't
21 based on policies, but it was based on
22 the level of understanding that people
23 had about individuals who came through
24 the system based on the fact that we
25 didn't have a lot of information to share

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 about the human and where they came from.

3 So what I see this as is
4 criminal justice reform at its finest.

5 Criminal justice reform is not just a
6 policy. It's not a legislative act, but
7 it's a shared understanding. It's a
8 practice. It's a culture. And what
9 happens every day in the courtrooms are
10 what people don't see, but the people who
11 have said I want to be the change I want
12 to see are starting to see time and time
13 again that the decisions that are being
14 made, the results that we're getting are
15 a result of lack of information and
16 understanding about people in this
17 community.

18 And so what I have really
19 been -- it's been an honor for me to be a
20 part of this movement. It is a true
21 movement with true intentions of the
22 people who say I want to have a voice and
23 the tolerance of what's going on in my
24 community. I want to have a stake in
25 what the outcomes are for the people that

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 need to come back to my community, and I
3 want to make sure that the decisions are
4 based in fact on the person and the human
5 and not a bias understanding of who
6 people or who we think people are.

7 So as we go through this and
8 explore this, we want to make sure that
9 we put at the forefront that this is
10 criminal justice reform. This is the
11 community's portion of criminal justice
12 reform. All too often we've been looking
13 at stakeholders, elected officials,
14 policies and, of course, legislative
15 acts, but we haven't paid attention on
16 what's going on on the ground, and what's
17 going on on the ground is something
18 remarkable that I can't wait for those
19 who are going to step up and give their
20 testimony to talk about the experiences
21 they had and the outcomes that they got
22 that I will tell you not even the best
23 lawyer with the best education, whether
24 it's from Harvard, Yale, Duke or
25 wherever, could have gotten alone.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 So thank you so much for
3 everything that you're doing, and I can't
4 wait to see what's to come in
5 Philadelphia.

6 COUNCILMAN JONES: Thank you,
7 Madam Co-Chair.

8 Ms. Williams, would you please
9 read the first panel to testify.

10 THE CLERK: Valerie Todd, Steve
11 Austin, and Pastor Harrod Clay.

12 COUNCILMAN JONES: Welcome.
13 Come up to the witness table.

14 (Witnesses approached witness
15 table.)

16 COUNCILMAN JONES: Have a seat.
17 Please adjust your mic. Bring it a
18 little close to you. State your name for
19 the record and begin your testimony.

20 MR. AUSTIN: My name is Steve
21 Austin and I'm with Mothers in Charge.
22 I'm also part of the participatory
23 defense hub there in Philadelphia, and
24 I'm here to testify today regarding
25 people, community safety, and

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101
2 communities.

3 One of the things that we've
4 started to do with participatory defense,
5 which is the title of what we do, is to
6 help people first understand the process
7 that they're dealing with. Most of us
8 who have ever come before the criminal
9 justice system find ourselves way in over
10 our head. The system is so big and so
11 large that there's just no way for a
12 person to understand all the things they
13 need to know to help themselves. So the
14 community is involved in trying to help
15 people understand what they need to know
16 first and foremost in the process.

17 When they get an attorney, the
18 attorney doesn't know much about the
19 individual, and largely in part because
20 he probably has a hell of a schedule, a
21 hell of a caseload. He probably has a
22 large number of cases. And so much the
23 same for the District Attorney. He's not
24 really in touch with who this person is.
25 And also the judge. This information is

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 something that may come to them later.

3 But the community knows who these

4 individuals are. They live among us.

5 They work among us. Families, friends

6 that come to the hub help us to

7 understand who they are so we get a true

8 insight as to who these people are and

9 where they come from.

10 So when you talk about public
11 safety, public safety is important for
12 all of us, but the community understands
13 what they need to be safe as well. And I
14 think that just relying on the police,
15 the District Attorney, and the judge, the
16 law enforcement gatekeepers basically,
17 you know, to see them only as the charges
18 that are before them, there's no balance.
19 There's no balance in the process.

20 But now you have communities
21 stepping up, willing to help and assist
22 with the process. They're not saying
23 that we can cure everything or that we
24 have all of the answers, but we're saying
25 that this burden that you have -- when

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 you put policies on us in our communities
3 and tell us what public safety is, tell
4 us what our communities need, we're
5 saying we should have a say. We're
6 saying we should be a part of the
7 solution. We're willing to be a part of
8 the solution. So to that extent, why not
9 give us a chance to be a part of the
10 solution.

11 We have good people who come
12 from the community from all walk of life.
13 You know, you name what it is or what
14 walk of life a person can come from and
15 they're there. They're in our hubs.
16 They're there tenably. They're there to
17 participate and be involved and to help
18 with the process but, more importantly,
19 it gives us a chance to help the
20 individual's attorney. It gives us a
21 chance to help the District Attorney
22 understand who this person is, and in
23 turn, between the two of them, they can
24 help the judge know who this person is.

25 So when we talk about what type

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 of sentencing, what type of punishment,
3 what keeps us safe, what helps the
4 community, we're there to have some
5 input, and we'd like an opportunity to
6 continue to have that input, because
7 people have been responding to the hubs.
8 They've been responding and coming out.
9 And even those that are incarcerated that
10 cannot come, their families are coming.
11 Their families are coming because, like I
12 said in the beginning, they don't
13 understand the system, and so the
14 community is reaching out. The community
15 is reaching out for help. They're
16 saying, what can I do, how can I help
17 myself. My son, my daughter is not as
18 bad as people are saying they are.
19 They're not just what is in front or the
20 charges that you see about this person.
21 They're saying, my son is more than that.
22 My daughter is more than that. And we're
23 saying, let's explore that.

24 When they come to the hub,
25 we're saying, okay, tell us. Let's see.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 Let's see how, let's see where. And this
3 is information that we can relay. This
4 is information that we'll painstakingly
5 put together, you know, and put it
6 forward to his attorney so that the
7 attorney gets a better idea. And mind
8 you, an overworked attorney, an attorney
9 that really doesn't have time to put all
10 this information together, doesn't have
11 time to go out and gather all of these
12 things. So in that way, the community is
13 saying, don't lock us out. Put us into
14 the process. Use us. We're there. We
15 can help, and you shouldn't shoulder this
16 whole burden on your own. You make
17 policies and then sometimes it's easier
18 if you ask me to eat the bread than if
19 you shove it down my throat.

20 On that note, is there a
21 question period?

22 COUNCILMAN JONES: What we will
23 do is allow each member of the panel to
24 give their testimony and then ask
25 questions of that panel, if that's okay

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 with everyone. All right?

3 Thank you.

4 (Witness approached witness
5 table.)

6 PASTOR CLAY: Good afternoon,
7 Councilman Jones, members of the Special
8 Committee on Criminal Justice Reform, to
9 Keir Bradford-Grey. I am Reverend Harrod
10 Emmanuel Clay, Jr., the Pastor of the
11 Mount Zion Baptist Church and the leader
12 of the Metamorphosis Group. We're also
13 part of Mothers in Charge with Dorothy
14 Johnson-Speight and Robert Blair.

15 We've been working with our
16 Chief Defender as a part of the hub at
17 Mothers in Charge since March, and we've
18 met each Tuesday roughly from 5:00 to
19 8:00 p.m. We've had numerous cases that
20 we've worked on, partnering with
21 families, some of whom have loved ones
22 who are up on State Road, some of whom
23 have loved ones who, thanks to the
24 efforts of our District Attorney and our
25 Public Defender's Office, have been able

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 to get out because they don't have
3 extraordinarily high bails.

4 We're appreciative of the
5 leadership of our Chief Defender and
6 Kavita Boyle and those public defenders
7 who are working with her, first of all,
8 to conduct numerous Know Your Systems
9 training seminars. These are not simply
10 know your rights, but they've conducted
11 numerous trainings around knowing your
12 system or systems. So what is the
13 difference between a preliminary hearing
14 versus a pretrial conference versus
15 trial, and as a result of that, the
16 community is now better informed as to
17 how to get the best outcome from the
18 criminal justice system.

19 This morning we were at the
20 Criminal Justice Center and joined one
21 judge in working with three different
22 public defenders to see three individuals
23 released from the Criminal Justice Center
24 today. And so we're also appreciative of
25 our city's efforts in reducing the prison

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 population. And so we worked with one
3 judge and three different public
4 defenders to see three individuals
5 released today.

6 We have here today an
7 individual who will testify that as a
8 result of our hub's efforts, the judge
9 said when she took responsibility for her
10 actions and made her plea, that her
11 elocution or her statement taking
12 responsibility for her actions was the
13 best that he had heard.

14 And so we have individuals who
15 are again beginning to find credibility
16 in our criminal justice system. If we
17 can demonstrate to the individuals who
18 have guns that Lady Justice is really
19 blindfolded and we have not poked holes
20 in her blindfold, that she is really
21 blindfolded and justice is a matter of
22 equity, then instead of them using guns
23 to solve their beefs, guns to solve their
24 conflicts, we are convinced and we are
25 hearing that they are finding credibility

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 with the community leaders who are
3 working in courtrooms, working in these
4 hubs, and instead of solving their
5 problems because they distrust the
6 system, they're now coming to us and
7 saying, we need you to help us mediate
8 our problems. You have credibility with
9 us because you're working with us on our
10 cases. You're helping us to become
11 better educated.

12 And so whether you're the
13 judge, the District Attorney, the
14 Assistant District Attorney, the Public
15 Defender, whether you are the complainant
16 or the defendant, one thing is for sure,
17 we are all a part of this city. We are
18 all a part of this community, and the
19 solution is right here in this room, and
20 it's the persons who are testifying who
21 are not talking about the problem but are
22 a part of the solution by the work that
23 we are doing every day.

24 I'll conclude with in addition
25 to being at the Criminal Justice Center

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 this morning for three different cases,
3 I'll be going to SCI Phoenix to meet with
4 individuals who are about to be paroled.

5 Later this week on two different days,
6 I'll be up on State Road at the five
7 prisons, interacting with individuals.

8 Sometime later this week, I'll be meeting
9 with teachers at a school concerning some
10 children who are challenged. And then I
11 have a meeting with several families in
12 their home. And what do I see? In all
13 of these areas, in all of these rooms,
14 there is a fundamental distrust of the
15 system.

16 And so I'm grateful and
17 appreciative for your leadership, for
18 your panel's leadership in saying to the
19 community that with hubs like Mothers in
20 Charge, the South Philly, the West Philly
21 hub, with this participatory defense
22 movement, that maybe, maybe they can once
23 again have some trust in us, that if they
24 come to us, Lady Justice will indeed be
25 blindfolded and they'll receive a just

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101
2 outcome.

3 COUNCILMAN JONES: Thank you so
4 much for your testimony.

5 Ma'am.

6 MS. TODD: Good afternoon. My
7 name is Valerie Todd and I am a
8 facilitator at the participatory defense
9 hub Best Outcomes at Mothers in Charge.
10 But like Pastor Clay said, like it's so
11 much more than that, because the families
12 that know nothing and somebody tells them
13 come down to this hub so that -- they
14 say, oh, you know, my loved one just got
15 arrested and I haven't heard nothing, and
16 we're able to say, okay, that's because
17 it's at this part. You're right now in
18 the arrest period before a bail happens.
19 And they don't know that. They might
20 have been watching TV or just feeling
21 like, oh, my gosh, my child is getting,
22 you know, railroaded or whatever, and
23 here we are being able to say, no, no,
24 no, that's not what's happening, there's
25 a process in this system, and just

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 showing them trying to navigate through
3 the process of the system, as well as
4 supporting them, giving them a hug.

5 Because pain shared is pain lessened.

6 And that's what we do at the hub, and try

7 to say, all right, let's see your loved

8 one from your perspective so we can

9 present your loved one as a whole person

10 when it comes to the court proceedings.

11 What has your loved one achieved and

12 done, high school or work -- their work,

13 their employment, so that it's less of a

14 burden, so that the person can be

15 presented as a whole person in the

16 courtroom.

17 Me being a formally

18 incarcerated person knows how important

19 that is. I can remember being more

20 harshly judged because I had no support

21 in the courtroom and I had -- I just

22 didn't feel the audacity to ask people to

23 come to court for me, because I was

24 guilty of the crime. So I didn't feel

25 the audacity, but I was more than that.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 I was more than this isolated event. You
3 know, I had been through a lot in my life
4 and I had made poor choices, and it
5 wasn't until I really knew better than I
6 could do better.

7 And that's another thing that
8 we do for people who are coming out.
9 They're out on bail and they come to the
10 hub, we try to assist them with life
11 skills, because we have a lot of other
12 stuff going on. Like you don't have to
13 go back to the way you were living.
14 There's other ways to live. We do that
15 as well at the hub, supporting people in
16 the courtroom, presenting that as a whole
17 person is what we do at the hub, and
18 we've been finding it to be very helpful.

19 COUNCILMAN JONES: Well, I want
20 to do this also for the benefit of the
21 people in this room, but benefit of
22 people who are watching on television
23 that may not have a deeper understanding
24 of what you do.

25 So you're defense oriented or

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 do you represent also the community who
3 might be the plaintiff?

4 MR. AUSTIN: We represent the
5 entire community.

6 COUNCILMAN JONES: Say your
7 name again.

8 MR. AUSTIN: We represent the
9 entire community. We don't come in
10 thinking about guilt, innocence or, you
11 know, defense-minded in that particular
12 sense, no. Our goal is to assist as a
13 community, to find out, like Val said, to
14 help people understand the process. Like
15 she said, she was a person who was in the
16 system. I was also in the system, and I
17 know that if I had someone to come to me
18 and take an interest in my circumstance
19 and help me understand what was going on,
20 I could have made better decisions and
21 better choices. I would have had a
22 better understanding about the system
23 itself. I may not have felt as bitter,
24 as harsh, as isolated, as alone as most
25 people do.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 But what we do is try to assist
3 our community to make our communities
4 better. I said three words in the talk
5 that I had about people, safety,
6 community, safety -- I mean, safety and
7 communities, you know. So that's what
8 it's about for us. People, public
9 safety, and communities. That's real.
10 That's what we're trying to do. We're
11 trying to make our communities safer. So
12 we're not just taking a person and
13 walking them through the system and
14 saying, well, okay, yeah, we helped you
15 out, that's all there is to it. It's
16 like Val said, Val mentioned how we have
17 aftercare programs or initial programs to
18 help them change their lifestyle. Okay?
19 But the City -- that's happening all over
20 the City.

21 Pastor Clay's organization, you
22 know, the churches and the things that he
23 mentioned, all of these people who come
24 to these hubs are from the community and
25 they're all involved with different types

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101
2 of programs and they have a lot of
3 different things going on.

4 We invite the people to change
5 their lives, you know, to come and get
6 involved in some of these programs that
7 we have going on so that you can start a
8 new life, so that you can start to do
9 things differently. Hopefully by the end
10 we've restored some of the trust for the
11 system, as Pastor Clay said.

12 COUNCILMAN JONES: The Chair
13 recognizes Ms. Grey.

14 MS. BRADFORD-GREY: So I think
15 one of the things that the Councilman is
16 attempting to understand is the whole
17 picture. You've been involved in this,
18 so you really understand what it is.
19 From my vantage point, it's also an
20 empowerment tool, right? So there are
21 times where our system -- and they're
22 still that way -- really doesn't make a
23 lot of differentiation between the people
24 that come through it in the very
25 beginning. So we start to make decisions

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101
2 about what should happen to people,
3 should you get bail, should you be
4 detained. So you go through this process
5 and let's figure out on the end as to how
6 we can make you better, and we call that
7 reentry. And all the while while people
8 are sitting in jail, whether it's detained
9 because they have a detainer for
10 probation or amount of bail, they are
11 becoming more desperate because they're
12 losing what little supports that they had
13 in the very beginning. These are the
14 same people that are coming back out to
15 the communities, and that's one thing
16 that we have to keep in mind. A great
17 majority of the people that come in go
18 back to their communities. So are they
19 going to come out supported, with
20 knowledge and also an accountability to
21 what they need to be for their community
22 or are they going to come out angry,
23 frustrated, desperate, and without any of
24 the supports that they would have had had
25 we been able to build them up from the

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 very beginning.

3 This doesn't just achieve what
4 we call just outcomes. This also
5 increases public safety. Public safety
6 is a practice. It is a way of looking at
7 what is the leading cause of the
8 destruction of our communities. And it's
9 people who are in desperate situations,
10 people who have problems, social issues
11 that we can't figure out how to resolve
12 because they no longer have contact or
13 connection or what they came into.

14 For instance, we did a hearing
15 on mental health in the system, and we
16 were told that once someone comes in,
17 after 30 days, their mental health
18 benefits or their public welfare benefits
19 are cut off. When they get back out, if
20 they're released on day 32, they're
21 coming out with no access to those mental
22 health connections.

23 COUNCILMAN JONES: So let's
24 ride with that scenario. How do you
25 help?

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 PASTOR CLAY: I'll give you an
3 example. As I said, this morning we were
4 at the Criminal Justice Center. One of
5 the individuals, to our Chief Defender's
6 point, has had some major mental health
7 challenges. So Horizon House was
8 present. I was present. The social
9 worker from the Public Defender's Office
10 was present. All four of us went before
11 the judge and explained to the judge the
12 strategy that we worked on prior to court
13 so that when she releases this
14 individual, which is supposed to happen
15 as this hearing was starting around 3
16 o'clock, that someone from Horizon House
17 would literally be standing there to take
18 him to Horizon House, where he would see
19 a doctor. The doctor would look at his
20 medicine, and then from Horizon House, he
21 would be taken to where he's going to
22 spend the night.

23 My responsibility is to report
24 back to the judge at the end of the week
25 as to how today went, how tomorrow went,

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 how the following day went.

3 So this is an individual who is
4 not being helped and is only increasing
5 our costs if he is up on State Road. He
6 needs intervention. He needs services.
7 And so we're able to partner with that
8 individual.

9 He was one of two that was
10 being released today that needed some
11 mental health support. I'm certified in
12 that area. We just had mental health
13 certification. We've had training for
14 our people, and so we're able to wrap
15 around services for individuals to help
16 get them the support that they need.

17 I would also add very quickly,
18 I was up on State Road last week where an
19 individual met with me and said -- and
20 also with Robert Blair and said,
21 gentlemen, I need to take responsibility
22 for the poor decision I've made and I'm
23 prepared to go in front of a judge and
24 take ownership for my decisions. And so
25 we then connected that individual with

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 his public defender, and they are now in
3 the process of taking that individual
4 before a judge so that he can take
5 responsibilities for his decisions. Once
6 the judge has handled his matter, we will
7 be waiting for him at whatever point he
8 is released, to our Chief Defender's
9 point, so that we can help him with
10 employment, et cetera.

11 COUNCILMAN JONES: So that was
12 helpful. That's why you're going to be
13 my partner some day.

14 MS. BRADFORD-GREY: You heard
15 it.

16 COUNCILMAN JONES: Actually I
17 get it.

18 So that same individual
19 standing in that line to go in CJC does
20 not have that deeper dive of support from
21 you, correct? Are you still with me?

22 MS. TODD: Yeah, unless their
23 family has gotten in touch with the
24 participatory defense or they themselves.

25 COUNCILMAN JONES: So now that

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 person -- those individuals that all of
3 you have mentioned are people who deep
4 down want help, that really want to take
5 that lifeboat somewhere better. What
6 about the individuals who do not want
7 that lifeboat at all? How do you make an
8 assessment on them?

9 MR. AUSTIN: Well, that's true.
10 There are going to be people who might
11 not want that lifeboat. What we found
12 and what I know from personal experience
13 is that you also have people who just
14 want the help. Okay? And initially they
15 may not have inclinations of changing
16 their lives. I mean, that's with anyone.
17 How can you possibly know whether or not
18 a person means what they say and that
19 they're actually going to act on it? So
20 there's always going to be people who are
21 going to come in and they may have
22 well-meaning intentions and they may wind
23 up going south or doing something
24 different. But for the most part, we're
25 not to sit in judgment of that. Our goal

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 is to basically move forward and try to
3 strike a chord with the good in this
4 person and to do what we can do best, to
5 try to help them make a change or help
6 them make better decisions and better
7 choices.

8 One of the things we do is
9 called Thinking for a Change, and it's a
10 really comprehensive program that allows
11 us to get into the person's
12 decision-making process. Okay? But
13 there are always going to be people who
14 for whatever reason makes decision that
15 are just not, you know, in their best
16 interest.

17 COUNCILMAN JONES: Before I go
18 to Julie, I just want to note, I heard
19 what you said about seeking out that
20 person's better side of themselves and
21 trying to pull that out. What happens
22 when that person that sits across from
23 you says, I know what you're offering me,
24 I don't want it, I'm about this life? So
25 do you ever run across that individual?

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 MS. TODD: Working in PICC,
3 Philadelphia Industrial Correctional
4 Center, a lot of people come to class
5 just to get off the block, and after
6 several classes of teaching
7 problem-solving, cognitive self-change,
8 and social skills, a lot of people
9 actually don't know better. They
10 actually think there's power in the gun,
11 power -- until you're able to introduce
12 the power of living an honest way, you
13 know, getting in touch with just an
14 ordinary life, something that seems
15 outlandish to them can actually become
16 something that they're like, wow. You
17 know, when you're saying this is a better
18 quality of life, living an honest life,
19 not running from cops, not making
20 dishonest choices and actually coming to
21 terms with saying this is a better
22 quality of life, not having to have two
23 Mercedes-Benz and a five-bedroom home in
24 order to be a success, where in society
25 some of social media or just magazines,

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 TVs telling you that this is what a
3 successful life is and actually being
4 reintroduced to something as a successful
5 life is putting your head on your pillow.
6 Because right now you're in jail with no
7 pillow, and a successful life is putting
8 your head on your pillow with no regrets
9 because of the good choices you made that
10 day and actually reintroducing them to
11 that for the first time, because they
12 come from a fatherless home or their aunt
13 raised them, there's no parents at home
14 or their family was on drugs and they had
15 both parents and were still neglected.

16 COUNCILMAN JONES: So I'm going
17 to let it go, but I just want to say, I
18 understand again for the third time
19 you're looking for the better side of
20 that soul. What happens when the
21 gentleman that you dealt with that comes
22 in Judge DeLeon's court, what do you say
23 when you know in your heart that ain't
24 what this individual wants? What do you
25 say?

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 MS. BRADFORD-GREY: May I put
3 this in context? The participatory
4 defense is what we're talking about, and
5 these are participants. They're not --

6 COUNCILMAN JONES: They're
7 volunteering.

8 MS. BRADFORD-GREY: --
9 mandated.

10 COUNCILMAN JONES: So they made
11 the choice.

12 MS. BRADFORD-GREY: Anyone that
13 comes to that hub is making the choice to
14 do something different. So we want to
15 make sure we keep this in context to
16 participatory defense, because it can go
17 off into reentry and all these other
18 areas. We need to keep it to the concept
19 of what we're trying to do.

20 MR. AUSTIN: And that's exactly
21 what I was going to tell him.

22 COUNCILMAN JONES: I'm the slow
23 kid on the block. I got it.

24 MR. AUSTIN: And the people
25 that come to us want to come to us.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 PASTOR CLAY: They want to be
3 there. Councilman, to your question
4 about someone who seemingly doesn't want
5 help, I have never met a person who
6 didn't want help. I have met people who
7 have given up. I have met people who
8 have quit. I have met people who have
9 been so traumatized that their exterior
10 message is that I don't want help, but I
11 have met those same people who, when
12 given the opportunity to know their name
13 and hear their story, those same people
14 see other people getting help, see other
15 people getting real on-the-ground
16 solutions, and those same people who
17 seemingly didn't want help now want help.

18 I'm bringing to court this week
19 an individual a judge assigned to me.
20 That individual seemingly didn't want the
21 help that the judge was offering him.
22 But with some time, he couldn't get to
23 his GED class. The judge required him to
24 get to his GED class because of his
25 crime. Because of his record, he could

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 not get a job to get the money to get to
3 his GED class. As soon as he has now the
4 money to get to his GED class, the same
5 young man is now coming to court, going
6 to his GED classes and working on getting
7 a job.

8 I have met people who are so
9 traumatized that they've given up and
10 seemingly don't want help, but with
11 intervention like this hub and other
12 hubs, we are seeing the situation turn
13 around.

14 MS. WERTHEIMER: So I have to
15 briefly step out, and my apologies for
16 that, but before I go, I just wanted to
17 actually thank the Chief Defender and her
18 team. I had the opportunity to attend a
19 session at the Circle of Hope hub a few
20 weeks ago, and it was an incredibly
21 powerful experience, and I hope that's
22 something that the panel will talk a
23 little bit about more.

24 I was supposed to be a fly on
25 the wall just observing, and it was very,

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 very difficult to not want to jump into
3 the conversation and help as well,
4 because they were coming at it from so
5 many different angles, talking about what
6 the individual was passionate about,
7 about recent positive life changes, and
8 it was just -- I think the process that
9 each hub engages in to get to who the
10 individual is as a human at their core is
11 a very important part of this and part of
12 this that, as the Chief Defender noted
13 and other folks have noted, has often
14 been missing from our justice system.

15 COUNCILMAN JONES: Mr. Rojas.

16 MR. ROJAS: What is your
17 relationship with the prison social
18 worker and the Probation and Parole
19 Department?

20 PASTOR CLAY: I didn't hear the
21 first part of your question.

22 MR. ROJAS: What is your
23 relationship between the prison social
24 worker, who is supposed to be providing
25 the therapeutic intervention while

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 they're incarcerated, and the probation
3 or parole officer, who was supposed to be
4 supervising an individual once they get
5 out to your center?

6 PASTOR CLAY: We help to
7 coordinate those services by those
8 providers. And so we had a young man who
9 was having some challenges with his
10 probation officer, and so we accompanied
11 him to the meeting with his probation
12 officer, because they were having trouble
13 understanding each other and
14 communicating. So we became sort of a
15 mediator for that meeting.

16 So we're coordinating those
17 services by those individuals, and in
18 many instances, as I said today with the
19 mental health case, we are coordinating
20 and communicating and working with those
21 individuals.

22 MR. ROJAS: With respect to the
23 prison social workers, we usually develop
24 a plan and send to the judge. It's
25 called a Parole Adjustment Summary, which

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 you're probably aware of, and in that
3 Parole Adjustment Summary, it doesn't
4 really talk about those underlying issues
5 that you point out. It basically says he
6 worked at such-and-such a job, he never
7 got any disciplinary infractions, et
8 cetera.

9 What would you suggest to be
10 able to link up with that individual
11 social worker that's in charge of that
12 person on that caseload when they get out
13 and released to you?

14 PASTOR CLAY: You do ask a
15 critical question, because we have the
16 relationships with that individual's
17 family, with their community, with their
18 potential employer. All of those
19 relationships we're able to coordinate
20 and make sure that when the person is
21 released -- and that's a part of -- I see
22 Claire Shubik-Richards on the panel.
23 That's a part of what we're doing with
24 the Pennsylvania Prison Society through a
25 mentoring program that the Prison Society

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 gives leadership to. Tonight I'll be
3 going with Robert Blair and some other
4 men up to SCI Phoenix. And so we spend
5 an hour, hour and a half with those
6 inmates, who are about six months from
7 being paroled. And there's a young man
8 who went before the Parole Board on
9 Friday. I went up before he went before
10 the Parole Board to meet with him, to
11 talk with him, to coach him, and I've
12 been in touch with his mother in Nevada.
13 I've been in touch with his uncle in
14 California.

15 And so to your question, when
16 we're looking at recommending to the
17 Parole Board where he should be paroled
18 to, we've been in touch with his family
19 and we have a sense of what the priority
20 is, what the needs are, and we can have a
21 more intelligent, informed process that
22 is going to lend itself toward more
23 success.

24 MR. ROJAS: One last question
25 for the two individuals that have had

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 experience behind the walls. Do you
3 believe that family counseling beginning
4 at the prison with your family is a way
5 to reintegrate yourself successfully into
6 the community with a support system?

7 MS. TODD: Definitely, if
8 that's available. Because like for me,
9 my family was mostly on drugs. I never
10 met my biological father. So my family
11 wasn't something -- I always say stay
12 away from slippery places if you don't
13 want to slip, and for me, my family was
14 that slippery place. So I literally had
15 to get a whole new support system, and I
16 did that because of Mothers in Charge was
17 actually my teachers before I worked for
18 them. I've been working with them for
19 the last seven years. They embraced me
20 upon release, because my real mother had
21 died while I was in prison and my mom who
22 raised me as well had died. So a family
23 support system I didn't have. That was
24 non-existent for me.

25 So, yeah. That's why I feel

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 like it's very important what you're
3 saying. Support is huge. It's when
4 people feel alone that they get so scared
5 and they're so desperate, like Ms.
6 Bradford was talking about, that they do
7 things that they might not normally have
8 done had they have not been so desperate.

9 So, yeah, support is huge, and
10 that's one thing that we definitely do at
11 the hub. I think people whose case is
12 already over still come back just because
13 it's so -- there's so much support there,
14 you know, that's saying -- people don't
15 care how much you know until they know
16 how much you care, and that's the
17 important thing, yes.

18 MS. BRADFORD-GREY: Can I just
19 try to shape -- because I think we're
20 getting away from the concept of
21 participatory defense, because we can
22 talk about the myriad of issues that
23 people have, but what does participatory
24 defense do to help us differentiate.

25 Now, when we're talking

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 about -- some of the things that we need
3 to do at participatory defense is, we're
4 figuring out who doesn't need to go to
5 prison, who can be worked on before that.
6 That's pre-entry. And so as we talk
7 about people transitioning out of prison,
8 there are a lot of supports there, but
9 there's nothing for the people -- as we
10 reduce our prison population, there's
11 nothing. There are gaps that people
12 cannot see that participatory defense is
13 filling.

14 So that's -- as a person inside
15 this system who understands the number of
16 gaps in the things that are not even
17 available -- and, Judge, you know. You
18 make decisions based on what's presented
19 to you. You don't know what's not
20 presented to you. You don't even know
21 what could be presented to you. These
22 hubs are filling those gaps of not just
23 the sentenced population, but the
24 population, the pretrial population,
25 where people are saying, hey, people are

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 coming out of the jails. Oh, my God,
3 what does that mean for our communities.

4 COUNCILMAN JONES: Your Honor.

5 JUDGE DeLEON: I just wanted to
6 say I applaud the work that you're doing
7 in these hubs. It's very necessary. And
8 I just wanted to bring to everyone's
9 attention an e-mail that I had just
10 received this past Friday from the King
11 County Prosecuting Attorney. Basically
12 he's the District Attorney's counterpart
13 in Seattle, Washington, and I met him
14 through this District Attorney because
15 the Seattle, Washington prosecutor is a
16 very, very progressive district attorney,
17 just like our own, and these two, they go
18 around together seeing various ways to
19 alleviate recidivism. And what he had
20 told me in this paragraph -- and I
21 brought this here for you, but before I
22 give it to you, I'll read this paragraph
23 in.

24 He says, I am the Co-Chair of
25 our state's Reentry Council, and we will

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 be pushing our legislature next month to
3 fund community-based non-profits who will
4 provide credible mentors to work with
5 individuals while they are still in
6 prison to come up with a custom reentry
7 plan, then meet them at the gate on the
8 date of their release and work together
9 to execute that plan. He says, it's not
10 rocket science. It's social science, so
11 it is harder.

12 So basically it's similar, and
13 I'll pass this down to you. It's what
14 you're doing.

15 MS. BRADFORD-GREY: Yes, and
16 then some. They're not just looking at
17 people who have to go to jail and be
18 sentenced. They're looking at
19 opportunities on that front end,
20 pre-entry, not reentry. Reentry we
21 understand. We have yet to begin to
22 understand what pre-entry looks like and
23 what it means to this city.

24 We can't just reduce
25 populations and have nothing else in

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 place to help people make it to court,
3 which was the purpose of bail, but also
4 stay progressive. It also participates
5 in their own defense by making educated,
6 informed decisions.

7 You will never be surprised at
8 how many people don't know when they come
9 to a hearing that there's about eight
10 more they have to come to, so they make
11 decisions that are contrary to what we
12 think are best for public safety, because
13 now that puts you in bench warrant
14 status, sheriffs have to get you, all
15 kinds of things that happen.

16 People that don't understand
17 that cash bail is only because we are
18 looking at the person's opportunity to
19 show up for court. Participatory defense
20 hubs help that, helps that process.

21 People come and get held for court on a
22 preliminary hearing believe they're found
23 guilty and they decide to bolt.

24 These decisions that people
25 make are because they are -- of the lack

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101
2 of information and lack of transparency
3 within our system, and we, through these
4 community hubs, are trying to not just
5 service people, but empower people, and
6 then they in turn empower their own, and
7 that's what's happening in the City. It
8 is the replication of information to make
9 better decisions at the front end from
10 decision-makers, but also from the people
11 that come through this system, so we all
12 share our responsibility in reform. And
13 I want to make sure we keep that, because
14 if we keep talking about reentry, this is
15 going to get lost in that type of
16 conversation.

17 COUNCILMAN JONES: So someone
18 walks through your door. What is their
19 experience? They walk through, they say,
20 I really want your help. What happens
21 next?

22 MR. AUSTIN: We set up an
23 interview with that person, and we call
24 that an initial interview, and we
25 establish what their problem is. First

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 we ask who recommended them, and if we
3 can get that information, we always like
4 to keep track of that. But then we'll
5 ask them what their issues are, what
6 their problems are, and why they've come.
7 And we're careful to make sure that we
8 have a discussion regarding the
9 particulars of the case. We remind them
10 that this is an open forum, that it's a
11 public forum, and that the information
12 that they give us, it should be the
13 information that they want us to have
14 regarding their particular case.

15 Now, we're also responsible
16 enough to understand that sometimes
17 people may say things that they don't
18 intend to say or they may say more than
19 they possibly should say. So we give a
20 little cautionary speech about that so
21 that people can tell us just what we need
22 to know in relationship to what their
23 issues and their troubles are, and then
24 we take it from there.

25 We have them inside of our hub

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 and we start to let them tell us what
3 their situation is, and this requires a
4 degree of trust from the beginning when a
5 person walks through that door. They
6 have to first -- that initial
7 conversation that you have with them, it
8 has to be a conversation that will make
9 them feel good enough and comfortable
10 enough to want to actually share.

11 So we try to figure out who
12 recommended them, and then after we get
13 that information, we talk a little bit
14 about the person that recommended them.
15 All of it is to make them feel that
16 they're in a good space and a good place,
17 that they can give us this information
18 and that we'll go about trying to help
19 them understand next steps.

20 COUNCILMAN JONES: So on that
21 note, further that. You made me feel
22 comfortable. I trust you. I believe you
23 are not the man trying to roof me. Help
24 me through a series of questions you
25 would ask me to find out who I am.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 MS. TODD: We have a social
3 bio, which is so important. The social
4 bio is what presents you as a whole
5 person.

6 COUNCILMAN JONES: So they fill
7 that out?

8 MS. TODD: No, no. The social
9 bio is like what your achievements were,
10 school, work history, things of that
11 nature. Maybe we have people who take
12 care of their mom. They're the only ones
13 that's able to take care of their mom.
14 They're working at a particular job for
15 seven years or more. They graduated high
16 school. They attended college. You
17 know, they helped the neighbor down the
18 street and the neighbor would like to
19 write a letter on their behalf saying
20 that they always helped me, they were
21 always there for me, always held the
22 door. The stuff that they might miss,
23 that they might think that's not very
24 important, we get them in touch with that
25 stuff. Because some people say, you

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 know, I'm locked up for this crime, I got
3 a background, I'm never going to get a
4 job again and that's it. That's the
5 extreme thinking that they could have,
6 until somebody says, no, that's not the
7 end. What else did you do? You're 24
8 years old, you're 34 years old, you're 54
9 years old. What have you done within
10 these years? And we kind of get them in
11 touch with education, their work history,
12 the simple things that they did, and we
13 put that all together in a social bio for
14 them to give to their lawyer so that the
15 lawyer has more to work with on who they
16 are, as well as the DA, as well as the
17 judge so that they can see them more as a
18 whole person rather than this isolated
19 event.

20 COUNCILMAN JONES: Madam
21 Co-Chair.

22 MS. BRADFORD-GREY: I want to
23 thank you so much for your testimony.
24 We're going to bring up Panel 2, which I
25 believe can answer some of these

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 questions, Councilman, because they are
3 actually people that have gone through
4 this process as people tried to be helped
5 and looking for solutions to deal with
6 what they believe was just an
7 undefeatable system.

8 Samantha, can you please call
9 the second panel up, please.

10 THE CLERK: Sure. Nicole
11 Dorrell, Zakiyyah Salahuddin, and Isis
12 Misdary.

13 (Witnesses approached witness
14 table.)

15 COUNCILMAN JONES: Welcome.
16 Have a seat. Pull the microphone a
17 little closer to you. State your name
18 for the record and please begin your
19 testimony.

20 MS. DORRELL: I'm very loud
21 already, so...

22 My name is Nicole Dorrell and I
23 am a past participant and a current
24 volunteer at the Philadelphia hub that is
25 housed in Mothers in Charge. I was there

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 for the very first meeting March 20th,
3 2018 and it changed my life. Let me
4 explain that to you.

5 When I made my series of poor
6 choices and got myself into a situation I
7 shouldn't be in, I knew certain things
8 that I could do for myself to change my
9 life, and I did the things that I could
10 do. As far as going through the court
11 process, I did not know what I was
12 looking at. I didn't know what I was
13 doing. As Keir had stated earlier, you
14 get to the prelim, you think you're
15 guilty, all you are are these black and
16 white things on the paper and that's it
17 and that's all. And you try to figure
18 out how can I get the judge to see me.
19 How can I get the judge to see what I've
20 done, what I've been doing, that this was
21 a poor choice that I made, but what I'm
22 trying to do to rectify that since that
23 time. And you don't know what to do.

24 So what I did do was, I made
25 better choices. I asked to go to a

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 recovery program, which I did get into.

3 I was promoted to the house manager. I

4 was doing all these great things,

5 reaching back out to the community to

6 turn myself around, but now how do I get

7 the judge to see that and how do I

8 understand what I'm going through.

9 By the time I got to the hub, I

10 was hopeless. I didn't know what was

11 going to happen to me next. I was, like

12 Pastor Clay said, just about on the verge

13 to just give up, because you are in over

14 your head, honey, and there's nothing

15 you're going to be able to do for

16 yourself. And I was not in a boat unique

17 to my own self. I was sitting there with

18 other women who were thinking the exact

19 same way I was.

20 But I want to help. I wanted

21 to help myself and I want to help other

22 people. So I went to this hub to just

23 try to suck up like anything that they

24 could give me so I could learn about the

25 process that I was going through. And I

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 wanted to learn how I could get off that
3 black and white piece of paper where that
4 judge only sees the thing that I did but
5 sees me as a whole person - a mother, a
6 person that's a contributor to the
7 community, a person that has passion,
8 that has desires, that has dreams, and to
9 basically beg, please don't put me
10 somewhere where I can't do these things
11 and I'm passionate about doing.

12 When I got to the hub, they
13 started to pour into me the things that
14 they knew. They started to pour into me
15 the process that I was going to have to
16 go through.

17 Now, let me tell you something,
18 when you get to a hub, they don't sit
19 there and pat you on the fanny and say,
20 everything is going to be all right, you
21 don't do anything, you just sit there and
22 you don't have to participate in your
23 defense or your life. They do not say
24 that. They say, get your pen, get your
25 paper, let's go, you got work to do.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 Okay?

3 So I had to go through a lot of
4 introspection in that time going through
5 the hub. I had to look at a lot of
6 things about myself that I didn't like,
7 and I had to put them on paper for my
8 elocution to lay bare in front of the
9 judge in that courtroom.

10 Why did I choose not to run
11 from the time of the PSI to the time I
12 went in front of the judge? And I'm
13 going to tell you. The hub. Because I
14 had strong members of the community that
15 were willing to pour into me, that were
16 willing to encourage me, that were
17 willing to empower me, that were willing
18 to tell me I was more than just the
19 choice that I made, that I had something
20 to give back, that I had purpose. And I
21 had no purpose. When I messed up and
22 lost my purpose, I lost my will, I lost
23 everything, and I thought everything is
24 just over for me.

25 And with their support, with

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 the supports of Mothers in Charge, with
3 the supports of the people that come
4 around the table, I was able to be
5 transparent at times when things got
6 really tough and tell them, this is
7 really tough for me, I'm going to need
8 some of you guys for support this week as
9 I go through these things.

10 You know, standing up in a
11 packed courtroom full of people just
12 watching you and only knowing what they
13 see on paper, and you have to tell the
14 judge in your elocution where your
15 mistakes were, who you are, and where
16 your real regrets are in front of a full
17 packed courtroom. Without the support I
18 had behind me, I don't know that I would
19 have been able to do that.

20 It was necessary. It was
21 freeing, and it gave me liberty in the
22 hardest way that I think it possibly
23 could have, but there was a sense of
24 freedom that day. When that judge turned
25 around and looked at me and he said, I

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 see more than just this paper, I see who
3 you are, and I'm going to take a chance
4 on you and this is what we're going to do
5 for you and this is what I want you to
6 do. Now, my purpose is to turn around in
7 the community, in the hub sense and in
8 the recovery sense, and turn around and
9 help other people know, no, this isn't
10 the time to give up; no, this isn't the
11 time to turn around; no, this isn't the
12 time to go full throttle back into what
13 you were doing. This is what you can do.
14 You could turn around and you can go this
15 way. This is where I've been. This is
16 where I want to go. This is what I'm
17 working to, and you can do the same
18 thing.

19 And just the people that I've
20 got to talk to around me, I've seen major
21 change in some people around me. And my
22 purpose now that I want to do is, I want
23 to turn around and I want to help as many
24 people as I can not give up, not turn
25 around, not be so traumatized that they

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 don't know what to do, but show them
3 where help is, show them where they can
4 go, and be one of those supports that I
5 had not only in the courtroom but around
6 that table and in daily life now.

7 MS. BRADFORD-GREY: Thank you.

8 Do you want to break it up?

9 MS. MISDARY: Sure. Good
10 afternoon. I thank the Special Committee
11 for hearing our testimony about
12 participatory defense. Before I start,
13 I'd like to start by asking all my fellow
14 defenders in the room, all the staff who
15 are here --

16 COUNCILMAN JONES: Can you
17 state your name.

18 MS. MISDARY: Sure. I'm sorry
19 you couldn't hear me. Isis Misdary,
20 Assistant Public Defender of the
21 Defender's Association of Philadelphia.

22 I'd like to ask all my fellow
23 defenders who are here to stand up. I
24 recognize that I represent their work.

25 If everyone could please stand

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 up.

3 (Applause.)

4 MS. MISDARY: These are the
5 social service advocates, the
6 administrators, the investigators, and
7 attorneys who actively support and engage
8 with participatory defense. And, by the
9 way, these are the staff who could make
10 it. There are staff who are now in
11 courtrooms, at home visits, and out in
12 the field who couldn't make it today.

13 These are the defenders who
14 have created systems knowledge and
15 understanding in the community through
16 the Know Your Systems and Know Your
17 Rights trainings. It is the partnerships
18 of our social workers, administrators,
19 investigators, and attorneys engaging in
20 client-driven, community-centered defense
21 that are creating and finding solutions
22 within the community, where we respect
23 the needs, the intelligence, and the
24 leadership of the community, and I
25 represent only one of many.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 I'd like to provide just a
3 little bit of background about myself.
4 If you asked me seven or eight years ago
5 or if you said to me seven or eight years
6 ago that I would be a public defender, I
7 would have never believed you. I have
8 spent the last ten years teaching in New
9 York City and South Central Los Angeles
10 public and charter schools. I taught at
11 the height of stop and frisk, where my
12 students would be late every day or every
13 other day because police officers stopped
14 and frisked them on their way to school
15 and on their way back home.

16 I remember what a student said
17 to me in a world history class in what
18 was known as the lowest performing high
19 school in New York City. And he said to
20 me, Miss I, you don't get it. We get
21 treated like criminals out there, we get
22 treated like criminals in here, and
23 criminals we'll become, and there's
24 nothing that you can do in here to stop
25 that. And that broke something in me

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 that needed breaking, quite frankly, and
3 it fired up something in me that I
4 couldn't extinguish, and that ultimately
5 set me on the path that led me before you
6 today.

7 I became a public defender
8 because I thought that I could change
9 this system from the inside, but little
10 did I know that the change was actually
11 occurring outside of that system. In
12 fact, right outside the front doors, and
13 I didn't know that until I went to my
14 first participatory hub meeting, and I
15 realized that I hadn't been getting it
16 right and maybe we haven't been getting
17 it right, this criminal justice thing.

18 I remember an eight-year-old
19 said to me in class what criminal justice
20 was to them, a conversation about causes
21 and consequences. But we're no longer
22 having a conversation. We talk to one
23 another, but we're not talking with one
24 another. And it is all, if not primarily
25 all, about consequences.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 Causes are being addressed by
3 the participatory defense hub. So you
4 know who is getting it right? The
5 communities are getting it right.
6 Communities do what they do best, which
7 is take care of their own and each other,
8 and they challenge their own.

9 There was many a times in the
10 participatory hub defense meetings that I
11 asked very excruciating, hard questions
12 of Nicole when she was drafting her
13 elocution, and the participatory defense
14 hub provided that safe space where she,
15 like me five years ago, four years ago,
16 broke in her own way in order to rebirth
17 and rebuild, and that's what the
18 participatory defense hub provides.

19 Communities can provide their
20 own solutions. Participants with open
21 cases can provide their own solutions.
22 In fact, that exchange that Mr. Rojas had
23 today with Val about family-based therapy
24 within the prisons is the kind of
25 participation we're asking for, in which

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 stakeholders and participants and
3 volunteers engage one another in a
4 collaborative pursuit of justice and
5 actually engage in real-world reform and
6 ask the questions will this work. And I
7 admire that, because the answer that was
8 received was, well, I didn't have family.
9 But what Val does have is the
10 participatory defense hub, and maybe
11 that's something to consider about who
12 can engage in that kind of therapy with
13 an individual who does not have that
14 family, and maybe it is about rethinking
15 what family is, and maybe what family is
16 in the criminal justice system is not
17 people whom we know by birth and are
18 related to by birth and blood, because
19 many of the clients and the people that I
20 represent don't know those people, have
21 never seen them or met them, and maybe
22 it's about redefining family as community
23 when we're considering engaging family in
24 solutions.

25 We know that policies and

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 legislation hasn't helped, and it's
3 because we're asking the tough questions
4 in a vacuum when really we should be
5 asking the tough questions to the people
6 in the community, like Mr. Rojas did
7 today, like Councilman Jones did today.

8 Participatory defense has
9 provided a platform, actually a stage and
10 a mic, for communities to amplify and
11 advocate solutions that they have been
12 talking about for decades, probably
13 centuries, that are right in front of our
14 face and we don't see it, because most of
15 us, like me, spend a lot of our times in
16 the windowless, empty courtrooms asking
17 ourselves, how did we get here and how do
18 we get out of here.

19 The communities are talking
20 about these solutions at their local
21 newsstands, on their front porches,
22 sidewalks, barber shops, hair salons,
23 mosques, churches, temples, libraries,
24 parks, community groups, and community
25 centers, to name a few. Only we're not

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 there. Participatory defense provides
3 that outlet for us to be transported to
4 those places we can't go in the
5 courtroom, the front porch, the barber
6 shop, the mosque.

7 Communities in participatory
8 defense, quite frankly, are mic-dropping
9 solutions that are better than our
10 standard criminal justice response. They
11 know how to get it right, and they want
12 to help us get there.

13 Participatory defense is that
14 platform, that stage, that mic for
15 communities to communicate with us. It's
16 not an accident that the two words have
17 the same exact root. They want to
18 communicate with us, guide us in making
19 justice more just, outcomes more fair,
20 and in fighting for fair outcomes,
21 communities fight for a fairer system,
22 and in fighting for a fairer system,
23 communities make their neighborhoods
24 safer.

25 Participatory defense is

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 changing how communities and stakeholders
3 work together, and we're transforming not
4 only individual cases but also through
5 individual cases, we're transforming the
6 system and, by extension, transforming
7 communities. In the words of a judge who
8 I often practiced in front of, what she
9 would say to the people that I represent,
10 that oftentimes it came down to, quote,
11 people, places, and things. You've got
12 to change those people, places, and
13 things or nothing changes. People go
14 back to life inside in a split second,
15 only to serve decades inside, because
16 they didn't change people, places or
17 things.

18 Changing behaviors is not what
19 I do or any of us do. It's what families
20 and communities do. Changing behaviors
21 is about engaging in long-term solutions.
22 If we don't change the way of thinking
23 about the system and who does what with
24 whom and to whom and, quite frankly, how,
25 what we may have little business or

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 knowledge to do in the first place, then
3 you know what? Nothing is going to
4 change for us either, because we're not
5 changing our people, our places or
6 things. And participatory defense is an
7 opportunity to do that.

8 I think Nicole's elocution was
9 a testament to that safe space that
10 people need to drill deep, to find
11 authentic accountability, and transform
12 in the act of attrition, and ultimately
13 this is what I believe reduces
14 recidivism.

15 Judge DeLeon, you had read the
16 e-mail from the King's County District
17 Attorney, and I had written a note to
18 myself in response in which I thought of
19 this saying: If you're early, you're on
20 time, and if you're on time, you're late.
21 And if we are just addressing recidivism
22 upon release, we're on time and we're too
23 late. We have to address it before the
24 handcuffs even come on, but especially
25 when the handcuffs come on, and that's

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 what participants are able to do at
3 participatory defense hub meetings.
4 Recidivism starts there. It's a battle
5 against recidivism of people -- and I
6 will quote the same judge -- doing the
7 two-step back into the wall over and over
8 again. The way to stop that cycle starts
9 here.

10 As an attorney who has worked
11 as a volunteer and referred several of my
12 own cases to the participatory defense
13 hubs, I can tell you that communities
14 I've seen want a say in how their
15 communities can be safe. The system as
16 it stands now dismantles and disrupts,
17 not only families but also the
18 communities in which individuals and
19 their families live. By removing the
20 person from her family, her community, we
21 remove an opportunity for the community
22 to intervene with a member of their own
23 to heal and move forward.

24 The system just doesn't touch
25 that life, but every life that is

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 connected to that life, including the
3 victims and their families and the
4 community members.

5 We know that oftentimes a
6 person can be a victim in one second and
7 the accused the next or both
8 simultaneously, and it's communities that
9 have the tolerance for these gray areas,
10 because they live in these gray areas and
11 among these gray areas every day. The
12 law, the system as it stands now, has
13 little to none and, at best, some
14 tolerance for gray areas.

15 We are the people who are in
16 need of disruption and interruption to
17 wake us up and switch off our systemic
18 auto pilot.

19 Each and every case I've
20 referred to the hubs represents the kind
21 of community agency, community action,
22 community solution, community support.
23 People are no longer alone, desperate,
24 confused, frustrated and, quite frankly,
25 dangerous. They find peace of mind at

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 the participatory defense hubs.

3 The facilitators and community
4 volunteers are able to interpret the
5 lingo of the system and walk a
6 participant through every stage of the
7 case. Volunteers attend meetings with
8 defense counsel, help brainstorm
9 investigation, write letters of
10 discovery, attend court dates, often
11 filling empty courtrooms.

12 You can imagine my shock when I
13 did my first felony waiver trial and it
14 was just me and my client alone in a
15 courtroom.

16 That's how their participants
17 and the families find peace. And in the
18 course of this process, it takes
19 investment in order to find value in
20 one's self, and that's what the
21 participatory defense hubs do. They
22 invest in the individual in a way we just
23 can't. And part of that has to do with
24 volume and part of that has to do with
25 the roles that we play in that system,

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 but it doesn't mean that we can't reach
3 out and collaborate with the
4 participatory defense hubs when we see
5 the limitations of our positions, and I
6 am absolutely included in that.

7 Community members at the
8 Mothers in Charge hub helped one
9 participant who arrived with his case
10 manager one day arrested on felony drug
11 charges to search for drug treatment
12 options and enroll in a program. That
13 was sometime in the summer. He is still
14 in treatment now and attends the hub
15 meetings every week with his case
16 manager.

17 Participatory defense hubs have
18 been places where people come for safe
19 surrenders. The system cannot work
20 without community participation. And
21 when someone turns themselves in, it's
22 asking them to do something so
23 counter-instinctual, so counterintuitive,
24 to self-incarcerate, that they need to be
25 able to go to places in communities where

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 people will say, we'll pray, we'll sit
3 and talk, and when you're ready, we'll go
4 to the district, we'll to go to your
5 probation officer, and you'll turn
6 yourself in, and at the same time, we're
7 going to put our heads together and see
8 how we can get you out while you're
9 fighting your open cases.

10 I was there when one defender
11 client walked in, who discovered that he
12 had an arrest warrant for an aggravated
13 assault and he had just been released
14 from prison for three months. I can tell
15 you that I could not by myself persuade
16 him to turn himself in, but it was the
17 intervention of the community volunteers
18 at the meeting who supported me and
19 intervened and where this young man found
20 peace to go and turn himself, having been
21 outside for only four months.

22 One recent case that stands as
23 an example of what the community can do
24 when given the tools and space, when the
25 communities come to the courtroom and the

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 courtroom comes to the community, is a
3 case of 13-year-old Zahiem, who came to
4 the Mothers in Charge participatory
5 defense hub. He was dressed in a
6 football uniform, leaning back against
7 his chair, his mom seated right next to
8 him. And his mom is seated to my left,
9 Zakiyyah. I'll never forget what she
10 first said to the group. She said, they
11 took my father, but they're not taking
12 him. They can take me, but they're not
13 taking him.

14 Zakiyyah is a single mother of
15 four --

16 MS. SALAHUDDIN: Three.

17 MS. MISDARY: Three. Sorry. I
18 added one.

19 And this mom described how
20 Zahiem had been arrested for assault,
21 reckless endangerment, possessing an
22 instrument of a crime for a plastic toy
23 gun with a bright neon orange tip that
24 ejects tiny biodegradable cotton or
25 plastic orange balls, sold for \$3.50 in a

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 plastic bag at any corner store, hanging
3 right above the candy and chips. This
4 was Zahiem's first arrest.

5 To be honest, I was in total
6 disbelief. I thought that there was more
7 to the story. I came to find out
8 shockingly that there wasn't.

9 After Zakiyyah spoke about the
10 incident, about how in the police report
11 the officers characterized the toy as a
12 black handgun and that as a result Zahiem
13 was detained for 72 hours. She had no
14 access to Zahiem during all those three
15 days. As Zahiem was being processed in
16 the juvenile jail, he was strip-searched,
17 they drew blood, and shortly thereafter
18 he was ordered to clean toilets.

19 You can imagine the community
20 members' response, and I sincerely wish
21 that everyone in this room could have
22 been there to hear that response, that
23 outrage of asking, first, how did the
24 police officers arrest and
25 mischaracterize and, second, how did the

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 DA prosecute and, third, what are the
3 policies in place in which Zahiem and his
4 mother would be a part for the first time
5 in their lives. And it's these questions
6 that the community members ask in
7 participatory defense hub cases that
8 create the very necessary and
9 uncomfortable conversations that happened
10 through various stakeholders, and that
11 wouldn't be possible without community
12 intervention.

13 After that meeting, the
14 community members -- I should say during
15 that meeting, community members
16 brainstormed with Zakiyyah that something
17 should be done at the corner stores that
18 are selling these toy guns. And right
19 after Zakiyyah went to work, she
20 mobilized not only the participatory
21 defense hub, but mobilized her own
22 community along with the participatory
23 defense hub to go to the corner store,
24 buy out all the toy guns, and get an
25 agreement from the corner store owner not

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 to sell them anymore.

3 At each of the court dates,
4 around 15 participatory defense hub
5 members came, and it was this kind of
6 support that led to the resolution where
7 the charges were dropped against Zahiem,
8 and essentially it was charges that
9 essentially criminalized child's play or
10 what many in the community members during
11 the meeting were stating, playing while
12 black.

13 These are not the kinds of
14 conversations that we can have at trial,
15 that we can have in courtrooms, but these
16 are the conversations that we can have
17 with stakeholders, especially
18 prosecutors, with the communities present
19 outside of those courtrooms, and that's
20 what the participatory defense hub
21 members provide, is that pulse.

22 Before I sat down, I Googled
23 what was criminal justice in Ancient
24 Egypt. I'm Egyptian and Ethiopian. And
25 the first thing that came up was that

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 Ancient Egypt's laws were governed by
3 common sense. And I think that's what
4 the participatory hub defense members did
5 in Zahiem's case. They brought the
6 common sense, because sometimes when
7 we're so entrenched, we lose the sense of
8 that. We lose our own humanity. And I'm
9 guilty of that too, and that's where the
10 participatory hub defense comes in.

11 Participatory defense is
12 ultimately a public service, I believe is
13 as crucial as paved roads, affordable
14 housing, trash and recycling pick-up, if
15 not more. Along that same logic, the
16 volunteers are public servants who
17 exhibit the passion and commitment to
18 work with people facing charges,
19 transform lives, and reduce the risk that
20 someone will go back to prison once
21 they're out, and it's because of their
22 tireless support of case participants.

23 The community provides support
24 and solace, and they provide a long-term
25 support system and solution. You can't

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 legislate that, put that in a policy, in
3 a court order. You can't mandate it.

4 What we can do is support participatory
5 defense, help the movement grow and
6 flourish, let the process change us, all
7 of us, from the police officer to the
8 accused to the judge and, most of all,
9 change the communities themselves and
10 make them safer.

11 So what I'm asking you to do
12 with the communities is quite simple: to
13 participate.

14 Thank you.

15 (Applause.)

16 COUNCILMAN JONES: Thank you.

17 MS. SALAHUDDIN: Good
18 afternoon. My name is Zakiyyah
19 Salahuddin. My son is Zahiem Salahuddin,
20 and that's pretty much where Imma speak
21 on. Imma speak more on the juvenile side
22 of this versus the adult side, because
23 that's where my whole affiliation in
24 dealing with my son's situation was.

25 Back in August my son was

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 arrested on a Friday. I received a phone
3 call around 8:00. While he was on his
4 bike coming from his baseball game, he
5 was taken -- was held in custody while he
6 was searched for a tool -- well, a toy
7 gun, because someone contacted them and
8 said that he had shot another little boy
9 with the toy gun. So in a black truck
10 around 8:00 p.m., they went and picked my
11 son up while he was on his bike. They
12 called for a squad car. The squad car
13 took my son to the police station, 1st
14 District. I received a phone call saying
15 they had him in custody.

16 I immediately went to the
17 police station to find out what was going
18 on. I kept being told that he had a BB
19 gun, which I didn't understand because I
20 didn't know where he got a BB gun from,
21 and that he had shot somebody with it.

22 Now, never did I think it was
23 malice. Never did I think it was evil.
24 Never did I think that's what he did. In
25 my mind, it was, he play too much. He up

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 there playing around and done shot
3 somebody with a BB gun.

4 We stayed at the police station
5 until 1:00 a.m. Every question I asked
6 about my son was, he has to be processed.
7 I wasn't allowed to see him. I wasn't
8 allowed to talk to him. I wasn't allowed
9 to get his story or find out what
10 happened from him.

11 They eventually told me to go
12 home and that they would call me and let
13 me know when I could pick my son up.
14 Well, 4:00 a.m. they called me and told
15 me that they was taking my son to the
16 Youth Study Center.

17 So my son was taken to the
18 Youth Study Center at 4:00 a.m. I
19 received a phone call once he arrived
20 there. Again, I didn't talk to my son.
21 I haven't talked to my son now at all in
22 this whole situation.

23 Once I arrived at the Youth
24 Study Center that morning, Saturday
25 morning, to sit with a hearing officer,

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 they handed me his charge sheet, told me
3 they were keeping him because only a
4 judge could release him because he had a
5 gun. So, again, I'm thinking he had
6 something that was major. I'm asking my
7 son, what's going on, but -- we're
8 sitting together inside this room with
9 the hearing officer. My son said -- I
10 said, well, where did you get it from?

11 He said, from the store.

12 And I said, what store?

13 He said, the poppy store.

14 I said, this was a toy?

15 So he said, yeah. He said,
16 but, he said, I didn't do it. It wasn't
17 me. He said, mom, everybody have them,
18 and it wasn't me.

19 So I left there, sick, because
20 I was under no impression that they was
21 going to keep my son. So I left there,
22 and from there, I contacted a family
23 member, who contacted the hub, who
24 contacted the attorneys, who contacted --
25 so a chain reaction went off once I made

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 my first initial phone call that my son
3 was being held.

4 So that Monday morning, the
5 District Attorney's Office had an
6 attorney there. They had got my son
7 released. That was Monday. The
8 following day was the Tuesday where the
9 hub meeting was at Mothers in Charge.
10 They called me, said, we need you to come
11 down here, come here. And needless to
12 say, when I got there, I wasn't happy. I
13 wasn't enthused about the District
14 Attorney or anything, and that actually
15 was my comment. Imma buy him a lawyer.
16 Imma get him a lawyer. We going to fight
17 this. But his attorney that he ended up
18 with was in the room that day, and she
19 started asking all these questions, and
20 she said, you can do what you want, but
21 these are the questions you need to ask
22 that attorney, these are the
23 relationships you need to know when y'all
24 go in there: Do they try juvenile cases?
25 Do they know anything about the juvenile

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 system? It's not the same.

3 So I said, you know what, I'll
4 come down to your office and have a
5 conversation. That was about the best
6 thing we probably could have did, because
7 the hub pushed it. They kept saying, go,
8 go down there. And we got there and we
9 talked to the attorneys and we talked to
10 everybody.

11 Now, through the process, the
12 initial process in the beginning, I was a
13 little frustrated and mad, but as the
14 process came on, between the hub and the
15 Defender's Office, they ended up being
16 mad with me, and that's what I needed.
17 That allowed me to be my son's mother.
18 That allowed me to worry about him and to
19 help him, because a whole lot of things
20 went wrong in his case. A whole lot of
21 things went wrong in that courthouse.

22 We were being attacked. We
23 were being bullied. We were being -- my
24 son was prosecuted without even seeing
25 the inside of the courtroom. He was put

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 on the in-house detention. He was -- he
3 couldn't come outside at all unless he
4 was with me. I had to get permission
5 from a judge for him to go to football
6 and basketball practice. I had to -- he
7 had to get an advocate.

8 He was prosecuted long before
9 this case was even heard. And that was
10 just the conditions for him to come home.

11 So I had all kinds of things
12 happen during that process with my son.
13 Now, nothing ever happened in my house,
14 yet they sent someone in my home. They
15 sent somebody in there to take pictures
16 of my house, to make sure that my son was
17 living under a safe condition. But
18 nothing ever happened in my house where
19 that should have ever been a question.
20 And the hub showed up for that. When I
21 called and said they going to send
22 somebody to my house, which don't just
23 affect my son, it also affects my
24 12-year-old daughter, because if
25 something was wrong, it was going to

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 affect her too and she had nothing to do
3 with it.

4 But the hub came to my house.

5 South Philly hub members showed up.

6 Mothers in Charge showed up. So when she

7 came in my home, they were sitting there,

8 which caused me to be comfortable,

9 because I didn't know what happened. I

10 didn't know what the plan was.

11 My son ended up being

12 traumatized from this whole situation. I

13 watched my son. He don't trust the

14 police officer. He don't trust the

15 system, and he's 13. How do he get that

16 back? How do we give him that back?

17 There was people who violated

18 so many things and never allowed me to be

19 a mother, never allowed for a

20 conversation between two mothers that

21 could have very well been easily fixed.

22 And then later on down the line, we find

23 out that the young man never said my son

24 did anything to him and that the young

25 man -- and that the young man's mother

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 was a police officer, and that there was
3 never a 911 call, but the District
4 Attorney's office wanted to prosecute
5 this case.

6 So how do we give them the
7 faith back? If it wasn't for the hub and
8 the Defender's Office, we wouldn't have
9 never been able to fight as hard as we
10 fought. Pastor Clay, he showed up.
11 Ms. Dorothy, she showed up for every
12 meeting, for every conversation. Chief
13 Defender showed up at court for every
14 trial date, and when we speak of
15 reform -- and Imma try to stay on topic.
16 When we speak of reform, we have to speak
17 about these children first, because the
18 children is what grows up to be adults to
19 not respect the system, to not respect
20 the police officers, and not respect
21 authority. But when you're building it,
22 what do you want them to do? If you're
23 going to reform, you have to reform with
24 these children.

25 The police officers in these

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 communities have to reach out to these --
3 I have 63 boys on the football team. Not
4 one police officer ever stepped foot on
5 that football field, but they walk around
6 the neighborhood five deep.

7 If you want to help, help.

8 Stop leaving these babies defend for they
9 selves and expect everything to be okay.
10 We punishing them and they ain't did
11 nothing wrong. We failed them. They
12 didn't fail us. And the things that go
13 on in that building under the name of
14 privacy, because it's under privacy that
15 they can do pretty much what they want to
16 do, because there is no guidelines when
17 it come to these kids. There is no
18 guidelines inside of their court system.
19 So it's pretty much just let's wing it,
20 and we can do what we want to do with
21 them and then y'all -- that's destroying
22 their confidence in the system, and they
23 don't have no respect for it, but we
24 causing them not to have no respect for
25 it. We're making them not have respect

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 for it. If you want to fix it, we have
3 to fix the system that's dragging them.

4 These police officers cannot
5 continue to walk in these South Philly
6 neighborhoods and these North Philly
7 neighborhoods and not even say hi to a
8 seven-year-old. You can't do that. It
9 has to be a better system.

10 My son should have never been
11 in the Youth Study Center having to scrub
12 toilets in order to call his mother.
13 These are foolish, foolish, foolish acts
14 that are being done and ain't nobody
15 saying anything about it. And you have
16 to say something, do something. These
17 are 13-year-olds, 12-year-olds,
18 10-year-olds. Do something, because it's
19 not their fault.

20 MS. BRADFORD-GREY: Thank you,
21 Zakiyyah.

22 COUNCILMAN JONES: Thank you.

23 You're not testifying?

24 MS. BRADFORD-GREY: She did.
25 She went first.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 COUNCILMAN JONES: I'm sorry.

3 Work with me.

4 Do you have any questions?

5 MS. BRADFORD-GREY: I don't
6 have any questions.

7 I think what I hear you all
8 saying is that these things -- and,
9 Nicole, you have come through the system
10 before. You have come through without
11 the help of the hub and you came back.
12 So when we're talking about recidivism,
13 we're talking about knowledge,
14 information, and empowerment that helps
15 reduce recidivism, real stuff, not a
16 hammer. Because hammers don't alleviate
17 social issues. Hammers only make you
18 fearful and make you make knee-jerk
19 reactions and decisions. Not saying that
20 consequences aren't real, but the fact is
21 is that when you came through the second
22 time, you seemed like a different person
23 that's saying I'm not going back. And if
24 we're talking about public safety, we got
25 to look at everything that has happened,

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 everything that you guys have just
3 discussed, and the fact that you have
4 built yourselves to empower your
5 understanding of what it takes to really
6 break through the system and you're
7 giving it to other people.

8 I think that's the takeaway
9 from participatory defense hubs. The
10 mechanics of how it works will be
11 explained, I'm sure, by this next panel.
12 And I really would ask you to stay on the
13 mechanics, because we've heard a lot of
14 the heartfelt understanding of what this
15 does to people and empowers people, but I
16 want people to really understand what
17 this is. This isn't just a reentry
18 program. It is hardly a reentry program.

19 And, Claire, I think you get
20 it.

21 This is a way of understanding
22 and a way of practice that should be
23 going on in every system, because for
24 once, it allows the public to look under
25 the hood of the criminal justice system

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 and figure out what to do to make sure
3 that people aren't swallowed up, making
4 biased decisions, and 13-year-olds aren't
5 getting lost in the shuffle so when they
6 turn into men that are angry and have
7 less empathy towards other people. So
8 that's what we want to prevent, and
9 that's reform.

10 So thank you so much.

11 (Thank you.)

12 (Applause.)

13 MS. SHUBIK-RICHARDS:

14 Councilman, for just a second, because I
15 have small children that I have to go
16 take care of in a second. I just want to
17 say that I was commenting to Keir that
18 the system, the criminal justice system,
19 is so unbelievably complex. When I first
20 moved to Philadelphia from New York, I
21 sat down with the Rules of Criminal
22 Procedure and I mapped out the
23 Philadelphia criminal process, and I
24 started with one piece of legal paper and
25 I ended up having to tape together about

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 ten to map it out, and I have a law
3 degree. It is so unbelievably
4 complicated. And getting communities
5 together to support one another so that
6 individuals know how to navigate this
7 system and what they're up against, what
8 they're being processed through is so
9 key, and my comment to Keir earlier was
10 the fact that we on this panel, we're
11 sort of bopping around to other parts of
12 the system, just indicates how to us it's
13 opaque.

14 And so just, Keir, and to you
15 and the team and to everyone
16 participating, this is so needed and just
17 a million thank you's from the whole
18 city.

19 MS. BRADFORD-GREY: Thank you
20 so much.

21 (Applause.)

22 MR. ROJAS: I just want to
23 briefly thank the panel, but I actually
24 wanted to say that I've never seen a tree
25 grow from the top down. A tree usually

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 grows from the bottom up. And the
3 community participation that you're
4 injecting into the whole debate about
5 criminal justice reform is so important
6 to this panel and to the citizens of
7 Philadelphia and the visitors that come
8 to our great City of Philadelphia.

9 One of the things I would ask,
10 though, is that you touch the hearts and
11 minds of those people in the system,
12 because a system operates with people.
13 It's people who make up a system. So we
14 have to touch the minds and hearts.

15 I remember when I worked at the
16 Philadelphia Prison System, they used to
17 call social workers hiney wipers, and the
18 social workers used to call the
19 corrections officers babysitters.

20 How do we touch the minds and
21 the hearts of those individuals to really
22 have humanity? You can't legislate
23 humanity. But when we had a suicide
24 problem, we developed training for
25 suicide. When we had a use of force

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101
2 problem, we developed training for use of
3 force. How can we develop a training
4 where we sensitize people to community
5 and engage communities? And that's the
6 challenge that I think that we all have
7 together.

8 COUNCILMAN JONES: Ms.
9 Williams, next panel.

10 THE CLERK: Akeem Sims, Nupur
11 Shridhar, Bethany Stewart, and Kris Eden.

12 COUNCILMAN JONES: Thank you
13 for your patience.

14 (Witnesses approached witness
15 table.)

16 COUNCILMAN JONES: Please come
17 to the witness table. You can pull the
18 mic a little closer to you and begin your
19 testimony, please.

20 MS. SHRIDHAR: Hello. My name
21 is Nupur Shridhar. I'm a volunteer at
22 the Kingsessing hub and a resident of
23 West Philly, and I'm going to keep my
24 remarks really brief and focused because
25 you've heard from a lot of great people

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 today already.

3 I moved to Philly to complete a
4 pre-med post-bacc program at Penn and
5 have worked at local health clinics in
6 the area. I'm currently applying to
7 medical schools while I teach full time
8 as a precalculus instructor and special
9 ed case manager at a school in North
10 Philly. They were actually able to find
11 coverage for me today because they
12 believe so much in this work and that's
13 why I'm able to be here with you guys
14 this afternoon.

15 So through these
16 responsibilities, I've seen many systems
17 and --

18 MS. BRADFORD-GREY: Pull the
19 microphone a little closer. It's hard to
20 hear.

21 MS. SHRIDHAR: Through these
22 responsibilities, I've seen many systems
23 and organizations that care for people.
24 I make the time to volunteer with
25 participatory defense because I've come

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 to see that this model of engagement and
3 reform actually works. It's also a very
4 natural complement to the work that I do
5 in education and healthcare.

6 So this is specifically what
7 I'd like to share with you today, because
8 I've seen this in schools and clinics in
9 West Philly and throughout the City. In
10 addition to the benefits that the other
11 panelists have shared, I'd like to
12 emphasize that from a bottom-line dollars
13 and cents kind of perspective, which is
14 not my natural perspective, participatory
15 defense cuts costs, improves health, and
16 heals communities. It works. Because
17 the end goal is public safety, right?
18 And we know that community participation
19 and civic engagement and active
20 citizenship makes communities and
21 neighborhoods safer and healthier. The
22 bottom line is public safety, so let's
23 support communities in keeping themselves
24 safe.

25 For example, supporting someone

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 going through a criminal procedure is a
3 safe, proactive, and productive way for
4 the community to contribute to public
5 safety and reform. For both volunteers
6 and participants, it's a way to give and
7 receive help, whether it's finding and
8 maintaining a job while you're going
9 through this really challenging process,
10 addressing physical or mental health
11 issues or helping one another make better
12 choices when the time comes. In this
13 way, this kind of front-end support as a
14 contrast to the back entry reentry --
15 sorry; the back-end reentry kind of
16 support that you might be more familiar
17 with, this kind of front-end support that
18 participatory defense offers also
19 directly reduces recidivism. The
20 community gets to play an active,
21 sustainable role in keeping themselves
22 safe and ensuring best outcomes.

23 We're all here today because we
24 care about the problems in the current
25 criminal justice system. Participatory

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 defense is the solution to these
3 problems. It's part of the reason that
4 clinics in West Philly are so eager to
5 work with us. We led a workshop at
6 Serenity Safe Haven Outpatient Clinic
7 just a few weeks ago. It's just a couple
8 blocks from the Kingsessing Rec Center
9 where we meet, and the clinic staff
10 actually requested us that we lead this
11 workshop because they saw immediately how
12 much it could help their patients. We're
13 going to continue working with clinics in
14 the area and we'll be growing our
15 network.

16 These are just some of the
17 personal experiences that I've had that
18 have shown me that criminal justice is
19 larger than a case-by-case individual
20 issue. We're a community. Our network
21 includes the attorneys and social workers
22 that care about these issues and who know
23 how important it is to understand
24 criminal justice in the context of the
25 community. I'm grateful that this

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101
2 network now also includes each of you,
3 and thank you for taking the time to
4 learn more about participatory defense
5 today.

6 MS. BRADFORD-GREY: Thank you.

7 COUNCILMAN JONES: Thank you so
8 much.

9 MR. SIMS: Good afternoon.

10 (Good afternoon.)

11 MR. SIMS: I want to thank the
12 Special Committee for taking the time to
13 allow us to have this testimony. My name
14 is Akeem Sims. I'm a facilitator at the
15 Kingsessing Rec Center participatory
16 defense hub and I'm an organizer but,
17 more importantly, I'm a caring community
18 member.

19 Community for me is an
20 extension of family. I don't want to see
21 any of my family go to jail. I've had my
22 own experience with incarceration. And
23 so that's why I'm a part of this growing
24 movement of the participatory defense
25 hub.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 What it is, it's a preemptive
3 measure to redefine what representation
4 is in the judicial system. Participatory
5 defense is self-defense. I don't know
6 about anybody else, but for me as a male
7 growing up, part of the empowering
8 moments for me was self-defense,
9 taekwondo, boxing. Like even for a
10 woman, you know, her learning her first
11 experience with self-defense is
12 empowering.

13 So that's what the
14 participatory defense hub provides, is
15 information, empowerment, and support.
16 And the information we get is from a
17 collective. This is a large family here.
18 Some of the people that are part of the
19 hub aren't here. I don't want them to
20 not be uplifted in this moment also.

21 Now, another thing for me is
22 the empowerment part, like these
23 communities have -- like I said, we're at
24 the Kingsessing Rec Center. There's so
25 many things that are provided at that rec

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 center, and we're a part of that. We're
3 a part of that. They embrace us. Rain,
4 sleet or snow, we're there. We want to
5 communicate to the community that when
6 they need the support, we're going to be
7 there, whether that's court support. We
8 kind of do therapy, social work. Through
9 the assistance of some public defenders,
10 we have attorneys present also. But I
11 think that it gets misconstrued that
12 we're providing a service. It's a
13 program of support.

14 Some people will be lost in the
15 system, intimidated by the process. I
16 went to a trial hearing or maybe a
17 preliminary hearing for a mother -- I
18 mean, a son, and his mother was the only
19 one there with a bunch of police. That's
20 intimidating. Like so that support
21 like -- and she gave me a hug. Like I
22 really felt that warm embrace. So people
23 need that, that support, that court
24 support, and we're really adamant about
25 providing that.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 But at the hubs, what it is is
3 strategizing over what it is that you can
4 do to be engaged and active in your own
5 defense. That's what it is. Preemptive,
6 again, measures for you to be active in
7 your own defense. And whatever way that
8 we as a community can support you in
9 that, that's what we want to provide.

10 So we need additional resources
11 and the relationships. I think it was --
12 I'm not sure who, but we're trying to
13 leverage the relationships with like
14 PhillyCAM to do more media around the
15 participatory defense hub. I myself, I'm
16 trying to work with law librarians, so if
17 we needed research on certain cases, they
18 can provide that. The Probation and
19 Parole Office, we need reform with that
20 also.

21 So we want to make those
22 connections and network, but it's just a
23 start of a movement right now, but we
24 need people like yourselves to be a part
25 of it. So that participatory is also

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 including y'all. Y'all are part of the
3 community. Recognize that, right, and
4 really be engaged. I think somebody else
5 said, people don't care how much you know
6 until they know how much you care.
7 That's what it is, showing genuine
8 concern for the people within the
9 community.

10 Incarceration destroys
11 communities, families and communities,
12 and that's what the participatory defense
13 hub is uplifting, families and
14 communities. That's what it is.

15 So I just welcome you and any
16 of the resources and relationships that
17 you may have to now be a part of this, be
18 inclusive in this participatory defense
19 hub and community family. That's all I
20 have to say.

21 COUNCILMAN JONES: Thank you so
22 much for your testimony.

23 (Applause.)

24 MS. STEWART: Good afternoon.

25 My name is Bethany Stewart and I am a

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 co-leader of the South Philadelphia
3 participatory defense hub, along with my
4 friend Kris Eden here. We wrote a joint
5 testimony that I'm going to read, if
6 that's okay. I'm also a core organizer
7 with the Philadelphia Community Bail
8 Fund.

9 I'm going to be speaking to you
10 all on behalf of both of us, as I said,
11 and I'm really excited and grateful to be
12 speaking to you all about the
13 participatory defense model, because I
14 really believe that it exemplifies who we
15 are as a city.

16 When I think of Philadelphia,
17 my mind immediately reflects on our
18 city's mantra that we are the City of
19 Brotherly Love and Sisterly Affection,
20 and that attitude permeates a lot of the
21 things we've done as a city this year.
22 We are a city that won its first Super
23 Bowl and refused to commemorate that win
24 with a visit to the White House because
25 we wanted to stand with women, black and

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 brown communities, and our immigrant
3 communities, and we don't always believe
4 that our President does the same.

5 We are a city filled with
6 beauty and with an uncanny capability to
7 see that beauty in the ugly nitty-gritty
8 things. We literally love an ugly muppet
9 named Gritty.

10 So the phrase that we are the
11 City of Brotherly Love and Sisterly
12 Affection really resonates with me when I
13 think of the participatory defense model.
14 What better way to love a brother or a
15 sister than to walk alongside them as
16 they navigate the giant that is the
17 criminal justice system. And in that
18 giant system that does not have the time,
19 space or capacity to love people,
20 Philly's participatory defense hubs do.
21 It has the time to recognize that
22 individuals and the communities that they
23 make up have been stripped down to mere
24 stick figures when they deserve to be
25 Rembrandts. Yes, participatory defense

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 creates Rembrandts. It cultivates
3 Rembrandts. And those that partake in
4 this process return to their stick figure
5 communities and cultivate more
6 Rembrandts, Backfiots (ph) and more.

7 This model has and continues
8 this tradition in South Philadelphia, and
9 as we continue to walk alongside our
10 participants, we continue to discover
11 their very practical needs and discover
12 ways in which our brotherly love and
13 sisterly affection can work to support
14 those needs.

15 So what I'm going to give you
16 here are a few simple needs that would
17 help to better support our participants
18 home in South Philly and I believe across
19 the City.

20 We want and need the City to
21 know about us. We can advertise on
22 Facebook and hand out flyers, which we
23 did, and hot cocoa, but we also need
24 folks like yourselves to tell
25 Philadelphians about us. When a

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 constituent calls about a criminal
3 justice issue, will you invite them to
4 our hubs? Could we have a flyer placed
5 on the City's website as a resource?

6 We need transportation for our
7 hub participants to travel to and from
8 our meetings. Sometimes that's not so
9 simple.

10 We need to connect our hub
11 participants to housing and employment
12 resources so they can show their judges
13 and prosecutors that they are working
14 hard to remain at home.

15 I'd also like to add that this
16 model is much bigger than just getting
17 people out of jail. It's much bigger
18 than that. It's about reallocating funds
19 that can go back into our communities.
20 As per the national archives, it costs
21 about \$31,000 a year to house an inmate.
22 Nationally, the participatory defense
23 model has saved participants over 4,000
24 years in time served. That means that
25 the model -- I can do simple math. That

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 means that the model has saved local and
3 federal governments over \$12 million.

4 That's a really big deal and a great
5 example of what staying in the community
6 can do for all of us.

7 So as we continue to express
8 our brotherly love and sisterly affection
9 through the participatory defense model,
10 I invite you all to participate as well.

11 MS. BRADFORD-GREY: Thank you.

12 COUNCILMAN JONES: Thank you.

13 (Applause.)

14 MS. BRADFORD-GREY: You have a
15 packet there.

16 MR. EDEN: I do, yes. I'm
17 sorry. For the record, I'm Kris Eden.
18 We came prepared with some flyers to say
19 thanks to --

20 COUNCILMAN JONES: Can you pull
21 your mic a little closer.

22 MR. EDEN: Sure.

23 COUNCILMAN JONES: Restate your
24 name.

25 MR. EDEN: Yeah. My name is

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 Kris Eden.

3 We brought some flyers just so
4 you have some information on where the
5 hubs that we currently have in the City
6 are. I don't know how those actually get
7 passed out, but if you're interested,
8 you're welcome to them.

9 MS. BRADFORD-GREY: Can I ask
10 one of the hub members -- and I know you
11 talk about this from a heartfelt thing,
12 and I really want them to understand that
13 this is a structured model that is
14 designed to empower people to understand
15 this process. I don't think anyone has
16 walked us through that yet.

17 When you come in, people ask
18 what part of the process are you in. If
19 someone comes in and they've just gotten
20 arrested or their loved one, what part of
21 the process are you in? They tell you
22 where they are. You educate them on how
23 to look up and access public information
24 so that they know where they are and what
25 stage they are at in the process. Then

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 you go through and you educate them on
3 each hearing. And so you give them
4 homework to do as to how they can make
5 each of those hearings go better. If
6 they have a story to tell, that story
7 will be told. And I think the judge here
8 can appreciate that, being in a system
9 that is very large, that often seems like
10 system processing versus looking at
11 individuals for what they need and what
12 they don't need.

13 Now, some people, I know we
14 don't like jails, but there are some
15 people who have demonstrated that they
16 may need to go to jail, but there are a
17 lot of people that don't, and we can't
18 make those differentiations based on how
19 things are now. And a judge sitting up
20 on a bench wants to have the most
21 information to make the best decision so
22 that they're not making a person far
23 worse for when they come back. That's
24 the key. They're coming back, and there
25 are so many gaps in our system.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 People may think this should
3 already be happening. What do you mean
4 we're not connecting -- you're not
5 connecting people to social services?
6 What about the prison social workers?

7 Those things don't make
8 connections at every stage of this
9 process, and you are providing those
10 things that help keep people progressive,
11 help them come before a judge and say
12 this is who I am, Your Honor. I'm
13 willing to accept my responsibility, but
14 then I'm willing to not -- to help
15 someone else not come back, because I'm
16 not coming back.

17 So I just really ask if someone
18 could explain the process that you go
19 through when someone will come through
20 those doors, not how they feel but the
21 actual process.

22 MR. EDEN: Sure. I'll take a
23 stab at that. So I think it's a process
24 of refining that's -- so people are
25 coming in without a lot of systems

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 knowledge necessarily, and what we have
3 at a meeting is a little more time than
4 they have in a courtroom. So what we can
5 do is combine the sort of storytelling,
6 sort of processing they need to do with
7 some very basic structure and some
8 pointed questions, things like have you
9 talked to your attorney? That's a big
10 question. What's your trial date? Do
11 you know who your judge is? Do you know
12 anything about the hearing? And, of
13 course, with just a few of those
14 questions, we can start looking things up
15 and tell them things that they don't
16 know.

17 We can ask them to provide us
18 information that they're comfortable
19 sharing about the specifics of their
20 case, what were they arrested for, what
21 were they charged with. These are very
22 practical questions that start to lead us
23 down roads strategically, and then we can
24 get into more specific questions that
25 deal more with who they are, where

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 they're coming from after we get some
3 really basic information out of the way.

4 One of the things that guides
5 us through that process that we're
6 provided for by the public defenders is a
7 great poster that like takes those
8 hearings, lays them out so we can look
9 not only at like where the person is, but
10 look in between the margins to what are
11 things to do, good information to
12 provide, good ways to prepare at each
13 stage of that process. It's a very
14 helpful resource for us as volunteers
15 without a legal background, most of us.
16 And -- yeah. And actually in conjunction
17 with that, sort of a backup into that is
18 a training that we all go through that
19 the Defender's Association provides, a
20 Know Your Systems training. That's sort
21 of the lead-in to participatory defense,
22 but it's also open to the community for
23 anyone who is interested in understanding
24 how the process works. It's usually an
25 hour to two-hour training that takes that

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 poster that we have in each of our hubs
3 and goes through it step by step. What
4 it does for us is, it gives people who
5 are volunteering at hubs an education and
6 a way to talk about the process, but it's
7 also just some -- it does the same thing
8 for the community, whether or not they
9 become involved in the hub. Like so
10 that's information that goes a couple
11 different directions, but everyone has a
12 better understanding at the end of how it
13 works and what they can expect.

14 COUNCILMAN JONES: First of
15 all, let me first thank you. Let me tell
16 you why. Keir has been trying to drive
17 us to a -- the one thing in common all of
18 you have is your passion. Every one of
19 the people who testified today is serious
20 about helping their client. That is
21 good, but what is helpful to me is how to
22 be helpful to you.

23 So Keir -- not Keir. Claire
24 talked about that seven-page document.
25 It does exist. I have seen it. It is

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 intimidating. These guys are attorneys
3 and judges. I'm an elected official who
4 had to look through that and say, well,
5 wait a minute, if this happens, these
6 three possibilities happen for an
7 individual.

8 So when I see those lines in
9 front of CJC and I see them filing into
10 that series of possibilities, it is
11 mind-boggling to me. So now what you
12 have done just now is help me understand
13 your role, that you're the tour guide,
14 for lack of a better word --

15 MR. EDEN: That's a good word
16 for it.

17 COUNCILMAN JONES: -- and an
18 interpreter, for lack of a better word --

19 MR. EDEN: Absolutely.

20 COUNCILMAN JONES: -- of where
21 you are in those seven pages and what is
22 the -- not giving them legal advice, but
23 giving them practical options on how to
24 best present their case, if I understood
25 you guys correct.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 MR. EDEN: We are not legal
3 experts. We're not attorneys. That's
4 one of the things we try and make clear
5 each time.

6 COUNCILMAN JONES: I get it.

7 MR. BRADFORD-GREY: He's on a
8 roll.

9 COUNCILMAN JONES: I'm on a
10 roll. Because she was kicking -- my leg
11 is bruised because she's kicking me,
12 like, no, that's not it, that's not it,
13 you're not getting it. But I think that
14 was a clarifying moment of what your role
15 is.

16 So now what usually happens for
17 me in this role is, I go out and I kick
18 the tires. I'm a visual learner. Like
19 you show me once, I got it. Now the
20 reverse is true, because now I have to go
21 visit all of you in your natural
22 environment of what you're doing so I can
23 get a better understanding of how you do
24 what it is that you do, because that's
25 what my job is from this Committee's

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 standpoint, is to reinterpret that to the
3 17 desks you see right here, so that each
4 of us is not an expert on everything, so
5 some of us have to take a deeper dive
6 into a subject matter to be able to be
7 authentic in our understanding of an
8 issue and say here's why we need to put
9 money where our mouth is and here's how
10 you financially -- there's some desks
11 here, they want to save souls, but
12 they're more -- I'm not going to repeat
13 the term you called it, but they are
14 that. I wasn't going to say it. They
15 are truly in their heart hugging the
16 system. And then there's some of my
17 colleagues, what they care about is the
18 bottom line, how much money does it cost,
19 how much money can we save, because their
20 sworn duty is to defend the taxpayers'
21 expenditure.

22 So now I got to balance those
23 things to get nine votes for any given
24 thing. So the more I understand what it
25 is that you truly do, the better I can

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 then interpret it to my colleagues. So
3 what you did today is helped me to really
4 get -- and Keir kept kicking me, saying
5 this is not reentry. It's pre-entry.
6 It's not reentry. I'm like --

7 MS. SHRIDHAR: And something
8 that I would like to add to Kris'
9 remark --

10 JUDGE DeLEON: Can I ask a
11 question?

12 MS. SHRIDHAR: -- is -- sorry.
13 Just to add to Kris' remarks, the goal
14 for the end of each case that we workshop
15 for a participant is to have them leave
16 with a concrete to-do list, and we're
17 going to follow up with them on that
18 to-do list the next week. Everybody
19 whose case we workshop has a checklist of
20 things that they need to do, whether it's
21 collect a particular kind of evidence or
22 discovery or to e-mail their defender and
23 to establish what their next course of
24 action. And I think that's very
25 important to add to your understanding,

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 Councilman, because it is a very concrete
3 platform we have.

4 JUDGE DeLEON: I just want to
5 ask a question. Is your office cloaking
6 these hubs as to the information being a
7 part for --

8 MS. BRADFORD-GREY: So I would
9 say we're not cloaking them, but we are
10 partnering --

11 JUDGE DeLEON: Attorney-client
12 privilege kind of stuff, privileged
13 information that they might get.

14 MS. BRADFORD-GREY: No. See,
15 this is why I knew this is again not --
16 so the concept is not to give legal
17 advice. It's to give process advice,
18 which everyone can see. So there is no
19 attorney-client privilege when they are
20 talking about what can I do to move my
21 case or to tell my story or to talk to my
22 lawyer who is not listening or to get in
23 front of the judge and show I'm a changed
24 individual, what can I do, what are my
25 remedies, what are my resources. So the

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 only thing we do is bring what has been
3 in our knowledge to them. And it's not a
4 poster. It's a systems map. We map out
5 our system so that we can clearly explain
6 from arrest to appeal.

7 JUDGE DeLEON: I thought I
8 heard that one of the questions asked is
9 what were you charged with, what are your
10 charges.

11 MS. BRADFORD-GREY: That's
12 public information, yes.

13 JUDGE DeLEON: But a lot of
14 times when the person explains that, they
15 might go into detail as to how they ended
16 up being in that position.

17 MS. BRADFORD-GREY: So that's
18 what Steve, I think, addressed. He said
19 they stopped them from going into the
20 detail and they keep them -- they're
21 trained to say, stop, don't talk about
22 the facts and details. Let's just talk
23 about what questions you should be asking
24 your lawyer, what you should bring,
25 things of that nature, things that people

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 don't know. You know when we get a
3 person that is arrested in this process
4 and they have no one to turn to, they
5 just show up and they say, okay, help me
6 out.

7 JUDGE DeLEON: So this
8 basically helps to keep the cloak of
9 innocence around the person, the initial
10 person that's arrested. You're trying to
11 help keep that cloak of innocence, so
12 when you present them to a judge, they're
13 presented in the best posture, the best
14 picture that that person can be
15 presented. They're not just alone. This
16 is where they are in the community, this
17 is what they've been doing in their life.
18 So there's a possibility the person could
19 be found innocent based on the
20 information from the community.

21 MS. BRADFORD-GREY: There is
22 not only a possibility, this has actually
23 been happening. True innocence has been
24 explored through more opportunities to
25 partner with the community. Myself, I

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 can be a skilled lawyer, but I may not
3 get true innocence because I don't
4 understand the dynamics of that community
5 or what happened here.

6 But you said something that was
7 very interesting. You said we're helping
8 to keep the cloak of innocence. This is
9 why this is so important, because people
10 should have the cloak of innocence until
11 proven guilty. That is the premise of
12 our system. However, it is always -- our
13 system is operated on a backwards
14 determination. We give cash bail and
15 people sit in jail and then they're later
16 proven to be innocent.

17 Now, there are some that are
18 the other way around. We get it. But
19 the issue has become how do we separate
20 and weed out and make differentiations if
21 we don't know the person in front of us.
22 I don't want to say it's just because we
23 have a lot of cases, because actually the
24 Public Defender's Office cases has
25 reduced, but even if I don't know a

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 person, I could have one case, I'm not
3 going to know this person as well as
4 their family, as well as their community.

5 So I need that information to give to a
6 reasonable decision-maker like yourself.

7 And, Judge, you know how this system
8 works. You come in and it's a process
9 sometimes, and there's often very little

10 time to explore who people are, because

11 we just don't have the tools. They're

12 bringing in packets of information that

13 we can sift through and give to Your

14 Honor. They're bringing in videos. So

15 you don't have to read. You can see it.

16 They're bringing in new creative things

17 to help people make unbiased decisions

18 and give people what they actually

19 deserve, not what we want to give them

20 because we don't know anything else about

21 this person and we're going to err on the

22 side of caution.

23 That is what reform is, using

24 our system for the people that need to be

25 here and letting the community bring

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 solutions for the people that do not need
3 to be in a prison cell for a very long
4 time. Instead they can be in the
5 community, raising their children, being
6 responsible, and being connected as well
7 as empowering others.

8 So it is so much. It's very
9 hard to explain in this one setting, but
10 I will say this: It is going to help
11 change the trajectory of the decisions
12 from arrest to sentencing if we continue
13 to allow communities to grow, be
14 educated, and educate others on things
15 that only were left for us.

16 JUDGE DeLEON: Right. But,
17 see, I also noticed that it states, are
18 you on probation, which would mean to me
19 that there's a reentry aspect to this as
20 well. So that's why I say it's more like
21 the yin/yang, that you're getting people
22 at the beginning and you're also getting
23 the people at the end, that you want to
24 help at the beginning. If you can stop
25 everybody at the beginning, then of

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 course that's the best aspect, but if
3 somebody falls through the system of you
4 stopping them, then at least you have the
5 ability to pick them up at the end when
6 they go through -- I think that's what
7 you talked about when you say are you on
8 probation.

9 MS. BRADFORD-GREY: So that's
10 the more reactive portion. When we learn
11 who people are, we make better decisions
12 about what they need on probation.

13 I've been in the system where
14 we've been requiring people to get a GED
15 who can't read past third grade. So when
16 they don't get their GED because they
17 can't read past third grade, they're
18 looking at a probation violation.

19 We've been doing things without
20 the knowledge of what people need, but
21 putting it and dealing with it on the
22 back end. When people are on probation
23 and they mess up, you don't hear about
24 all the good things they've done. You
25 hear about what they messed up on. These

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 hubs are providing more of a picture for
3 us to go before you and say, Judge, I get
4 that he used drugs on this date and this
5 date, but he's been on probation for
6 three years. Look what he's done for two
7 years and seven months.

8 JUDGE DeLEON: So you're doing
9 all this to make sure that Curtis
10 understands.

11 MS. BRADFORD-GREY: I'm doing
12 all this to make sure that judges
13 understand a different resource.

14 JUDGE DeLEON: I understand.

15 MS. BRADFORD-GREY: Because
16 otherwise the decisions are based on what
17 you get on a paper. And who wants to
18 have a system like that?

19 JUDGE DeLEON: Yeah. I agree.

20 COUNCILMAN JONES: The yin and
21 yang of our process.

22 Well, here's what I understand:
23 I understand a person who in between
24 events -- and I saw probation as well --
25 had a 30-year record of responsible

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 behavior and then had an incident that
3 triggered all of that past history, and
4 without the narrative that you guys
5 create, that 30 years --

6 MR. EDEN: Disappears.

7 COUNCILMAN JONES: You violate
8 it. And it's like time never happened
9 for those 30 years he was a parent, for
10 those 30 years he went to work every day,
11 those 30 years he paid his taxes, and all
12 of that is not in that narrative. So all
13 you get is you did this on this date and
14 you messed up on that date, and there is
15 a big gap in between.

16 So that helps me to understand
17 that there is more to it than what is on
18 the arrest sheet, and I get it. So I
19 want to thank you --

20 MR. ROJAS: That's why I asked
21 my question earlier about your
22 relationship with probation and parole,
23 because probation and parole is usually
24 seen as punitive. It's supposed to be a
25 rehabilitative tool for you to

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 reintegrate into the community, and
3 that's why I had asked my question.
4 Because we got to start taking that
5 punitive away from the probation and
6 parole period, because they will lock you
7 up for any little thing, because it's
8 seen as a punitive measure, not as a
9 method that's going to really help you
10 rehabilitate.

11 COUNCILMAN JONES: Your Honor.

12 JUDGE DeLEON: I agree with
13 what the Chief Public Defender says. I
14 think that the hub participatory defense
15 is a really, really good system. You
16 know, it starts -- you got to get people
17 at the beginning. The more people you
18 can help at the beginning, the more
19 issues we're going to alleviate as we go
20 down the road. I think it's -- I'm glad
21 that you came here and I'm glad that
22 you're doing this type of activity here
23 in the community, and I hope that City
24 Council can help on some of these
25 shortcomings that you might need in order

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 to fully implement this situation,
3 because, I mean, we need it.

4 We have to stop people -- we
5 have to help people at the beginning.
6 The more people we help at the beginning,
7 the better we're going to be, because
8 their families will see that they've been
9 helped, and that might turn them away
10 from going in the direction that they
11 might have went in if these people
12 weren't getting help. So you need
13 something like that. It's something
14 that's totally necessary, and I'm just
15 glad that you're so fired up at it. I
16 really enjoy hearing about this.

17 MS. BRADFORD-GREY: Judge, I'm
18 really particularly glad that you're here
19 today, just because you understand how
20 decisions are made in this system. You
21 make them every day. And so you know how
22 information, if you don't have it, what
23 you're left with. And I know no one
24 comes into this work not wanting to do
25 the best they can, but you can only do

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 that if you're given the best
3 information.

4 JUDGE DeLEON: That's right.

5 COUNCILMAN JONES: So it's
6 always a good thing when the community is
7 involved with whatever is going on and
8 whatever scenario. And so I like your
9 quote, Mr. Rojas. Most trees grow from
10 the bottom up as opposed to the top down,
11 and that's my quote of the day. I'm
12 going to take that with me.

13 I want to thank you for what
14 you do and taking the time to explain it
15 to me. So I am going to go out and kick
16 the tires, if you would, and come out to
17 your respective sites so I can see what
18 it is you do up close and personal. I
19 will also invite my colleagues to come
20 out. And I noticed I don't have one in
21 my district, so I'm going to be lobbying
22 to get one in my district.

23 MR. SIMS: You can start one.

24 COUNCILMAN JONES: Who said
25 that? Oh, okay. Voice of God.

1 12/10/18 - SPECIAL COMMITTEE - RES. 160101

2 We can start one, and I hope to
3 do so. But, again, I want to give a
4 heartfelt thank you for taking the time
5 to educate us.

6 MR. EDEN: Thank you.

7 COUNCILMAN JONES: All right.

8 And with that, I want to thank my
9 Co-Chair for being here today, and also
10 this will conclude our public hearing and
11 we will stand at the call of the Chair.

12 Thank you all very much.

13 (Special Committee on Criminal
14 Justice Reform concluded at 5:35 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter, and that this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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Special Committee on Criminal Justice Reform
December 10, 2018

A	add 28:17 108:15 119:8,13,25 added 74:18 addition 17:24 97:10 additional 103:10 address 68:23 addressed 63:2 121:18 addressing 68:21 98:10 adjust 8:17 Adjustment 38:25 39:3 Administra... 1:15 administrat... 60:6,18 admire 64:7 adult 79:22 adults 87:18 advertise 107:21 advice 116:22 120:17,17 advocate 65:11 85:7 advocates 60:5 affect 85:23 86:2 affection 105:19 106:12 107:13 109:8 affiliation 79:23 affordable 78:13 aftercare 23:17 afternoon 2:3 5:9 14:6 19:6 59:10 79:18 96:14 100:9,10 104:24 agency 70:21 aggravated 73:12	ago 36:20 61:4,6 63:15,15 99:7 agree 127:19 129:12 agreement 76:25 ain't 33:23 88:10 89:14 Akeem 95:10 100:14 alleviate 44:19 90:16 129:19 allow 13:23 100:13 125:13 allowed 81:7 81:8,8 84:17,18 86:18,19 allows 31:10 91:24 alongside 106:15 107:9 amount 25:10 amplify 65:10 Ancient 77:23 78:2 and/or 133:23 Angeles 61:9 angles 37:5 angry 25:22 92:6 answer 51:25 64:7 answers 10:24 anti-violence 3:6 anybody 101:6 anymore 77:2 apologies 36:15 appeal 121:6 applaud 44:6 Applause 60:3 79:15 92:12 93:21	104:23 109:13 apply 133:21 applying 96:6 appointing 1:17 2:16 appreciate 111:8 appreciative 15:4,24 18:17 approached 8:14 14:4 52:13 95:14 archives 108:20 area 28:12 96:6 99:14 areas 18:13 34:18 70:9 70:10,11,14 arrest 19:18 73:12 75:4 75:24 121:6 125:12 128:18 arrested 19:15 72:10 74:20 80:2 110:20 113:20 122:3,10 arrived 72:9 81:19,23 asked 53:25 61:4 63:11 81:5 121:8 128:20 129:3 asking 59:13 63:25 65:3 65:5,16 72:22 75:23 79:11 82:6 83:19 121:23 aspect 125:19 126:2 assault 73:13 74:20 assessment 30:8 assigned	35:19 assist 10:21 21:10 22:12 23:2 assistance 102:9 Assistant 17:14 59:20 Association 1:10 59:21 114:19 attacked 84:22 attempting 24:16 attend 36:18 71:7,10 attended 50:16 attends 72:14 attention 7:15 44:9 attitude 105:20 attorney 1:14 4:9 9:17,18 9:23 10:15 11:20,21 13:6,7,8,8 14:24 17:13 17:14 44:11 44:14,16 68:17 69:10 83:6,14,17 83:22 113:9 Attorney's 44:12 83:5 87:4 attorney-cli... 120:11,19 attorneys 60:7,19 82:24 84:9 99:21 102:10 116:2 117:3 attrition 68:12 audacity 20:22,25 August 79:25 aunt 33:12 Austin 8:11	8:20,21 22:4,8 30:9 34:20,24 47:22 authentic 68:11 118:7 authority 87:21 auto 70:18 available 41:8 43:17 aware 39:2 <hr/> B <hr/> babies 88:8 babysitters 94:19 back 7:2 21:13 25:14 25:18 26:19 27:24 42:12 54:5 56:20 58:12 61:15 67:14 69:7 74:6 78:20 79:25 86:16 86:16 87:7 90:11,23 98:14 108:19 111:23,24 112:15,16 126:22 back-end 98:15 Backflots 107:6 background 51:3 61:3 114:15 backup 114:17 backwards 123:13 bad 12:18 bag 75:2 bail 3:5 19:18 21:9 25:3 25:10 46:3 46:17 105:7 123:14 bails 15:3 balance 10:18 10:19	118:22 balls 74:25 Baptist 14:11 barber 65:22 66:5 bare 56:8 baseball 80:4 based 5:21,21 5:24 7:4 43:18 111:18 122:19 127:16 basic 113:7 114:3 basically 10:16 31:2 39:5 44:11 45:12 55:9 122:8 basketball 85:6 battle 69:4 battles 5:17 BB 80:18,20 81:3 beauty 106:6 106:7 becoming 25:11 beefs 16:23 beg 55:9 beginning 12:12 16:15 24:25 25:13 26:2 41:3 49:4 84:12 125:22,24 125:25 129:17,18 130:5,6 behalf 50:19 105:10 behavior 128:2 behaviors 67:18,20 believe 41:3 46:22 49:22 51:25 52:6 68:13 78:12 96:12 105:14	106:3 107:18 believed 61:7 bell 4:17 bench 46:13 111:20 benefit 3:17 3:18 21:20 21:21 benefits 26:18,18 97:10 best 2:23 7:22 7:23 15:17 16:13 19:9 31:4,15 46:12 63:6 70:13 84:5 98:22 111:21 116:24 122:13,13 126:2 130:25 131:2 Bethany 95:11 104:25 Bethel 4:18 better 3:20 13:7 15:16 17:11 21:5 21:6 22:20 22:21,22 23:4 25:6 30:5 31:6,6 31:20 32:9 32:17,21 33:19 47:9 53:25 66:9 89:9 98:11 106:14 107:17 111:5 115:12 116:14,18 117:23 118:25 126:11 130:7 bias 7:5 biased 92:4 big 9:10
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Special Committee on Criminal Justice Reform
December 10, 2018

Page 2

109:4 113:9 128:15 bigger 108:16 108:17 bike 80:4,11 bio 50:3,4,9 51:13 biodegrada... 74:24 biological 41:10 birth 64:17 64:18 bit 36:23 49:13 61:3 bitter 22:23 black 53:15 55:3 75:12 77:12 80:9 105:25 Blair 14:14 28:20 40:3 blindfold 16:20 blindfolded 16:19,21 18:25 block 32:5 34:23 blocks 99:8 blood 64:18 75:17 Board 40:8 40:10,17 boat 54:16 bolt 46:23 bopping 93:11 bottom 94:2 97:22 118:18 131:10 bottom-line 97:12 Bowl 105:23 boxing 101:9 boy 80:8 Boyle 15:6 boys 88:3 Bradford 42:6 Bradford-... 1:10 4:15	5:7 14:9 24:14 29:14 34:2,8,12 42:18 45:15 51:22 59:7 89:20,24 90:5 93:19 96:18 100:6 109:11,14 110:9 117:7 120:8,14 121:11,17 122:21 126:9 127:11,15 130:17 brainstorm 71:8 brainstormed 76:16 bread 13:18 break 59:8 91:6 breaking 62:2 brief 95:24 briefly 36:15 93:23 bright 74:23 bring 8:17 44:8 51:24 121:2,24 124:25 bringing 35:18 124:12,14 124:16 broke 61:25 63:16 brother 106:14 brotherly 105:19 106:11 107:12 109:8 brought 44:21 78:5 110:3 brown 106:2 bruised 117:11 build 25:25	building 87:21 88:13 built 91:4 bullied 84:23 bunch 102:19 burden 10:25 13:16 20:14 business 67:25 buy 76:24 83:15 <hr/> <p style="text-align: center;">C</p> <hr/> California 40:14 call 5:13 25:6 26:4 47:23 52:8 80:3 80:14 81:12 81:19 83:2 87:3 89:12 94:17,18 132:11 called 2:4 31:9 38:25 80:12 81:14 83:10 85:21 118:13 calls 108:2 candy 75:3 capability 106:6 capacity 106:19 car 80:12,12 care 42:15,16 50:12,13 63:7 92:16 96:23 98:24 99:22 104:5 104:6 118:17 career 5:15 careful 48:7 caring 100:17 case 38:19 42:11 48:9 48:14 70:19 71:7 72:9 72:15 73:22 74:3 78:5 78:22 84:20 85:9 87:5 96:9 113:20	116:24 119:14,19 120:21 124:2 case-by-case 99:19 caseload 9:21 39:12 cases 9:22 14:19 17:10 18:2 63:21 67:4,5 69:12 73:9 76:7 83:24 103:17 123:23,24 cash 46:17 123:14 cause 26:7 caused 86:8 causes 62:20 63:2 causing 88:24 caution 124:22 cautionary 48:20 cell 125:3 center 15:20 15:23 17:25 27:4 32:4 38:5 81:16 81:18,24 89:11 99:8 100:15 101:24 102:2 centers 65:25 Central 61:9 cents 97:13 centuries 65:13 certain 53:7 103:17 CERTIFIC... 133:2 certification 28:13 133:20 certified 28:11 CERTIFY 133:3	133:24 29:10 39:8 chain 82:25 chair 24:12 74:7 132:11 challenge 63:8 95:6 challenged 18:10 challenges 27:7 38:9 challenging 98:9 chance 11:9 11:19,21 58:3 change 6:11 23:18 24:4 31:5,9 53:8 58:21 62:8 62:10 67:12 67:16,22 68:4 79:6,9 125:11 changed 53:3 120:23 changes 37:7 67:13 changing 30:15 67:2 67:18,20 68:5 characterized 75:11 charge 8:21 14:13,17 18:20 19:9 39:11 41:16 52:25 57:2 72:8 74:4 82:2 83:9 86:6 charged 113:21 121:9 charges 10:17 12:20 72:11 77:7,8 78:18 121:10 charter 61:10	checklist 119:19 Chief 14:16 15:5 27:5 29:8 36:17 37:12 87:12 129:13 child 19:21 child's 77:9 children 18:10 87:17 87:18,24 92:15 125:5 chips 75:3 choice 34:11 34:13 53:21 56:19 choices 21:4 22:21 31:7 32:20 33:9 53:6,25 98:12 choose 56:10 chord 31:3 Church 14:11 churches 23:22 65:23 Circle 36:19 circumstance 22:18 circumstan... 3:22 citizens 94:6 citizenship 97:20 city 1:2,6 17:17 23:19 23:20 45:23 47:7 61:9 61:19 93:18 94:8 97:9 105:15,18 105:21,22 106:5,11 107:19,20 110:5 129:23 city's 15:25 105:18 108:5 civic 97:19 CJC 29:19 116:9	Claire 1:13 39:22 91:19 115:23 clarifying 117:14 class 32:4 35:23,24 36:3,4 61:17 62:19 classes 32:6 36:6 Clay 8:11 14:6,10 19:10 24:11 27:2 35:2 37:20 38:6 39:14 54:12 87:10 Clay's 23:21 clean 75:18 clear 117:4 clearly 121:5 Clerk 2:13,15 5:4 8:10 52:10 95:10 client 71:14 73:11 115:20 client-driven 60:20 clients 64:19 clinic 99:6,9 clinics 96:5 97:8 99:4 99:13 cloak 122:8 122:11 123:8,10 cloaking 120:5,9 close 8:18 131:18 closer 52:17 95:18 96:19 109:21 closing 3:2 Co-Chair 5:5 8:7 44:24 51:21 132:9 Co-Chairs 3:8 co-leader 105:2	coach 40:11 cocoa 107:23 cognitive 32:7 collaborate 72:3 collaborative 64:4 colleagues 118:17 119:2 131:19 collect 119:21 collective 101:17 college 50:16 combine 113:5 come 7:2 8:4 8:13 9:8 10:2,6,9 11:11,14 12:10,24 18:24 19:13 20:23 21:9 22:9,17 23:23 24:5 24:24 25:17 25:19,22 30:21 32:4 33:12 34:25 34:25 42:12 45:6 46:8 46:10,21 47:11 48:6 57:3 68:24 68:25 72:18 73:25 83:10 83:11 84:4 85:3,10 88:17 90:9 90:10 94:7 95:16 96:25 110:17 111:23 112:11,15 112:19 124:8 131:16,19 comes 20:10 26:16 33:21 34:13 74:2 78:10 98:12
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Special Committee on Criminal Justice Reform
December 10, 2018

110:19	57:1 58:1	25:15,18	98:4,20	conducted	contribute	34:6,10,22	courtroom
130:24	59:1,10	26:8 44:3	99:20,25	15:10	98:4	35:3 37:15	20:16,21
comfortable	60:1 61:1	63:5,6,19	100:17,19	conference	contributor	44:4 47:17	21:16 56:9
49:9,22	62:1 63:1	65:10,19	102:5 103:8	15:14	55:6	49:20 50:6	57:11,17
86:8 113:18	64:1 65:1	66:7,15,21	104:3,9,19	confidence	control	51:20 52:2	59:5 66:5
coming 3:23	66:1 67:1	66:23 67:2	105:7 109:5	88:22	133:23	52:15 59:16	71:15 73:25
12:8,10,11	68:1 69:1	67:7,20	114:22	conflicts	conversation	65:7 79:16	74:2 84:25
17:6 21:8	70:1 71:1	69:13,15,18	115:8	16:24	37:3 47:16	89:22 90:2	113:4
25:14 26:21	72:1 73:1	70:8 72:25	122:16,20	confused	49:7,8	92:14 95:8	courtrooms
32:20 36:5	74:1 75:1	73:25 77:18	122:25	70:24	62:20,22	95:12,16	6:9 17:3
37:4 44:2	76:1 77:1	79:9,12	123:4 124:4	conjunction	84:5 86:20	100:7	60:11 65:16
80:4 111:24	78:1 79:1	88:2 93:4	124:25	114:16	87:12	104:21	71:11 77:15
112:16,25	80:1 81:1	95:5 97:16	125:5 129:2	connect	conversations	109:12,20	77:19
114:2	82:1 83:1	97:20,23	129:23	108:10	76:9 77:14	109:23	coverage
commemor...	84:1 85:1	101:23	131:6	connected	77:16	115:14	96:11
105:23	86:1 87:1	104:11,11	community's	28:25 70:2	convinced	116:17,20	create 76:8
comment	88:1 89:1	104:14	5:13 7:11	125:6	16:24	117:6,9	128:5
83:15 93:9	90:1 91:1	106:2,3,22	community...	connecting	coordinate	120:2	created 60:14
commenting	92:1 93:1	107:5	45:3	112:4,5	38:7 39:19	127:20	creates 107:2
92:17	94:1 95:1	108:19	community...	connection	coordinating	128:7	creating
comments 2:9	96:1 97:1	125:13	60:20	26:13	38:16,19	129:11	60:21
commitment	98:1 99:1	community	complainant	connections	cops 32:19	131:5,24	creative
78:17	100:1,12	1:11 3:12	17:15	26:22	core 37:10	132:7	124:16
Committee	101:1 102:1	3:16,21	complement	103:22	105:6	counsel 71:8	credibility
1:3,18 2:1,5	103:1 104:1	5:13 6:17	97:4	112:8	corner 3:7	counseling	16:15,25
2:8,10,17	105:1 106:1	6:24 7:2	complete 96:3	consequences	75:2 76:17	41:3	17:8
3:1,8 4:1,8	107:1 108:1	8:25 9:14	complex	62:21,25	76:23,25	counter-ins...	credible 45:4
4:10,23 5:1	109:1 110:1	10:3,12	92:19	90:20	correct 29:21	72:23	crime 20:24
5:11 6:1 7:1	111:1 112:1	11:12 12:4	complicated	consider	116:25	counterintu...	35:25 51:2
8:1 9:1 10:1	113:1 114:1	12:14,14	93:4	64:11	133:8	72:23	74:22
11:1 12:1	115:1 116:1	13:12 15:16	comprehen...	considering	Correctional	counterpart	criminal 1:3
13:1 14:1,8	117:1 118:1	17:2,18	31:10	64:23	32:3	44:12	1:15,18,19
15:1 16:1	119:1 120:1	18:19 22:2	concept 34:18	constituent	corrections	County 44:11	2:6,17,20
17:1 18:1	121:1 122:1	22:5,9,13	42:20	108:2	94:19	68:16	3:3 5:14 6:4
19:1 20:1	123:1 124:1	23:3,6,24	120:16	contact 26:12	cost 118:18	couple 99:7	6:5 7:10,11
21:1 22:1	125:1 126:1	25:21 39:17	concern	contacted	costs 28:5	115:10	9:8 14:8
23:1 24:1	127:1 128:1	41:6 47:4	104:8	80:7 82:22	97:15	course 7:14	15:18,20,23
25:1 26:1	129:1 130:1	54:5 55:7	concerning	82:23,24,24	108:20	71:18	16:16 17:25
27:1 28:1	131:1 132:1	56:14 58:7	18:9	contained	cotton 74:24	113:13	27:4 62:17
29:1 30:1	132:13	60:15,22,24	conclude	133:5	Council 1:2	119:23	62:19 64:16
31:1 32:1	Committee's	64:22 65:6	17:24	context 34:3	44:25	126:2	66:10 77:23
33:1 34:1	117:25	65:24,24	132:10	34:15 99:24	129:24	court 1:14,15	91:25 92:18
35:1 36:1	common 78:3	69:20,21	concluded	continue 12:6	Councilman	5:16 20:10	92:21,23
37:1 38:1	78:6 115:17	70:4,21,21	132:14	89:5 99:13	1:9 2:2,12	20:23 27:12	94:5 98:2
39:1 40:1	communicate	70:22,22	concrete	107:9,10	2:25 4:14	33:22 35:18	98:25 99:18
41:1 42:1	66:15,18	71:3 72:7	119:16	109:7	5:3,8 8:6,12	36:5 46:2	99:24
43:1 44:1	102:5	72:20 73:17	120:2	125:12	8:16 13:22	46:19,21	106:17
45:1 46:1	communica...	73:23 74:2	condition	continues	14:7 19:3	53:10 71:10	108:2
47:1 48:1	38:14,20	75:19 76:6	85:17	107:7	21:19 22:6	77:3 79:3	132:13
49:1 50:1	communities	76:11,14,15	conditions	contrary	24:12,15	87:13 88:18	criminalized
51:1 52:1	9:2 10:20	76:22 77:10	85:10	46:11	26:23 29:11	102:7,23	77:9
53:1 54:1	11:2,4 23:3	78:23 94:3	conduct 1:18	contrast	29:16,25	courthouse	criminals
55:1 56:1	23:7,9,11	95:4 97:18	2:18 15:8	98:14	31:17 33:16	84:21	61:21,22,23

Special Committee on Criminal Justice Reform
December 10, 2018

Page 4

critical 39:15	79:24	defenders	121:7,13	15:21 16:3	17:14 44:12	E	embraced
crucial 78:13	126:21	15:6,22	122:7	18:2,5	44:14,16	e-mail 44:9	41:19
cultivate	dealt 33:21	16:4 59:14	125:16	23:25 24:3	68:16 73:4	68:16	Emmanuel
107:5	debate 94:4	59:23 60:13	127:8,14,19	30:24 34:14	80:14 83:5	119:22	14:10
cultivates	debt 4:2	102:9 114:6	129:12	37:5 90:22	83:13 87:3	eager 99:4	empathy 92:7
107:2	decades	defense 3:20	131:4	115:11	131:21,22	earlier 53:13	emphasize
culture 6:8	65:12 67:15	8:23 9:4	DeLeon's	127:13	distrust 17:5	93:9 128:21	97:12
cure 10:23	December 1:7	18:21 19:8	33:22	differentiate	18:14	early 5:15	employer
current 1:19	decide 46:23	21:25 29:24	demonstrate	42:24	dive 29:20	68:19	39:18
2:21 52:23	decision	34:4,16	16:17	differentiati...	118:5	easier 13:17	employment
98:24	28:22 31:14	42:21,24	demonstrat...	24:23	doctor 27:19	easily 86:21	20:13 29:10
currently	111:21	43:3,12	111:15	differentiati...	27:19	eat 13:18	108:11
96:6 110:5	decision-ma...	46:5,19	Department	111:18	document	ed 96:9	empower
Curtis 1:9	124:6	55:23 59:12	37:19	123:20	115:24	Eden 95:11	47:5,6
127:9	decision-ma...	60:8,20	Deputy 1:15	differently	doing 8:3	105:4	56:17 91:4
custody 80:5	47:10	63:3,10,13	described	24:9	17:23 30:23	109:16,17	110:14
80:15	decision-ma...	63:18 64:10	74:19	difficult 37:2	39:23 44:6	109:22,25	empowering
custom 45:6	31:12	65:8 66:2,8	deserve	direct 133:23	45:14 53:13	110:2	101:7,12
cut 26:19	decisions 5:20	66:13,25	106:24	direction	53:20 54:4	112:22	125:7
cuts 97:15	6:13 7:3	68:6 69:3	124:19	130:10	55:11 58:13	116:15,19	empowerm...
cycle 69:8	22:20 24:25	69:12 71:2	designed 3:15	directions	69:6 117:22	117:2 128:6	24:20 90:14
	28:24 29:5	71:8,21	110:14	115:11	122:17	132:6	101:15,22
D	31:6 43:18	72:4,17	desires 55:8	directly 98:19	126:19	educate	empowers
DA 51:16	46:6,11,24	74:5 76:7	desks 118:3	Director's	127:8,11	110:22	91:15
76:2	47:9 90:19	76:21,23	118:10	1:12	129:22	111:2	empty 65:16
daily 59:6	92:4 124:17	77:4,20	desperate	Disappears	dollars 97:12	125:14	71:11
dangerous	125:11	78:4,10,11	25:11,23	128:6	door 47:18	132:5	encourage
70:25	126:11	79:5 91:9	26:9 42:5,8	disbelief 75:6	49:5 50:22	educated	56:16
date 45:8	127:16	96:25 97:15	70:23	disciplinary	doors 62:12	17:11 46:5	endangerm...
87:14	130:20	98:18 99:2	destroying	39:7	112:20	125:14	74:21
113:10	deep 30:3	100:4,16,24	88:21	discover	Dorothy	education	ended 83:17
127:4,5	68:10 88:6	101:5,14	destroys	107:10,11	14:13 87:11	7:23 51:11	84:15 86:11
128:13,14	deeper 21:23	103:5,7,15	104:10	discovered	Dorrell 52:11	97:5 115:5	92:25
dates 71:10	29:20 118:5	104:12,18	destruction	73:11	52:20,22	efforts 14:24	121:15
77:3	defend 88:8	105:3,13	26:8	discovery	dozen 3:3	15:25 16:8	enforcement
daughter	118:20	106:13,20	detail 121:15	71:10	drafting	Egypt 77:24	10:16
12:17,22	defendant	106:25	121:20	119:22	63:12	Egypt's 78:2	engage 60:7
85:24	3:18 17:16	108:22	details 121:22	discussed	dragging	Egyptian	64:3,5,12
day 6:9 17:23	defender 5:16	109:9	detained 25:4	91:3	89:3	77:24	95:5
26:20 28:2	14:16 15:5	114:21	25:8 75:13	discussion	dreams 55:8	eight 46:9	engaged
29:13 33:10	17:15 29:2	129:14	detainer 25:9	48:8	dressed 74:5	61:4,5	103:4 104:4
57:24 61:12	36:17 37:12	defense-mi...	detention	dishonest	drew 75:17	eight-year-...	engagement
61:13 70:11	59:20 61:6	22:11	85:2	32:20	drill 68:10	62:18	97:2,19
72:10 83:8	62:7 73:10	definitely	determinati...	dismantles	drive 115:16	either 68:4	engages 37:9
83:18	87:13	41:7 42:10	123:14	69:16	dropped 77:7	ejects 74:24	engaging
128:10	119:22	degree 49:4	develop 38:23	disruption	drug 72:10	elected 7:13	60:19 64:23
130:21	129:13	93:3	95:3	70:16	72:11	116:3	67:21
131:11	Defender's	DeLEON	developed	disrupts	drugs 33:14	elocution	enjoy 130:16
days 18:5	1:10 14:25	1:14 4:24	94:24 95:2	69:16	41:9 127:4	16:11 56:8	enroll 72:12
26:17 75:15	27:5,9 29:8	5:2 44:5	died 41:21,22	district 1:14	Duke 7:24	57:14 63:13	ensuring
deal 52:5	59:21 84:15	68:15	difference	4:9 9:23	duty 118:20	68:8	98:22
109:4	87:8 114:19	119:10	15:13	10:15 11:21	dynamics	embrace	enthused
113:25	123:24	120:4,11	different	14:24 17:13	123:4	102:3,22	83:13
dealing 9:7							

Special Committee on Criminal Justice Reform
December 10, 2018

entire 22:5,9	exist 115:25	fail 88:12	88:5	fixed 86:21	47:9 56:8	giant 106:16	114:18
entrenched 78:7	expect 88:9 115:13	failed 88:11	fight 5:17 66:21 83:16	flourish 79:6	56:12 57:16	106:18	117:17,20
entry 98:14	expenditure 118:21	fair 66:19,20	87:9	fly 36:24	62:12 65:13	give 5:5 7:19	121:15
environment 117:22	experience 30:12 36:21	fairer 66:21 66:22	fighting 66:20,22	flyer 108:4	65:21 66:5	11:9 13:24	126:6 127:3
equity 16:22	41:2 47:19	faith 87:7	73:9	flyers 107:22 109:18	67:8 116:9	27:2 44:22	129:19
err 124:21	100:22	falls 126:3	figure 25:5 26:11 49:11	110:3	120:23	48:12,19	131:15
especially 68:24 77:17	101:11	familiar	53:17 92:2	focused 95:24	123:21	49:17 51:14	goal 22:12
ESQUIRE 1:10	experiences 7:20 99:17	families 10:5 12:10,11	107:4	folks 37:13 107:24	front-end 98:13,17	54:13,24	30:25 97:17
essentially 77:8,9	expert 118:4	14:21 18:11	figures 106:24	follow 119:17	frustrated 25:23 70:24	56:20 58:10	119:13
establish 47:25	experts 117:3	19:11 67:19	figuring 43:4	following 28:2 83:8	full 57:11,16	58:24 86:16	God 44:2
119:23	explain 53:4 112:18	69:17,19	figuring 116:9	foolish 89:13 89:13,13	58:12 96:7	87:6 98:6	131:25
et 29:10 39:7	121:5 125:9	70:3 71:17	fill 50:6	foot 88:4	fully 130:2	107:15	goes 115:3,10
Ethiopian 77:24	131:14	104:11,13	filled 106:5	football 74:6 85:5 88:3,5	123:14	111:3	going 2:13,13
event 21:2	explained 27:11 91:11	130:8	filling 43:13 43:22 71:11	force 94:25 95:3	fund 45:3 105:8	124:5,13,18	3:14,22
51:19	explains 121:14	family 29:23 33:14 39:17	financially 118:10	forefront 7:9	18:14	124:19	4:16 5:12
events 127:24	explores 7:8 12:23	40:18 41:3	find 9:9 16:15 22:13 49:25	foregoing 133:7,20	fundamental 108:18	132:3	5:16 6:23
eventually 81:11	124:10	41:4,9,10	68:10 70:25	foremost 9:16	further 49:21	118:23	7:16,17,19
everybody 82:17 84:10	explored 122:24	41:13,22	71:17,19	forget 74:9	<hr/> G <hr/>	131:2	18:3 21:12
119:18	exploring 5:11	64:8,14,15	75:7 80:17	formally 20:17	game 80:4	given 35:7,12 36:9 73:24	22:19 24:3
125:25	express 109:7	64:15,22,23	81:9 86:22	forum 48:10 48:11	gaps 43:11,16 43:22	118:23	24:7 25:19
everyone's 44:8	extension 67:6 100:20	69:20 82:22	finding 16:25 21:18 60:21	forward 13:6 31:2 69:23	111:25	131:2	25:22 27:21
evidence 119:21	exterior 35:9	69:20 82:22	98:7	foregoing 133:7,20	gather 3:13 13:11	gives 11:19 11:20 40:2	29:12 30:10
133:4	extinguish 62:4	69:20 82:22	finest 6:4	forget 74:9	game 80:4	115:4	30:19,20,21
evil 80:23	extraordina... 15:3	69:20 82:22	fired 62:3 130:15	formally 20:17	gap 128:15	giving 20:4 91:7 116:22	30:23 31:13
exact 54:18 66:17	extreme 51:5	69:20 82:22	first 5:10 8:9 9:6,16 15:7	formally 20:17	gaps 43:11,16 43:22	116:23	33:16 34:21
exactly 34:20	<hr/> F <hr/>	69:20 82:22	33:11 37:21	forum 48:10 48:11	111:25	glad 4:10 129:20,21	36:5 40:3
examining 1:19 2:19	face 65:14	69:20 82:22	47:25 49:6	formally 20:17	gate 45:7	gating 20:4 91:7 116:22	40:22 47:15
example 27:3 73:23 97:25	Facebook 107:22	69:20 82:22	53:2 62:14	formally 20:17	gatekeepers 10:16	116:23	51:3,24
exchange 63:22	facilitator 19:8 100:14	69:20 82:22	68:2 71:13	formally 20:17	gather 3:13 13:11	gating 20:4 91:7 116:22	53:10 54:8
excited 4:6 105:11	facilitators 71:3	69:20 82:22	74:10 75:4	formally 20:17	GED 35:23 35:24 36:3	129:20,21	54:11,15,25
excruciating 63:11	facing 78:18	69:20 82:22	75:23 76:4	formally 20:17	36:4,6	130:15,18	55:15,20
execute 45:9	fact 5:24 7:4 62:12 63:22	69:20 82:22	77:25 83:2	formally 20:17	126:14,16	go 7:7 13:11 21:13 25:4	56:4,13
exemplifies 105:14	90:20 91:3	69:20 82:22	87:17 89:25	formally 20:17	gentleman 33:21	25:17 28:23	57:7 58:3,4
exhibit 78:17	93:10	69:20 82:22	92:19	formally 20:17	gentlemen 28:21	29:19 31:17	68:3 73:7
facts 121:22	facts 121:22	69:20 82:22	101:10	formally 20:17	genuine 104:7	33:17 34:16	80:17 82:7
		69:20 82:22	105:22	formally 20:17	getting 6:14 19:21 32:13	36:16 43:4	82:21 83:16
		69:20 82:22	115:14,15	formally 20:17	35:14,15	44:17 45:17	85:21,25
		69:20 82:22	five 18:6 63:15 88:6	formally 20:17	36:6 42:20	49:18 53:25	87:23 90:23
		69:20 82:22	five-bedroom 32:23	formally 20:17	62:15,16	55:16,25	91:23 95:23
		69:20 82:22	fix 89:2,3	formally 20:17	63:4,5 92:5	56:3 57:9	98:2,8
		69:20 82:22		formally 20:17	93:4 108:16	58:12,14,16	99:13 102:6
		69:20 82:22		formally 20:17	117:13	59:4 66:4	105:5,9
		69:20 82:22		formally 20:17	125:21,22	67:13 72:25	107:15
		69:20 82:22		formally 20:17	130:12	73:3,4,20	118:12,14
		69:20 82:22		formally 20:17		76:23 78:20	119:17
		69:20 82:22		formally 20:17		81:11 83:24	121:19
		69:20 82:22		formally 20:17		84:7,8 85:5	124:3,21
		69:20 82:22		formally 20:17		88:12 92:15	125:10
		69:20 82:22		formally 20:17		100:21	129:9,19
		69:20 82:22		formally 20:17		108:19	130:7,10
		69:20 82:22		formally 20:17		111:2,5,16	131:7,12,15
		69:20 82:22		formally 20:17		112:18	131:21
		69:20 82:22		formally 20:17			good 2:2,24

Special Committee on Criminal Justice Reform
December 10, 2018

Page 6

4:21 5:9 11:11 14:6 19:6 31:3 33:9 49:9 49:16,16 59:9 79:17 100:9,10 104:24 114:11,12 115:21 116:15 126:24 129:15 131:6 Googled 77:22 gosh 19:21 gotten 7:25 29:23 110:19 governed 78:2 governments 109:3 grade 126:15 126:17 graduated 50:15 grateful 18:16 99:25 105:11 gray 70:9,10 70:11,14 great 25:16 54:4 94:8 95:25 109:4 114:7 Grey 5:5 24:13 Gritty 106:9 ground 7:16 7:17 group 14:12 74:10 groups 65:24 grow 79:5 93:25 125:13 131:9 growing 99:14 100:23 101:7	grows 87:18 94:2 guide 66:18 116:13 guidelines 88:16,18 guides 114:4 guilt 22:10 guilty 20:24 46:23 53:15 78:9 123:11 gun 32:10 74:23 80:7 80:9,19,20 81:3 82:5 guns 16:18,22 16:23 76:18 76:24 guys 57:8 91:2 96:13 116:2,25 128:4 <hr/> H <hr/> hair 65:22 half 40:5 Hall 1:6 hammer 90:16 hammers 90:16,17 hand 107:22 handcuffs 68:24,25 handed 82:2 handgun 75:12 handled 29:6 hanging 75:2 happen 25:2 27:14 46:15 54:11 85:12 116:6 happened 76:9 81:10 85:13,18 86:9 90:25 123:5 128:8 happening 19:24 23:19 47:7 112:3 122:23 happens 6:9 19:18 31:21	33:20 47:20 116:5 117:16 happy 83:12 hard 63:11 87:9 96:19 108:14 125:9 harder 45:11 hardest 57:22 Harrod 8:11 14:9 harsh 22:24 harshly 20:20 Harvard 7:24 Haven 99:6 head 9:10 33:5,8 54:14 heads 73:7 heal 69:23 heals 97:16 health 26:15 26:17,22 27:6 28:11 28:12 38:19 96:5 97:15 98:10 healthcare 97:5 healthier 97:21 hear 35:13 37:20 59:19 75:22 90:7 96:20 126:23,25 heard 16:13 19:15 29:14 31:18 85:9 91:13 95:25 121:8 hearing 2:3 15:13 16:25 26:14 27:15 46:9,22 59:11 81:25 82:9 102:16 102:17 111:3 113:12 130:16 132:10	hearings 1:19 2:19 3:2,4 111:5 114:8 heart 33:23 118:15 heartfelt 91:14 110:11 132:4 hearts 94:10 94:14,21 height 61:11 held 46:21 50:21 80:5 83:3 hell 9:20,21 hello 4:16 95:20 help 9:6,13 9:14 10:6 10:21 11:17 11:19,21,24 12:15,16 13:15 17:7 22:14,19 23:18 26:25 28:15 29:9 30:4,14 31:5,5 35:5 35:6,10,14 35:17,17,21 36:10 37:3 38:6 42:24 46:2,20 47:20 49:18 49:23 54:20 54:21,21 58:9,23 59:3 66:12 71:8 79:5 84:19 88:7 88:7 90:11 98:7 99:12 107:17 112:10,11 112:14 116:12 122:5,11 124:17 125:10,24 129:9,18,24 130:5,6,12 helped 23:14	28:4 50:17 50:20 52:4 65:2 72:8 119:3 130:9 helpful 21:18 29:12 114:14 115:21,22 helping 17:10 98:11 115:20 123:7 helps 12:3 46:20 90:14 122:8 128:16 hey 43:25 hi 89:7 high 15:3 20:12 50:15 61:18 hiney 94:17 history 50:10 51:11 61:17 128:3 holes 16:19 holistic 3:24 3:25 home 18:12 32:23 33:12 33:13 60:11 61:15 81:12 85:10,14 86:7 107:18 108:14 homework 111:4 honest 32:12 32:18 75:5 honey 54:14 honor 6:19 44:4 112:12 124:14 129:11 hood 91:25 hope 36:19 36:21 129:23 132:2 Hopefully 24:9 hopeless 54:10	Horizon 27:7 27:16,18,20 hot 107:23 hour 40:5,5 114:25 hours 75:13 house 27:7,16 27:18,20 54:3 85:13 85:16,18,22 86:4 105:24 108:21 housed 52:25 housing 78:14 108:11 hub 8:23 10:6 12:24 14:16 18:21 19:9 19:13 20:6 21:10,15,17 34:13 36:11 36:19 37:9 42:11 48:25 52:24 54:9 54:22 55:12 55:18 56:5 56:13 58:7 62:14 63:3 63:10,14,18 64:10 69:3 72:8,14 74:5 76:7 76:21,23 77:4,20 78:4,10 82:23 83:9 84:7,14 85:20 86:4 86:5 87:7 90:11 95:22 100:16,25 101:14,19 103:15 104:13,19 105:3 108:7 108:10 110:10 115:9 129:14 hub's 16:8 hubs 3:12,15 11:15 12:7	17:4 18:19 23:24 36:12 43:22 44:7 46:20 47:4 69:13 70:20 71:2,21 72:4,17 91:9 103:2 106:20 108:4 110:5 115:2,5 120:6 127:2 hug 20:4 102:21 huge 42:3,9 hugging 118:15 human 6:2 7:4 37:10 humanity 78:8 94:22 94:23 <hr/> I <hr/> idea 13:7 identify 3:12 imagine 71:12 75:19 Imma 79:20 79:21 83:15 83:16 87:15 immediately 80:16 99:11 105:17 immigrant 106:2 impact 1:19 2:20 implement 130:2 important 10:11 20:18 37:11 42:2 42:17 50:3 50:24 94:5 99:23 119:25 123:9 importantly 11:18 100:17 impression 82:20 improves	97:15 in-house 85:2 incarcerated 12:9 20:18 38:2 incarceration 100:22 104:10 incident 75:10 128:2 inclinations 30:15 included 72:6 includes 99:21 100:2 including 3:5 70:2 104:2 inclusive 104:18 increases 26:5 increasing 28:4 incredibly 36:20 indicates 93:12 individual 9:19 16:7 27:14 28:3 28:8,19,25 29:3,18 31:25 33:24 35:19,20 37:6,10 38:4 39:10 64:13 67:4 67:5 71:22 99:19 116:7 120:24 individual's 11:20 39:16 individuals 5:23 10:4 15:22 16:4 16:14,17 18:4,7 27:5 28:15 30:2 30:6 38:17 38:21 40:25 45:5 69:18 93:6 94:21 106:22
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Special Committee on Criminal Justice Reform
December 10, 2018

111:11 Industrial 32:3 information 5:25 6:15 9:25 13:3,4 13:10 47:2 47:8 48:3 48:11,13 49:13,17 90:14 101:15,16 110:4,23 111:21 113:18 114:3,11 115:10 120:6,13 121:12 122:20 124:5,12 130:22 131:3 informed 15:16 40:21 46:6 infractions 39:7 initial 23:17 47:24 49:6 83:2 84:12 122:9 initially 30:14 injecting 94:4 inmate 108:21 inmates 40:6 innocence 22:10 122:9 122:11,23 123:3,8,10 innocent 122:19 123:16 input 12:5,6 inside 43:14 48:25 62:9 67:14,15 82:8 84:25 88:18 insight 10:8 instance 26:14	instances 38:18 instructor 96:8 instrument 74:22 intelligence 60:23 intelligent 40:21 intend 48:18 intentions 6:21 30:22 interacting 18:7 interest 2:23 22:18 31:16 interested 110:7 114:23 interesting 123:7 interpret 71:4 119:2 interpreter 116:18 interruption 70:16 intervene 69:22 intervened 73:19 intervention 28:6 36:11 37:25 73:17 76:12 interview 47:23,24 intimidated 102:15 intimidating 102:20 116:2 introduce 32:11 introspection 56:4 invest 71:22 investigation 71:9 investigators 60:6,19 investment	71:19 invite 24:4 108:3 109:10 131:19 involved 9:14 11:17 23:25 24:6,17 115:9 131:7 Isis 52:11 59:19 isolated 21:2 22:24 51:18 issue 99:20 108:3 118:8 123:19 issues 26:10 39:4 42:22 48:5,23 90:17 98:11 99:22 129:19 <hr/> J jail 25:8 33:6 45:17 75:16 100:21 108:17 111:16 123:15 jails 44:2 111:14 JAMES 1:14 job 36:2,7 39:6 50:14 51:4 98:8 117:25 Johnson-Sp... 14:14 joined 15:20 joint 105:4 Jones 1:9 2:2 2:12,25 4:14 5:3 8:6 8:12,16 13:22 14:7 19:3 21:19 22:6 24:12 26:23 29:11 29:16,25 31:17 33:16 34:6,10,22 37:15 44:4 47:17 49:20	50:6 51:20 52:15 59:16 65:7 79:16 89:22 90:2 95:8,12,16 100:7 104:21 109:12,20 109:23 115:14 116:17,20 117:6,9 127:20 128:7 129:11 131:5,24 132:7 Jr 1:9 14:10 judge 1:14 4:23 5:2 9:25 10:15 11:24 15:21 16:3,8 17:13 27:11 27:11,24 28:23 29:4 29:6 33:22 35:19,21,23 38:24 43:17 44:5 51:17 53:18,19 54:7 55:4 56:9,12 57:14,24 67:7 68:15 69:6 79:8 82:4 85:5 111:7,19 112:11 113:11 119:10 120:4,11,23 121:7,13 122:7,12 124:7 125:16 127:3,8,14 127:19 129:12 130:17 131:4 judged 20:20 judges	108:12 116:3 127:12 judgment 30:25 judicial 101:4 judiciary 3:19 Julie 1:12 4:19 31:18 jump 37:2 justice 1:4,11 1:18,19 2:6 2:18,20 3:4 3:17,24 5:14 6:4,5 7:10,11 9:9 14:8 15:18 15:20,23 16:16,18,21 17:25 18:24 27:4 37:14 62:17,19 64:4,16 66:10,19 77:23 91:25 92:18 94:5 98:25 99:18 99:24 106:17 108:3 132:14 juvenile 75:16 79:21 83:24,25 <hr/> K Kavita 15:6 keep 25:16 34:15,18 47:13,14 48:4 82:21 95:23 112:10 121:20 122:8,11 123:8 keeping 82:3 97:23 98:21 keeps 12:3 Keir 1:10 4:15 14:9 53:13 92:17 93:9,14	115:16,23 115:23 119:4 kept 80:18 84:7 119:4 Kevin 4:18 key 93:9 111:24 kick 117:17 131:15 kicking 117:10,11 119:4 kid 34:23 kids 4:3 88:17 kind 51:10 63:24 64:12 70:20 77:5 97:13 98:13 98:15,17 102:8 119:21 120:12 kinds 46:15 77:13 85:11 King 44:10 King's 68:16 Kingsessing 95:22 99:8 100:15 101:24 knee-jerk 90:18 knew 21:5 53:7 55:14 120:15 know 9:13,15 9:18 10:17 11:13,24 13:5 15:8 15:10 19:12 19:14,19,22 21:3 22:11 22:17 23:7 23:22 24:5 30:12,17 31:15,23 32:9,13,17 33:23 35:12 42:14,15,15 43:17,19,20 46:8 48:22	50:17 51:2 53:11,12,23 54:10 57:10 57:18 58:9 59:2 60:16 60:16 62:10 62:13 63:4 64:17,20,25 66:11 68:3 70:5 80:20 81:13 83:23 83:25 84:3 86:9,10 93:6 97:18 99:22 101:5 101:10 104:5,6 107:21 110:6,10,24 111:13 113:11,11 113:16 114:20 122:2,2 123:21,25 124:3,7,20 129:16 130:21,23 knowing 15:11 57:12 knowledge 25:20 60:14 68:2 90:13 113:2 121:3 126:20 known 61:18 knows 10:3 20:18 Krasner 1:14 4:13,22 Kris 95:11 105:4 109:17 110:2 Kris' 119:8 119:13 <hr/> L L 133:14 lack 6:15 46:25 47:2 116:14,18 Lady 16:18 18:24	large 9:11,22 101:17 111:9 largely 9:19 larger 99:19 Larry 4:22 late 61:12 68:20,23 law 10:16 70:12 93:2 103:16 LAWREN... 1:14 laws 78:2 lawyer 7:23 51:14,15 83:15,16 120:22 121:24 123:2 lay 56:8 lays 114:8 lead 99:10 113:22 lead-in 114:21 leader 14:11 leaders 17:2 leadership 15:5 18:17 18:18 40:2 60:24 leading 26:7 leaning 74:6 learn 54:24 55:2 100:4 126:10 learner 117:18 learning 101:10 leave 119:15 leaving 88:8 led 62:5 77:6 99:5 left 4:8 74:8 82:19,21 125:15 130:23 leg 117:10 legal 92:24 114:15 116:22
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Special Committee on Criminal Justice Reform
December 10, 2018

Page 8

117:2 120:16 legislate 79:2 94:22 legislation 65:2 legislative 6:6 7:14 legislature 45:2 lend 40:22 lessened 20:5 let's 12:23,25 13:2,2 20:7 25:5 26:23 55:25 88:19 97:22 121:22 letter 50:19 letters 71:9 letting 124:25 level 5:22 leverage 103:13 liberty 57:21 librarians 103:16 libraries 65:23 life 4:4 11:12 11:14 21:3 21:10 24:8 31:24 32:14 32:18,18,22 33:3,5,7 37:7 53:3,9 55:23 59:6 67:14 69:25 69:25 70:2 122:17 lifeboat 30:5 30:7,11 lifestyle 23:18 limitations 72:5 line 29:19 86:22 97:22 118:18 lines 116:8 lingo 71:5 link 39:10 list 119:16,18 listening 3:14	120:22 literally 27:17 41:14 106:8 little 3:9 8:18 25:12 36:23 48:20 49:13 52:17 61:3 62:9 67:25 70:13 80:8 84:13 95:18 96:19 109:21 113:3 124:9 129:7 live 10:4 21:14 69:19 70:10 lives 24:5 30:16 76:5 78:19 living 21:13 32:12,18 85:17 lobbying 131:21 local 65:20 96:5 109:2 lock 13:13 129:6 locked 51:2 logic 78:15 long 85:8 125:3 long-term 67:21 78:24 longer 26:12 62:21 70:23 look 27:19 56:5 90:25 91:24 110:23 114:8,10 116:4 127:6 looked 57:25 looking 7:12 26:6 33:19 40:16 45:16 45:18 46:18 52:5 53:12 111:10 113:14 126:18	looks 45:22 Los 61:9 lose 78:7,8 losing 25:12 lost 47:15 56:22,22,22 92:5 102:14 lot 3:2,14 5:25 21:3 21:11 24:2 24:23 32:4 32:8 43:8 56:3,5 65:15 84:19 84:20 91:13 95:25 105:20 111:17 112:25 121:13 123:23 loud 52:20 love 105:19 106:8,11,14 106:19 107:12 109:8 loved 14:21 14:23 19:14 20:7,9,11 110:20 lowest 61:18 M Ma'am 19:5 mad 84:13,16 Madam 8:7 51:20 magazines 32:25 maintaining 98:8 major 27:6 58:20 82:6 majority 25:17 making 32:19 34:13 46:5 66:18 88:25 92:3 111:22 male 101:6 malice 80:23 man 36:5 38:8 40:7	49:23 73:19 86:23,25 man's 86:25 manager 54:3 72:10,16 96:9 Managing 1:12 mandate 79:3 mandated 34:9 mantra 105:18 map 93:2 121:4,4 mapped 92:22 March 14:17 53:2 margins 114:10 math 108:25 matter 16:21 29:6 118:6 133:7 McSORLEY 1:15 4:21 mean 23:6 30:16 44:3 72:2 102:18 112:3 125:18 130:3 means 30:18 45:23 108:24 109:2 133:22 measure 101:3 129:8 measures 3:6 103:6 mechanics 91:10,13 media 32:25 103:14 mediate 17:7 mediator 38:15 medical 96:7 medicine 27:20 meet 18:3	40:10 45:7 99:9 meeting 18:8 18:11 38:11 38:15 53:2 62:14 73:18 76:13,15 77:11 83:9 87:12 113:3 meetings 63:10 69:3 71:7 72:15 108:8 member 4:10 4:23 13:23 69:22 82:23 100:18 members 1:18 2:10 2:16 3:8 14:7 56:14 70:4 72:7 76:6,14,15 77:5,10,21 78:4 86:5 110:10 members' 75:20 men 40:4 92:6 mental 26:15 26:17,21 27:6 28:11 28:12 38:19 98:10 mentioned 4:22 23:16 23:23 30:3 mentoring 39:25 mentors 45:4 Mercedes-... 32:23 mere 106:23 mess 126:23 message 35:10 messed 56:21 126:25 128:14 met 14:18 28:19 35:5 35:6,7,8,11	36:8 41:10 44:13 64:21 Metamorp... 14:12 method 129:9 mic 8:17 65:10 66:14 95:18 109:21 mic-dropping 66:8 MICHELE 133:14 microphone 52:16 96:19 million 93:17 109:3 mind 3:16 13:7 25:16 70:25 80:25 105:17 mind-boggl... 116:11 minds 94:11 94:14,20 minted 4:23 minute 116:5 mischaract... 75:25 misconstrued 102:11 Misdary 52:12 59:9 59:18,19 60:4 74:17 missing 37:14 mistakes 57:15 mobilized 76:20,21 model 97:2 105:13 106:13 107:7 108:16,23 108:25 109:2,9 110:13 mom 41:21 50:12,13 74:7,8,19 82:17 moment	101:20 117:14 moments 101:8 Monday 1:7 83:4,7 money 36:2,4 118:9,18,19 month 45:2 months 40:6 73:14,21 127:7 morning 15:19 18:2 27:3 81:24 81:25 83:4 mosque 66:6 mosques 65:23 mother 40:12 41:20 55:5 74:14 76:4 84:17 86:19 86:25 89:12 102:17,18 mothers 8:21 14:13,17 18:19 19:9 41:16 52:25 57:2 72:8 74:4 83:9 86:6,20 Mount 14:11 mouth 118:9 move 31:2 69:23 120:20 moved 92:20 96:3 movement 6:20,21 18:22 79:5 100:24 103:23 Municipal 1:14 muppet 106:8 MURPHY 133:14 myriad 42:22 N name 8:18,20 11:13 19:7	22:7 35:12 52:17,22 59:17 65:25 79:18 88:13 95:20 100:13 104:25 109:24,25 named 106:9 narrative 128:4,12 national 108:20 Nationally 108:22 natural 97:4 97:14 117:21 nature 50:11 121:25 navigate 20:2 93:6 106:16 necessarily 113:2 necessary 44:7 57:20 76:8 130:14 need 7:2 9:13 9:15 10:13 11:4 17:7 25:21 28:16 28:21 34:18 43:2,4 48:21 57:7 68:10 70:16 72:24 83:10 83:21,23 102:6,23 103:10,19 103:24 107:20,23 108:6,10 111:11,12 111:16 113:6 118:8 119:20 124:5,24 125:2 126:12,20 129:25 130:3,12 needed 28:10 62:2 84:16
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Special Committee on Criminal Justice Reform
December 10, 2018

93:16	42:7	44:2 131:25	32:14	91:11 93:10	107:17	130:18	24:4,23
103:17	North 89:6	okay 12:25	organization	93:23 94:6	108:7,11,23	particulars	25:2,7,14
needless	96:9	13:25 19:16	23:21	95:9	participate	48:9	25:17 26:9
83:11	note 13:20	23:14,18	organizations	panel's 18:18	11:17 55:22	partner 28:7	26:10 28:14
needs 28:6,6	31:18 49:21	30:14 31:12	96:23	panelists	79:13	29:13	30:3,10,13
40:20 60:23	68:17	56:2 88:9	organizer	97:11	109:10	122:25	30:20 31:13
107:11,14	noted 37:12	105:6 122:5	100:16	paper 53:16	participates	partnering	32:4,8
107:16	37:13	131:25	105:6	55:3,25	46:4	14:20	34:24 35:6
neglected	notes 133:6	old 51:8,8,9	oriented	56:7 57:13	participating	120:10	35:7,8,11
33:15	noticed	on-the-grou...	21:25	58:2 92:24	93:16	partnerships	35:13,14,15
neighbor	125:17	35:15	outcome	127:17	participation	60:17	35:16 36:8
50:17,18	131:20	once 2:13	15:17 19:2	paragraph	3:16 63:25	parts 93:11	42:4,11,14
neighborho...	number 9:22	18:22 26:16	outcomes	44:20,22	72:20 94:3	pass 45:13	42:23 43:7
88:6	43:15	29:5 38:4	5:18 6:25	parent 128:9	97:18	passed 110:7	43:9,11,25
neighborho...	numerous	78:20 81:19	7:21 19:9	parents 33:13	participatory	passion 55:7	43:25 45:17
66:23 89:6	14:19 15:8	81:23 82:25	26:4 66:19	33:15	8:22 9:4	78:17	46:2,8,16
89:7 97:21	15:11	91:24	66:20 98:22	parks 65:24	18:21 19:8	115:18	46:21,24
neon 74:23	Nupur 95:10	117:19	outlandish	parole 37:18	29:24 34:3	passionate	47:5,5,10
network	95:21	one's 71:20	32:15	38:3,25	34:16 42:21	37:6 55:11	48:17,21
99:15,20	<hr/> O <hr/>	ones 14:21,23	outlet 66:3	39:3 40:8	42:23 43:3	Pastor 8:11	50:11,25
100:2	o'clock 27:16	50:12	Outpatient	40:10,17	43:12 46:19	14:6,10	52:3,4
103:22	objections	opaque 93:13	99:6	103:19	59:12 60:8	19:10 23:21	54:22 57:3
Nevada 40:12	133:4	open 48:10	outrage 75:23	128:22,23	62:14 63:3	24:11 27:2	57:11 58:9
never 35:5	observing	63:20 73:9	Outreach	129:6	63:10,13,18	35:2 37:20	58:19,21,24
39:6 41:9	36:25	114:22	1:11	paroled 18:4	64:10 65:8	38:6 39:14	64:17,19,20
46:7 51:3	occurring	opening 2:9	outside 62:11	40:7,17	66:2,7,13	54:12 87:10	65:5 67:9
61:7 64:21	62:11	4:11	62:12 73:21	part 6:20	66:25 68:6	pat 55:19	67:11,12,13
74:9 80:22	offer 2:21	operated	77:19 85:3	8:22 9:19	69:3,12	path 62:5	67:16 68:5
80:23,24	offering	operates	overworked	11:6,7,9	71:2,21	patience	68:10 69:5
86:18,19,23	31:23 35:21	94:12	13:8	14:13,16	72:4,17	95:13	70:15,23
87:3,9	offers 98:18	opportunities	owner 76:25	17:17,18,22	74:4 76:7	patients	72:18 73:2
89:10 93:24	office 1:11,12	45:19	ownership	19:17 30:24	76:20,22	99:12	78:18 86:17
128:8	14:25 27:9	122:24	28:24	37:11,11,21	77:4,20	paved 78:13	91:7,15,15
new 24:8	83:5 84:4	opportunity	<hr/> P <hr/>	39:21,23	78:4,10,11	pay 4:2	91:16 92:3
41:15 61:8	84:15 87:4	4:7 5:11	p.m 14:19	71:23,24	79:4 91:9	peace 70:25	92:7 94:11
61:19 92:20	87:8 103:19	12:5 35:12	80:10	76:4 99:3	96:25 97:14	71:17 73:20	94:12,13
124:16	120:5	36:18 46:18	132:14	100:23	98:18,25	pen 55:24	95:4,25
newly 4:23	123:24	68:7 69:21	packed 57:11	101:7,18,22	100:4,15,24	Penn 96:4	96:23
newsstands	officer 38:3	opposed	57:17	102:2,3	101:4,14	Pennsylvania	101:18
65:21	38:10,12	131:10	packet	103:24	103:15,25	1:6,13	102:14,22
Nicole 52:10	73:5 79:7	options 72:12	109:15	104:2,17	104:12,18	39:24	103:24
52:22 63:12	81:25 82:9	116:23	packets	110:18,20	105:3,13	people 3:21	104:5,8
90:9	86:14 87:2	orange 74:23	124:12	120:7	106:13,20	3:21 5:22	106:19
Nicole's 68:8	88:4	74:25	pages 116:21	partake	106:25	6:10,10,16	108:17
night 27:22	officers 61:13	order 2:4	paid 7:15	107:3	108:22	6:22,25 7:6	110:14,17
nine 118:23	75:11,24	32:24 63:16	128:11	participant	109:9	7:6 8:25 9:6	111:13,15
nitty-gritty	87:20,25	71:19 79:3	pain 20:5,5	52:23 71:6	114:21	9:15 10:8	111:17
106:7	89:4 94:19	89:12	painstakingly	72:9 119:15	129:14	11:11 12:7	112:2,5,10
non-existent	official 116:3	129:25	13:4	participants	particular	12:18 20:22	112:24
41:24	officials 7:13	ordered	panel 8:9	34:5 63:20	22:11 48:14	21:8,15,21	115:4,19
non-profits	oftentimes	75:18	13:23,25	64:2 69:2	50:14	21:22 22:14	121:25
45:3	67:10 70:5	ordinary	36:22 39:22	71:16 78:22	119:21	22:25 23:5	123:9,15
normally	oh 19:14,21		51:24 52:9	98:6 107:10	particularly	23:8,23	124:10,17

Special Committee on Criminal Justice Reform
December 10, 2018

Page 10

124:18,24 125:2,21,23 126:11,14 126:20,22 129:16,17 130:4,5,6 130:11 performing 61:18 period 13:21 19:18 129:6 permeates 105:20 permission 85:4 person 7:4 9:12,24 11:14,22,24 12:20 20:9 20:14,15,18 21:17 22:15 23:12 30:2 30:18 31:4 31:22 35:5 39:12,20 43:14 47:23 49:5,14 50:5 51:18 55:5,6,7 69:20 70:6 90:22 111:22 114:9 121:14 122:3,9,10 122:14,18 123:21 124:2,3,21 127:23 person's 31:11,20 46:18 personal 30:12 99:17 131:18 persons 17:20 perspective 20:8 97:13 97:14 persuade 73:15 ph 107:6 Philadelphia	1:2,6,19 2:19 8:5,23 32:3 52:24 59:21 92:20 92:23 94:7 94:8,16 105:2,7,16 107:8 Philadelphi... 107:25 Philly 18:20 18:20 86:5 89:5,6 95:23 96:3 96:10 97:9 99:4 107:18 Philly's 106:20 PhillyCAM 103:14 Phoenix 18:3 40:4 phone 80:2 80:14 81:19 83:2 phrase 106:10 physical 98:10 PICC 32:2 pick 81:13 126:5 pick-up 78:14 picked 80:10 picture 24:17 122:14 127:2 pictures 85:15 piece 55:3 92:24 pillow 33:5,7 33:8 pilot 70:18 place 41:14 46:2 49:16 68:2 76:3 placed 108:4 places 41:12 66:4 67:11 67:12,16 68:5 72:18 72:25	plaintiff 22:3 plan 38:24 45:7,9 86:10 plastic 74:22 74:25 75:2 platform 65:9 66:14 120:3 play 71:25 77:9 80:25 98:20 playing 77:11 81:2 plea 16:10 please 2:14 5:4,5 8:8,17 52:8,9,18 55:9 59:25 95:16,19 point 3:24 24:19 27:6 29:7,9 39:5 pointed 113:8 poked 16:19 police 10:14 61:13 75:10 75:24 79:7 80:13,17 81:4 86:14 87:2,20,25 88:4 89:4 102:19 policies 1:20 2:21 5:21 7:14 11:2 13:17 64:25 76:3 policy 6:6 79:2 poor 21:4 28:22 53:5 53:21 poppy 82:13 population 16:2 43:10 43:23,24,24 populations 45:25 porch 66:5 porches 65:21 portion 7:11 126:10	position 121:16 positions 72:5 positive 37:7 possessing 74:21 possibilities 116:6,10 possibility 122:18,22 possible 76:11 possibly 30:17 48:19 57:22 post-bacc 96:4 poster 114:7 115:2 121:4 posture 122:13 potential 39:18 pour 55:13 55:14 56:15 power 32:10 32:11,12 powerful 36:21 practical 107:11 113:22 116:23 practice 6:8 26:6 85:6 91:22 practiced 67:8 pray 73:2 pre-entry 43:6 45:20 45:22 119:5 pre-med 96:4 precalculus 96:8 preemptive 101:2 103:5 prelim 53:14 preliminary 15:13 46:22 102:17 premise 123:11	prepare 114:12 prepared 28:23 109:18 presence 2:7 present 1:9 20:9 27:8,8 27:10 77:18 102:10 116:24 122:12 presented 20:15 43:18 43:20,21 122:13,15 presenting 21:16 presents 50:4 President 106:4 pretrial 15:14 43:24 pretty 79:20 88:15,19 prevent 92:8 primarily 62:24 prior 27:12 priority 40:19 prison 1:13 15:25 37:17 37:23 38:23 39:24,25 41:4,21 43:5,7,10 45:6 73:14 78:20 94:16 112:6 125:3 prisons 18:7 63:24 privacy 88:14 88:14 privilege 120:12,19 privileged 120:12 proactive 98:3 probably 9:20,21 39:2 65:12	84:6 probation 25:10 37:18 38:2,10,11 73:5 103:18 125:18 126:8,12,18 126:22 127:5,24 128:22,23 129:5 problem 17:21 47:25 94:24 95:2 problem-sol... 32:7 problems 17:5,8 26:10 48:6 98:24 99:3 procedure 92:22 98:2 proceedings 20:10 133:4 process 9:6 9:16 10:19 10:22 11:18 13:14 19:25 20:3 22:14 25:4 29:3 31:12 37:8 40:21 46:20 52:4 53:11 54:25 55:15 71:18 79:6 84:11,12,14 85:12 92:23 98:9 102:15 107:4 110:15,18 110:21,25 112:9,18,21 112:23 114:5,13,24 115:6 120:17 122:3 124:8 127:21 processed 75:15 81:6 93:8 processing 111:10	113:6 productive 98:3 program 31:10 39:25 54:2 72:12 91:18,18 96:4 102:13 programs 23:17,17 24:2,6 44:16 46:4 112:10 promoted 54:3 prosecute 76:2 87:4 prosecuted 84:24 85:8 Prosecuting 44:11 prosecution 3:19 prosecutor 44:15 prosecutors 77:18 108:13 proven 123:11,16 provide 45:4 61:2 63:19 63:21 77:21 78:24 103:9 103:18 113:17 114:12 provided 63:14 65:9 101:25 114:6 providers 38:8 provides 63:18 66:2 78:23 101:14 114:19 providing 37:24 102:12,25 112:9 127:2	PSI 56:11 public 1:18 2:18,23,24 5:16 10:10 10:11 11:3 14:25 15:6 15:22 16:3 17:14 23:8 26:5,5,18 27:9 29:2 46:12 48:11 59:20 61:6 61:10 62:7 78:12,16 90:24 91:24 97:17,22 98:4 102:9 110:23 114:6 121:12 123:24 129:13 132:10 133:15 pull 31:21 52:16 95:17 96:18 109:20 pulse 77:21 punishing 88:10 punishment 12:2 punitive 128:24 129:5,8 purpose 46:3 56:20,21,22 58:6,22 pursuit 64:4 pushed 84:7 pushing 45:2 put 7:9 11:2 13:5,5,9,13 34:2 51:13 55:9 56:7 73:7 79:2 84:25 118:8 puts 46:13 putting 33:5 33:7 126:21 <hr/> Q <hr/> quality 32:18
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Special Committee on Criminal Justice Reform
December 10, 2018

32:22 question 13:21 35:3 37:21 39:15 40:15,24 81:5 85:19 113:10 119:11 120:5 128:21 129:3 questions 13:25 49:24 52:2 63:11 64:6 65:3,5 76:5 83:19 83:21 90:4 90:6 113:8 113:14,22 113:24 121:8,23 quickly 28:17 quit 35:8 quite 62:2 66:8 67:24 70:24 79:12 quorum 2:8 quote 67:10 69:6 131:9 131:11	ready 73:3 real 23:9 35:15 41:20 57:16 90:15 90:20 real-world 64:5 realized 5:19 62:15 reallocating 108:18 really 6:18 9:24 13:9 16:18,20 21:5 24:18 24:22 30:4 31:10 39:4 47:20 57:6 57:7 65:4 91:5,12,16 94:21 95:24 98:9 102:22 102:24 104:4 105:11,14 106:12 109:4 110:12 112:17 114:3 119:3 129:9,15,15 130:16,18 reason 31:14 99:3 reasonable 124:6 rebirth 63:16 rebuild 63:17 rec 99:8 100:15 101:24,25 receive 18:25 98:7 received 44:10 64:8 80:2,14 81:19 recidivism 44:19 68:14 68:21 69:4 69:5 90:12 90:15 98:19 reckless	74:21 recognize 59:24 104:3 106:21 recognizes 24:13 recognizing 2:7 recommend... 2:21 48:2 49:12,14 recommend... 40:16 reconvening 2:5 record 8:19 35:25 52:18 109:17 127:25 recovery 54:2 58:8 rectify 53:22 recycling 78:14 redefine 101:3 redefining 64:22 reduce 43:10 45:24 78:19 90:15 reduced 123:25 reduces 68:13 98:19 reducing 15:25 reentry 25:7 34:17 44:25 45:6,20,20 47:14 91:17 91:18 98:14 98:15 119:5 119:6 125:19 referred 69:11 70:20 refining 112:24 reflects 105:17 reform 1:4,18 2:6,18,22	3:4,6 5:14 6:4,5 7:10 7:12 14:8 47:12 64:5 87:15,16,23 87:23 92:9 94:5 97:3 98:5 103:19 124:23 132:14 refused 105:23 regarding 8:24 48:8 48:14 regrets 33:8 57:16 rehabilitate 129:10 rehabilitative 128:25 reintegrate 41:5 129:2 reinterpret 118:2 reintroduced 33:4 reintroduci... 33:10 related 64:18 relationship 37:17,23 48:22 128:22 relationships 39:16,19 83:23 103:11,13 104:16 relay 13:3 release 41:20 45:8 68:22 82:4 released 15:23 16:5 26:20 28:10 29:8 39:13 39:21 73:13 83:7 releases 27:13 relying 10:14 remain	108:14 remark 119:9 remarkable 7:18 remarks 4:12 5:6 95:24 119:13 Rembrandts 106:25 107:2,3,6 remedies 120:25 remember 20:19 61:16 62:18 94:15 remind 48:9 remove 69:21 removing 69:19 reparations 3:25 repeat 118:12 replication 47:8 report 27:23 75:10 reporter 133:24 represent 22:2,4,8 59:24 60:25 64:20 67:9 representat... 101:3 represents 70:20 reproduction 133:21 requested 99:10 required 35:23 requires 49:3 requiring 126:14 RES 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1	20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1	126:1 127:1 128:1 129:1 130:1 131:1 132:1 research 103:17 resident 95:22 resolution 1:17,17 2:14,15,16 77:6 resolve 26:11 resonates 106:12 resource 108:5 114:14 127:13 resources 4:5 103:10 104:16 108:12 120:25 respect 38:22 60:22 87:19 87:19,20 88:23,24,25 131:17 respective 131:17 responding 12:7,8 response 2:11 5:14 66:10 68:18 75:20 75:22 responsibili... 29:5 96:16 96:22 responsibility 16:9,12 27:23 28:21 47:12 112:13 responsible 48:15 125:6 127:25 Restate 109:23 restorative 3:24 restored 24:10	result 6:15 15:15 16:8 75:12 results 6:14 rethinking 64:14 retired 1:11 return 107:4 Reverend 14:9 reverse 117:20 Richard 1:15 4:21 Richards 4:20 ride 26:24 right 4:4,14 14:2 17:19 19:17 20:7 24:20 33:6 55:20 62:12 62:16,17 63:4,5 65:13 66:11 74:7 75:3 76:18 97:17 103:23 104:3 118:3 125:16 131:4 132:7 rights 15:10 60:17 risk 78:19 road 14:22 18:6 28:5 28:18 129:20 roads 78:13 113:23 Robert 14:14 28:20 40:3 rocket 45:10 Rojas 1:11 4:19 37:15 37:16,22 38:22 40:24 63:22 65:6 93:22 128:20 131:9 role 98:21 116:13
R							
railroaded 19:22 Rain 102:3 raised 33:13 41:22 raising 125:5 reach 72:2 88:2 reaching 12:14,15 54:5 reaction 82:25 reactions 90:19 reactive 126:10 read 2:14 5:4 8:9 44:22 68:15 105:5 124:15 126:15,17	reason 31:14 99:3 reasonable 124:6 rebirth 63:16 rebuild 63:17 rec 99:8 100:15 101:24,25 receive 18:25 98:7 received 44:10 64:8 80:2,14 81:19 recidivism 44:19 68:14 68:21 69:4 69:5 90:12 90:15 98:19 reckless	74:21 recognize 59:24 104:3 106:21 recognizes 24:13 recognizing 2:7 recommend... 2:21 48:2 49:12,14 recommend... 40:16 reconvening 2:5 record 8:19 35:25 52:18 109:17 127:25 recovery 54:2 58:8 rectify 53:22 recycling 78:14 redefine 101:3 redefining 64:22 reduce 43:10 45:24 78:19 90:15 reduced 123:25 reduces 68:13 98:19 reducing 15:25 reentry 25:7 34:17 44:25 45:6,20,20 47:14 91:17 91:18 98:14 98:15 119:5 119:6 125:19 referred 69:11 70:20 refining 112:24 reflects 105:17 reform 1:4,18 2:6,18,22	3:4,6 5:14 6:4,5 7:10 7:12 14:8 47:12 64:5 87:15,16,23 87:23 92:9 94:5 97:3 98:5 103:19 124:23 132:14 refused 105:23 regarding 8:24 48:8 48:14 regrets 33:8 57:16 rehabilitate 129:10 rehabilitative 128:25 reintegrate 41:5 129:2 reinterpret 118:2 reintroduced 33:4 reintroduci... 33:10 related 64:18 relationship 37:17,23 48:22 128:22 relationships 39:16,19 83:23 103:11,13 104:16 relay 13:3 release 41:20 45:8 68:22 82:4 released 15:23 16:5 26:20 28:10 29:8 39:13 39:21 73:13 83:7 releases 27:13 relying 10:14 remain	108:14 remark 119:9 remarkable 7:18 remarks 4:12 5:6 95:24 119:13 Rembrandts 106:25 107:2,3,6 remedies 120:25 remember 20:19 61:16 62:18 94:15 remind 48:9 remove 69:21 removing 69:19 reparations 3:25 repeat 118:12 replication 47:8 report 27:23 75:10 reporter 133:24 represent 22:2,4,8 59:24 60:25 64:20 67:9 representat... 101:3 represents 70:20 reproduction 133:21 requested 99:10 required 35:23 requires 49:3 requiring 126:14 RES 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1	20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1	126:1 127:1 128:1 129:1 130:1 131:1 132:1 research 103:17 resident 95:22 resolution 1:17,17 2:14,15,16 77:6 resolve 26:11 resonates 106:12 resource 108:5 114:14 127:13 resources 4:5 103:10 104:16 108:12 120:25 respect 38:22 60:22 87:19 87:19,20 88:23,24,25 131:17 respective 131:17 responding 12:7,8 response 2:11 5:14 66:10 68:18 75:20 75:22 responsibili... 29:5 96:16 96:22 responsibility 16:9,12 27:23 28:21 47:12 112:13 responsible 48:15 125:6 127:25 Restate 109:23 restorative 3:24 restored 24:10	result 6:15 15:15 16:8 75:12 results 6:14 rethinking 64:14 retired 1:11 return 107:4 Reverend 14:9 reverse 117:20 Richard 1:15 4:21 Richards 4:20 ride 26:24 right 4:4,14 14:2 17:19 19:17 20:7 24:20 33:6 55:20 62:12 62:16,17 63:4,5 65:13 66:11 74:7 75:3 76:18 97:17 103:23 104:3 118:3 125:16 131:4 132:7 rights 15:10 60:17 risk 78:19 road 14:22 18:6 28:5 28:18 129:20 roads 78:13 113:23 Robert 14:14 28:20 40:3 rocket 45:10 Rojas 1:11 4:19 37:15 37:16,22 38:22 40:24 63:22 65:6 93:22 128:20 131:9 role 98:21 116:13

Special Committee on Criminal Justice Reform
December 10, 2018

Page 12

117:14,17 roles 71:25 roll 117:8,10 roof 49:23 room 1:6 17:19 21:21 59:14 75:21 82:8 83:18 rooms 18:13 root 66:17 roughly 14:18 RPR-Notary 133:15 Rules 92:21 run 31:25 56:10 running 32:19	saying 10:22 10:24 11:5 11:6 12:16 12:18,21,23 12:25 13:13 17:7 18:18 23:14 32:17 32:21 42:3 42:14 43:25 50:19 68:19 80:14 84:7 89:15 90:8 90:19,23 119:4 says 31:23 39:5 44:24 45:9 51:6 129:13 scared 42:4 scenario 26:24 131:8 schedule 9:20 school 18:9 20:12 50:10 50:16 61:14 61:19 96:9 schools 61:10 96:7 97:8 SCI 18:3 40:4 science 45:10 45:10 scrub 89:11 search 72:11 searched 80:6 seat 8:16 52:16 seated 74:7,8 Seattle 44:13 44:15 second 52:9 67:14 70:6 75:25 90:21 92:14,16 see 4:20 6:3 6:10,12,12 8:4 10:17 12:20,25 13:2,2 15:22 16:4 18:12 20:7 27:18 35:14 35:14 39:21 43:12 51:17	53:18,19 54:7 57:13 58:2,2 65:14 72:4 73:7 81:7 97:2 100:20 106:7 116:8 116:9 118:3 120:14,18 124:15 125:17 130:8 131:17 seeing 2:12 36:12 44:18 84:24 seeking 31:19 seemingly 35:4,17,20 36:10 seen 58:20 64:21 69:14 93:24 96:16 96:22 97:8 115:25 128:24 129:8 sees 55:4,5 self 54:17 71:20 self-change 32:7 self-defense 101:5,8,11 self-incarcer... 72:24 sell 77:2 selling 76:18 selves 88:9 seminars 15:9 send 38:24 85:21 sense 22:12 40:19 57:23 58:7,8 78:3 78:6,7 sensitize 95:4 sent 85:14,15 sentenced 43:23 45:18 sentencing 12:2 125:12	separate 123:19 Serenity 99:6 series 49:24 53:5 116:10 serious 115:19 servants 78:16 serve 67:15 served 108:24 service 47:5 60:5 78:12 102:12 services 28:6 28:15 38:7 38:17 112:5 session 36:19 set 47:22 62:5 setting 125:9 seven 41:19 50:15 61:4 61:5 116:21 127:7 seven-page 115:24 seven-year-... 89:8 shape 42:19 share 5:25 47:12 49:10 97:7 shared 6:7 20:5 97:11 sharing 113:19 sheet 82:2 128:18 sheriffs 46:14 shock 71:12 shockingly 75:8 shop 66:6 shops 65:22 shortcomings 129:25 shortly 75:17 shot 80:8,21 81:2 shoulder 13:15 shove 13:19 show 46:19	59:2,3 108:12 117:19 120:23 122:5 showed 85:20 86:5,6 87:10,11,13 showing 20:2 104:7 shown 99:18 Shridhar 95:11,20,21 96:21 119:7 119:12 Shubik-Ric... 1:13 39:22 92:13 shuffle 92:5 sick 82:19 side 31:20 33:19 79:21 79:22 124:22 sidewalks 65:22 sift 124:13 similar 45:12 simple 51:12 79:12 107:16 108:9,25 simply 15:9 Sims 95:10 100:9,11,14 131:23 simultaneo... 70:8 sincerely 75:20 single 74:14 sister 106:15 sisterly 105:19 106:11 107:13 109:8 sit 30:25 55:18,21 73:2 81:25 123:15 sites 131:17 siting 25:8	sits 31:22 sitting 54:17 82:8 86:7 111:19 situation 36:12 49:3 53:6 79:24 81:22 86:12 130:2 situations 26:9 six 40:6 skilled 123:2 skills 21:11 32:8 sleet 102:4 slip 41:13 slippery 41:12,14 slow 34:22 small 92:15 snow 102:4 social 26:10 27:8 32:8 37:23 38:23 39:11 45:10 50:2,3,8 51:13 60:5 60:18 90:17 94:17,18 99:21 102:8 112:5,6 society 1:13 4:2 32:24 39:24,25 solace 78:24 sold 74:25 solution 3:11 11:7,8,10 17:19,22 70:22 78:25 99:2 solution-ori... 3:10 solutions 35:16 52:5 60:21 63:20 63:21 64:24 65:11,20 66:9 67:21 125:2 solve 16:23	16:23 solving 17:4 somebody 19:12 51:6 80:21 81:3 85:15,22 104:4 126:3 son 12:17,21 79:19,25 80:11,13 81:6,13,15 81:17,20,21 82:7,9,21 83:2,6 84:24 85:12 85:16,23 86:11,13,23 89:10 102:18 son's 79:24 84:17 soon 36:3 sorry 59:18 74:17 90:2 98:15 109:17 119:12 sort 38:14 93:11 113:5 113:6 114:17,20 soul 33:20 souls 118:11 south 18:20 30:23 61:9 86:5 89:5 105:2 107:8 107:18 space 49:16 63:14 68:9 73:24 106:19 speak 79:20 79:21 87:14 87:16,16 speaking 105:9,12 special 1:3,18 2:1,5,17 3:1 4:1 5:1,10 6:1 7:1 8:1 9:1 10:1 11:1 12:1	13:1 14:1,7 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1,10 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1,8 97:1 98:1 99:1 100:1,12 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Special Committee on Criminal Justice Reform
December 10, 2018

117:1 118:1	103:23	121:19	suicide 94:23	46:7	systems 15:8	47:14 62:23	105:5
119:1 120:1	113:14,22	stopping	94:25	surrenders	15:12 60:14	65:12,19	thank 5:2,7
121:1 122:1	129:4	126:4	Summary	72:19	60:16 96:16	90:12,13,24	5:10 8:2,6
123:1 124:1	131:23	store 75:2	38:25 39:3	sustainable	96:22	120:20	14:3 19:3
125:1 126:1	132:2	76:23,25	summer	98:21	112:25	tape 92:25	36:17 51:23
127:1 128:1	started 9:4	82:11,12,13	72:13	swallowed	114:20	taught 61:10	59:7,10
129:1 130:1	55:13,14	stores 76:17	Super 105:22	92:3	121:4	taxes 128:11	79:14,16
131:1 132:1	83:19 92:24	story 35:13	supervising	switch 70:17		taxpayers'	89:20,22
132:13	starting 3:9	75:7 81:9	38:4	sworn 118:20	T	118:20	92:10,11
specific	6:12 27:15	111:6,6	supervision	system 1:19	table 8:13,15	teach 96:7	93:17,19,23
113:24	starts 69:4,8	120:21	133:23	2:20 5:24	14:5 52:14	teachers 18:9	95:12 100:3
specifically	129:16	storytelling	support	9:9,10	57:4 59:6	41:17	100:6,7,11
97:6	state 8:18	113:5	20:20 28:11	12:13 15:12	95:15,17	teaching 32:6	104:21
specifics	14:22 18:6	strategically	28:16 29:20	15:18 16:16	taekwondo	61:8	109:11,12
113:19	28:5,18	113:23	41:6,15,23	17:6 18:15	101:9	team 36:18	115:15
speech 48:20	52:17 59:17	strategies	42:3,9,13	19:25 20:3	take 22:18	88:3 93:15	128:19
spend 27:22	state's 44:25	2:22	56:25 57:8	22:16,16,22	27:17 28:21	television	131:13
40:4 65:15	stated 53:13	strategizing	57:17 60:7	23:13 24:11	28:24 29:4	21:22	132:4,6,8
spent 61:8	statement	103:3	70:22 77:6	24:21 26:15	30:4 48:24	tell 7:22 11:3	132:12
split 67:14	16:11	strategy	78:22,23,25	37:14 41:6	50:11,13	11:3 12:25	thanks 14:23
spoke 75:9	states 125:17	27:12	79:4 93:5	41:15,23	58:3 63:7	34:21 48:21	109:19
squad 80:12	stating 77:11	street 50:18	97:23 98:13	43:15 47:3	74:12 85:15	49:2 55:17	themselves
80:12	station 80:13	strike 31:3	98:16,17	47:11 52:7	92:16	56:13,18	29:24
stab 112:23	80:17 81:4	strip-searc...	101:15	62:9,11	112:22	57:6,13	therapeutic
staff 59:14	status 46:14	75:16	102:6,7,13	64:16 66:21	118:5	69:13 73:14	37:25
60:9,10	stay 41:11	stripped	102:20,23	66:22 67:6	131:12	107:24	therapy
99:9	46:4 87:15	106:23	102:24	67:23 69:15	takeaway	110:21	63:23 64:12
stage 65:9	91:12	strong 56:14	103:8	69:24 70:12	91:8	111:6	102:8
66:14 71:6	stayed 81:4	structure	107:13,17	71:5,25	taken 3:5	113:15	thing 17:16
110:25	staying 109:5	113:7	supported	72:19 78:25	27:21 80:5	115:15	21:7 25:15
112:8	stenographic	structured	25:19 73:18	84:2 86:15	81:17 133:6	120:21	42:10,17
114:13	133:6	110:13	supporting	87:19 88:18	takes 71:18	telling 33:2	55:4 58:18
stake 6:24	step 7:19	student 61:16	20:4 21:15	88:22 89:3	91:5 114:7	tells 19:12	62:17 77:25
stakeholders	36:15 115:3	students	97:25	89:9 90:9	114:25	temples 65:23	84:6 101:21
7:13 64:2	115:3	61:12	supports	91:6,23,25	talk 7:20	ten 61:8 93:2	110:11
67:2 76:10	stepped 88:4	Study 81:16	25:12,24	92:18,18	10:10 11:25	tenably 11:16	115:7,17
77:17	stepping	81:18,24	43:8 57:2,3	93:7,12	23:4 36:22	term 118:13	118:24
stand 59:23	10:21	89:11	59:4	94:11,12,13	39:4 40:11	terms 32:21	121:2 129:7
59:25	steps 49:19	stuff 21:12	supposed	94:16 98:25	42:22 43:6	testament	131:6
105:25	Steve 8:10,20	50:22,25	4:15 27:14	101:4	49:13 58:20	68:9	things 9:3,12
132:11	121:18	90:15	36:24 37:24	102:15	62:22 73:3	testified	13:12 23:22
standard	Stewart	120:12	38:3 128:24	106:17,18	81:8,20	115:19	24:3,9,15
66:10	95:11	subject 118:6	sure 7:3,8	111:8,10,25	110:11	testify 8:9,24	31:8 42:7
standing	104:24,25	success 32:24	17:16 34:15	118:16	115:6	16:7	43:2,16
27:17 29:19	stick 106:24	40:23	39:20 47:13	121:5	120:21	testifying	46:15 48:17
57:10	107:4	successful	48:7 52:10	123:12,13	121:21,22	17:20 89:23	50:10 51:12
standpoint	stop 61:11,24	33:3,4,7	59:9,18	124:7,24	talked 81:21	testimony	53:7,9,16
118:2	69:8 88:8	successfully	85:16 91:11	126:3,13	84:9,9	7:20 8:19	54:4 55:10
stands 69:16	121:21	41:5	92:2 103:12	127:18	113:9	13:24 19:4	55:13 56:6
70:12 73:22	125:24	such-and-s...	109:22	129:15	115:24	51:23 52:19	57:5,9
start 24:7,8	130:4	39:6	112:22	130:20	126:7	59:11 95:19	67:11,13,17
24:25 49:2	stopped	suck 54:23	127:9,12	systemic	talking 17:21	100:13	68:6 84:19
59:12,13	61:13	suggest 39:9	surprised	70:17	34:4 37:5	104:22	84:21 85:11
					42:6,25		

Special Committee on Criminal Justice Reform
December 10, 2018

Page 14

86:18 88:12	16:4 18:2	19:6,7	133:8,21	53:17 54:23	uncomforta...	128:23	88:5 89:5
90:8 94:9	23:4 73:14	29:22 32:2	transform	83:24 87:15	76:9		106:15
101:25	74:16,17	41:7 50:2,8	68:11 78:19	117:4	undefeatable	V	107:9
105:21	75:14 116:6	toilets 75:18	transforming	trying 5:17	52:7	vacuum 65:4	walked 73:11
106:8	127:6	89:12	67:3,5,6	5:17 9:14	underlying	Val 22:13	110:16
111:19	throat 13:19	told 26:16	transitioning	20:2 23:10	39:4	23:16,16	walking
112:7,10	throttle 58:12	44:20 80:18	43:7	23:11 31:21	understand	63:23 64:9	23:13
113:8,14,15	time 5:19,19	81:11,14	transparency	34:19 47:4	5:12 9:6,12	Valerie 8:10	walks 47:18
114:4,11	6:12,12	82:2 111:7	47:2	49:18,23	9:15 10:7	19:7	49:5
117:4	13:9,11	tolerance	transparent	53:22	11:22 12:13	value 71:19	wall 36:25
118:23	33:11,18	6:23 70:9	57:5	103:12,16	22:14,19	vantage	69:7
119:20	35:22 53:23	70:14	transportat...	115:16	24:16,18	24:19	walls 41:2
121:25,25	54:9 56:4	tomorrow	108:6	122:10	33:18 45:21	various 3:5	want 5:10
124:16	56:11,11	27:25	transported	Tuesday	45:22 46:16	44:18 76:10	6:11,11,22
125:14	58:10,11,12	Tonight 40:2	66:3	14:18 83:8	48:16 49:19	verge 54:12	6:24 7:3,8
126:19,24	68:20,20,22	tool 24:20	trash 78:14	turn 11:23	54:8 80:19	versus 15:14	21:19 30:4
think 3:2,7	73:6 76:4	80:6 128:25	traumatized	36:12 47:6	91:16 99:23	15:14 79:22	30:4,6,11
4:8 7:6	90:22 96:7	tools 73:24	35:9 36:9	54:6 58:6,8	110:12,14	111:10	30:14 31:18
10:14 24:14	96:24 98:12	124:11	58:25 86:12	58:11,14,23	116:12	victim 70:6	31:24 33:17
32:10 37:8	100:3,12	top 93:25	travel 108:7	58:24 73:5	118:24	victims 70:3	34:14,25
42:11,19	106:18,21	131:10	treated 61:21	73:16,20	123:4	videos 124:14	35:2,4,6,10
46:12 50:23	108:24	topic 87:15	61:22	92:6 122:4	127:13,14	view 3:25	35:17,17,20
53:14 57:22	113:3 117:5	topics 3:5	treatment	130:9	127:22,23	violate 128:7	36:10 37:2
68:8 78:3	124:10	total 75:5	72:11,14	turned 3:7	128:16	violated	41:13 47:13
80:22,23,24	125:4 128:8	totally 130:14	tree 93:24,25	57:24	130:19	86:17	47:20 48:13
90:7 91:8	131:14	touch 9:24	trees 131:9	turns 72:21	understand...	violation	49:10 51:22
91:19 95:6	132:4	29:23 32:13	trial 1:15	TV 19:20	3:20 5:22	126:18	54:20,21
102:11	times 24:21	40:12,13,18	15:15 71:13	TVs 33:2	6:7,16 7:5	visit 105:24	58:5,16,22
103:11	57:5 63:9	50:24 51:11	77:14 87:14	twice 2:13	21:23 22:22	117:21	58:22,23
104:4	65:15	69:24 94:10	102:16	two 3:3 11:23	38:13 60:15	visitors 94:7	59:8 66:11
105:16	121:14	94:14,20	113:10	18:5 28:9	91:5,14,21	visits 60:11	66:17 69:14
106:13	tiny 74:24	tough 57:6,7	tried 52:4	32:22 40:25	114:23	visual 117:18	83:20 87:22
110:15	tip 74:23	65:3,5	triggered	44:17 66:16	115:12	voice 6:22	88:7,15,20
111:7 112:2	tireless 78:22	tour 116:13	128:3	86:20 127:6	117:23	131:25	89:2 91:16
112:23	tires 117:18	toy 74:22	trouble 38:12	two-hour	118:7	volume 71:24	92:8,16
117:13	131:16	75:11 76:18	troubles	114:25	119:25	volunteer	93:22
119:24	title 2:14 9:5	76:24 80:6	48:23	two-step 69:7	understands	52:24 69:11	100:11,20
121:18	to-do 119:16	80:9 82:14	truck 80:9	type 11:25	10:12 43:15	95:21 96:24	101:19
126:6	119:18	track 48:4	true 6:20,21	12:2 47:15	127:10	volunteering	102:4 103:9
129:14,20	today 3:7,14	tradition	10:7 30:9	129:22	understood	34:7 115:5	103:21
thinking	8:24 15:24	107:8	117:20	types 23:25	116:24	volunteers	107:20
22:10 31:9	16:5,6	trained	122:23		uniform 74:6	64:3 71:4,7	110:12
51:5 54:18	27:25 28:10	121:21	123:3 133:7	U	unique 54:16	73:17 78:16	118:11
67:22 82:5	38:18 60:12	training 15:9	truly 118:15	ugly 106:7,8	uplifted	98:5 114:14	120:4
third 33:18	62:6 63:23	28:13 94:24	118:25	ultimately	101:20	votes 118:23	123:22
76:2 126:15	65:7,7 96:2	95:2,3	trust 18:23	62:4 68:12	uplifting		124:19
126:17	96:11 97:7	114:18,20	24:10 49:4	78:12	104:13	W	125:23
thought	98:23 100:5	114:25	49:22 86:13	unbelievably	use 13:14	wait 7:18 8:4	128:19
56:23 62:8	115:19	trainings	86:14	92:19 93:3	94:25 95:2	116:5	131:13
68:18 75:6	119:3	15:11 60:17	try 20:6	unbiased	usually 38:23	waiting 29:7	132:3,8
121:7	130:19	trajectory	21:10 23:2	124:17	93:25	waiver 71:13	wanted 36:16
three 15:21	132:9	125:11	31:2,5	uncanny	114:24	wake 70:17	44:5,8
15:22 16:3	Todd 8:10	transcript	42:19 49:11	106:6	117:16	walk 11:12,14	54:20 55:2
				uncle 40:13		47:19 71:5	

Special Committee on Criminal Justice Reform
December 10, 2018

87:4 93:24 105:25 wanting 130:24 wants 33:24 111:20 127:17 warm 102:22 warrant 46:13 73:12 Washington 44:13,15 wasn't 21:5 41:11 75:8 81:7,7,8 82:16,18 83:12,13 87:7 118:14 watched 86:13 watching 19:20 21:22 57:12 way 3:25 9:9 9:11 13:12 21:13 24:22 26:6 32:12 41:4 54:19 57:22 58:15 60:9 61:14 61:15 63:16 67:22 69:8 71:22 91:21 91:22 98:3 98:6,13 103:7 106:14 114:3 115:6 123:18 ways 21:14 44:18 107:12 114:12 we'll 13:4 48:4 49:18 61:23 73:2 73:2,3,4 99:14 we're 3:2 4:10 4:16 6:14 10:24 11:4 11:5,7 12:4 12:22,25	13:14 14:12 15:4,24 19:16 23:10 23:10,12 28:7,14 30:24 34:4 34:19 38:16 39:19,23 40:16 42:19 42:25 43:3 48:7,15 51:24 58:4 62:21,23 63:25 64:23 65:3,25 67:3,5 68:4 68:22,22 73:6 78:7 82:7 88:25 90:12,13,24 93:10 98:23 99:12,20 101:23 102:2,2,4,6 102:12,24 103:12 112:4 114:5 117:3 119:16 120:9 123:7 124:21 129:19 130:7 we've 2:25 3:11 7:12 9:3 14:15 14:17,19,20 21:18 24:10 28:13 40:18 91:13 105:21 126:14,19 wear 4:17 website 108:5 weed 123:20 week 18:5,8 27:24 28:18 35:18 57:8 72:15 119:18 weeks 36:20 99:7 welcome 4:25	8:12 52:15 104:15 110:8 welfare 26:18 well-meaning 30:22 went 27:10,25 27:25 28:2 40:8,9,9 54:22 56:12 62:13 76:19 80:10,16 82:25 84:20 84:21 89:25 102:16 128:10 130:11 weren't 5:20 130:12 Wertheimer 1:12 4:19 36:14 West 18:20 95:23 97:9 99:4 white 53:16 55:3 105:24 Wilfredo 1:11 4:19 Williams 8:8 95:9 willing 10:21 11:7 56:15 56:16,17,17 112:13,14 win 105:23 wind 30:22 windowless 65:16 wing 88:19 wipers 94:17 wish 75:20 witness 8:13 8:14 14:4,4 52:13 95:14 95:17 Witnesses 8:14 52:13 95:14 woman 101:10 women 54:18 105:25	won 105:22 word 116:14 116:15,18 words 23:4 66:16 67:7 work 10:5 17:22 20:12 20:12 44:6 45:4,8 50:10 51:11 51:15 55:25 59:24 64:6 67:3 72:19 76:19 78:18 90:3 96:12 97:4 99:5 102:8 103:16 107:13 128:10 130:24 worked 14:20 16:2 27:12 39:6 41:17 43:5 69:10 94:15 96:5 worker 27:9 37:18,24 39:11 workers 38:23 60:18 94:17,18 99:21 112:6 working 14:15 15:7 15:21 17:3 17:3,9 32:2 36:6 38:20 41:18 50:14 58:17 99:13 108:13 works 91:10 97:3,16 114:24 115:13 124:8 workshop 99:5,11 119:14,19 world 61:17 worry 84:18 worse 111:23 wouldn't	76:11 87:8 wow 32:16 wrap 28:14 write 50:19 71:9 written 68:17 wrong 84:20 84:21 85:25 88:11 wrote 105:4 <hr/> X <hr/> <hr/> Y <hr/> y'all 83:23 88:21 104:2 104:2 Yale 7:24 yang 127:21 yeah 23:14 29:22 41:25 42:9 82:15 109:25 114:16 127:19 year 105:21 108:21 years 41:19 50:15 51:8 51:8,9,10 61:4,5,8 63:15,15 108:24 127:6,7 128:5,9,10 128:11 yin 127:20 yin/yang 125:21 York 61:9,19 92:20 you's 93:17 young 4:3 36:5 38:8 40:7 73:19 86:23,24,25 Youth 81:16 81:18,23 89:11 <hr/> Z <hr/> Zahiem 74:3 74:20 75:12 75:14,15	76:3 77:7 79:19 Zahiem's 75:4 78:5 Zakiyyah 52:11 74:9 74:14 75:9 76:16,19 79:18 89:21 Zion 14:11 <hr/> 0 <hr/> <hr/> 1 <hr/> 1:00 81:5 10 1:7 10-year-olds 89:18 10:20 1:7 12 109:3 12-year-old 85:24 12-year-olds 89:17 12/10/18 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1	63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 13 86:15 13-year-old 74:3 13-year-olds 89:17 92:4 15 77:4 160101 1:17 2:1,16 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1	26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Special Committee on Criminal Justice Reform
December 10, 2018

Page 16

132:1 17 118:3 1st 80:13 <hr/> 2 2 51:24 2018 1:7 53:3 20th 53:2 24 51:7 <hr/> 3 3 27:15 3.50 74:25 30 26:17 128:5,9,10 128:11 30-year 127:25 31,000 108:21 32 26:20 34 51:8 <hr/> 4 4,000 108:23 4:00 81:14,18 400 1:6 <hr/> 5 5:00 14:18 5:35 132:14 54 51:8 <hr/> 6 63 88:3 <hr/> 7 72 75:13 <hr/> 8 8:00 14:19 80:3,10 <hr/> 9 911 87:3							
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	--	--	--	--